

The Neglected Minority: Higher
Education Opportunities for
Refugee Background Students in
England and Poland

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Abstract

At the end of 2018, there were almost 26 million refugees and 3.5 million asylum seekers worldwide. Only an estimated 3% currently have access to higher education (HE) (UNHCR, 2019). While international organisations have begun addressing this HE access issue, the body of relevant research remains relatively underdeveloped.

Using a qualitative simultaneous multimethod research design (Morse, 2003), employing both quantitative and (predominantly) qualitative methods, this thesis analyses the (under)representation of refugee background students (RBS) in universities in two European states – England and Poland. The study aimed to determine whether RBS are indeed underrepresented in HE in these two countries and – if so – to examine the reasons behind this. Access to HE is framed in this study as a human right and a social justice issue.

This thesis established that in relative terms, considering general HE participation rates in both countries – RBS can be considered as underrepresented in English and Polish universities. It further provides rich data leading to new in-depth understandings of the RBS' own perceptions of barriers to HE access and participation, and in particular how these are not only accumulating but also intersecting and exacerbating each other. It explores the perceptions of university and the third sector staff regarding access/participation barriers, and examines issues faced by those trying to establish structures of support for RBS. It offers a comparative aspect in most parts of the study, by including two national contexts, offering commentary on the common issues and differences, which can be used to develop a deeper understanding of the wider, international picture. Findings presented in this thesis can be used by policymakers, universities, and third sector to evaluate, modify, and improve policies and practices relating to RBS access and participation in HE, to ensure equality, parity and social justice in and through higher education.

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*I dedicate this thesis to
my family, my husband Arendi, my children Audrey and Arthur,
my parents and siblings, and parents-in-law,
for their constant encouragement, support, and unconditional love.
I love you all dearly.*

*Also, to all refugees who pursue higher education
despite the many, many barriers placed in their way:
your courage, strength, and resolve
inspire me daily.*

Author's Declaration

I hereby declare that the work contained in this thesis is a presentation of original work, except where otherwise referenced, and it is the result of study that has been conducted since the official commencement date of the degree. This work has not previously been presented for an award at this, or any other, university. Part of the work presented here has been previously published in a peer-reviewed journal, which has been properly referenced in the thesis. All sources are acknowledged as References.

Chapter 1. Introduction

This thesis was written at a time of global forced displacement reaching double the number recorded 20 years earlier, and the highest number in the almost 70-year history of the UNHCR – the UN Refugee Agency. At the end of 2018, there were over 70 million displaced people in the world, including almost 26 million refugees and 3.5 million asylum seekers. According to the UNHCR, right now, *only 3 percent* of refugees have access to higher education worldwide (2019). While this issue has moved onto the global policy agenda in the last four years (2015-2019) in particular, the body of research on higher education (HE) opportunities for refugee background students (RBS) remains relatively under-developed.

The focus of this thesis is on RBS' access to HE opportunities in two countries England and Poland¹, which have different legal, political, and social policy systems, despite their common European Union (EU) membership, for England as part of the United Kingdom (UK) (at the time of the research). The two countries are in different locations on the migration track – Poland is mostly a transit country, while the United Kingdom is a destination country for many of those seeking asylum in Europe (Van Mol & de Valk, 2016). Both countries have relatively open HE systems with high participation rates and support in place for those from somehow disadvantaged backgrounds. These and the more pragmatic reasons for choosing these two states for the research are discussed in further detail in the methodology chapter (4).

This research project aimed to determine whether such students are indeed underrepresented in universities in these two countries in particular, and - if so – to examine the reasons behind this and consider what can be done to ensure equal educational opportunities are afforded to those with refugee background in the future.

The research questions asked were:

¹ Although data in this study relates to England specifically, where relevant I refer to United Kingdom/UK, for example, when discussing international agreements to which the UK is a party, or where prior research or data does not break down the information for the four home nations.

R.Q.1 What is the *accessibility* of (degree level) higher education opportunities for refugee background students in England and Poland?

1.1 Are refugee background students underrepresented in universities in either or both countries?

1.2 Are there any differences in access (i) in the two countries and (ii) between the different groups of refugee background students?

1.3 What are the inhibiting factors (*barriers*) to equal access to and participation in higher education as experienced and perceived by both participants and non-participants with refugee background in both countries?

R.Q.2. What are the barriers to refugee background students' access to higher education as perceived by universities and third sector staff, and what do they consider as their role in enabling access and supporting the participation of refugee background students; what recommendations for improvements can be made?

1.1 Summary and an Overview of the Thesis

Access to HE is framed in this study as a human right and a social justice issue. In the absence of supportive national policies in either country, it is argued below, that the role of universities and third sector organisations becomes crucial in facilitating access and supporting the success of RBS. It is argued that their particular needs and barriers they face in relation to HE are largely invisible, and thus insufficiently and inappropriately addressed. This results in the underrepresentation of RBS in both countries.

As discussed in the following chapters, this area of research remains relatively underdeveloped, although it has grown exponentially since the onset of the so-called 'refugee crisis' which began in 2011, with the unprecedented in recent history spike in 2014/2015 when over a million people entered Europe, majority of them refugees. Like many others, I do not consider the challenge posed by the increased forced migration as a 'refugee crisis', but rather a crisis of inequality, a crisis of war, resource exploitation, and climate change. It should also be considered as a huge opportunity for the European states to exert the dignity and other – what we consider as – European values, to make a positive difference in the world.

Although the instrumental argument sits uneasily with my views, I acknowledge that what may speak to the policymakers most, however, is not the human rights or humanitarian arguments, but the fact that the arrival of refugees in Europe can help the economic growth of the Member States. Many European states have declining birth rates and risk being overwhelmed by their aging populations in the next few decades, which will put immense pressure on welfare systems and decrease the potential economic outputs by as much as 3% by 2050 (International Monetary Fund, 2017). The International Monetary Fund (IMF) and the Organization for Economic Cooperation and Development (OECD) suggest that countries with advanced economies should be opening – not closing borders to refugees. While requiring an initial investment of public funds to provide accommodation, healthcare, and basic supplies, it will offer long-term economic benefits, boosting labour supply and helping states avoid stagnation, and fund the pensions of the elderly population (IMF, 2017; OECD, 2013). An influx of people is what the region needs right now and – albeit through unfortunate circumstances – it is exactly what the so-called ‘refugee crisis’ offers Europe. While the number of refugees coming to the EU is still very small – the 1.8 million estimated to have arrived since 2014 represents just 0.1% of the EU population today, which is hardly enough to slow down Europe’s demographic decline - the countries which accept higher numbers of applications are only doing themselves a favour, especially considering that over 82% of those seeking sanctuary in Europe are less than 35 years old (Eurostat, 2017).

The demographic diversification is only one way in which the arrival of especially younger refugees helps European economies. As summarised helpfully by Philippe Lagrain (2016), refugees – given chance – contribute to hosting societies as workers, innovators, entrepreneurs, taxpayers, consumers, and investors. While generous, wide-ranging support is indeed required upon arrival, systematically designed policies supporting refugees can lead to the creation of new jobs, raising of productivity and wages of native workers, increases in innovation, enterprise, and growth in the host states. These benefits can only be reaped if the refugees successfully integrate into their receiving society. As noted by the European Commission (2014), to ensure such integration, the host state needs to provide migrants (including irregular migrants) with opportunities to learn the language, work, and study. I argue in this thesis that affording refugees access to HE opportunities in particular can lead to community

cohesion, but also increase national productivity and growth, atop the personal gains for refugees and their families.

Following this brief introduction, Chapter Two discusses the theoretical foundations and conceptual framework underpinning this study, presenting the right to access opportunities in HE as a fundamental human right, which must be afforded to all without any discrimination. As no single theory can be meaningfully used to address the research problem at hand, a carefully put together (original) conceptual framework is proposed, in the form of a model of *'Fairness Based Meritocratic Equality of Opportunity'*. It is propositioned, that this human rights-based framework should be adopted in both academic and policy discussions about access and participation for RBS. This is to acknowledge the qualifying element – merit - of the right to participate in HE as enshrined in international human rights instruments (para 1, Article 26 of the Universal declaration of Human Rights). 'Merit' is understood here as the ability to learn, and the willingness to work hard (the motivation or effort). In the case of RBS, this relates in particular to fluency in the host state language, and preparedness to study in universities in Europe, as generally judged by review of prior educational experiences and qualifications, but also the review of other relevant experience and expertise. 'Fairness Based' refers here to the need for the imposition of measures necessary to compensate for the particular obstacles to access faced by RBS in the context, resulting from their legal and social position. To understand what these obstacles are (as analysed later in the thesis), a framework of barriers to access as developed by Patricia Cross (1981) and expanded by Alderman and Potter (1992) is described. Finally, the model of bounded agency (Rubenson & Desjardins, 2009) is discussed, adopted in this study to explain that the ability and potential of individuals to participate in learning is affected not only by the barriers but also by targeted policy measures which create conditions that allow individuals to overcome them.

Chapter Three begins with an explanation of the key legal terminology and provides contextual background to this study. Next, it examines the contribution of previous research examining the value of HE, in particular for refugees, their families and communities, and host societies and country of return, and further, that which discussed RBS' access and success issues in the UK, in other European states, and in other settlement contexts. Chapter Three ends with a rationale for this particular

research. Chapters Two and Three, therefore, can be seen as answering the first important question of any research – ‘why?’ Why is this an issue and why should we care?

This is followed by an explanation of the ‘what?’ and the ‘how?’ – Chapter Four describes the research methodology and explains the philosophical nature of this inquiry. Namely, it discusses *pragmatism* as a paradigm, explaining this study’s focus on the practical resolutions/recommendations for dealing with the problem identified. The rationale for a two-country comparative approach and use of multiple methods is presented, followed by a detailed description of the research framework: sampling techniques and recruitment, including description of final samples. This chapter also engages reflectively with ethics and describes difficulties encountered and decisions made during the course of this research. Analytical approaches related to each data set – namely descriptive statistical analysis and thematic analysis of interview data are considered next. Finally, the trustworthiness of the study is discussed.

Findings are presented and discussed in relation to literature in chapters Five to Seven. These have been arranged around the different research questions and sets of data collected: Chapter Five focuses on examining the available data relating to the RBS access to universities, both in England and Poland. The purpose of this chapter is to determine whether there is any (other than anecdotal) evidence RBS of underrepresentation in universities in either country. It is indeed established with some certainty that in relative terms at least, considering general HE participation rates in both countries, students with refugee backgrounds can be considered as under-represented in our universities. This chapter provides an answer to research question 1 (1.1 and 1.2) and offers an original contribution to research in this area, as no previous estimations of the representation of RBS in HE in England or Poland have ever been attempted.

Chapter Six focuses on examining the barriers to access (and to a lesser extent – participation) as perceived and experienced by RBS in England and Poland. Drawing on the existing framework of barriers to HE access developed by Cross (1981)/Alderman and Potter (1992), and utilising the concept of bounded agency, the purpose of this chapter is to build on previous research by including participants of varied ages, locations and study statuses – namely, aspiring to enrol, or currently

enrolled in HE. By speaking to those who have not yet found their way into HE, this study has allowed their voices to be heard and presented a perspective not widely reported on in the research literature. Drawing on the accounts from nineteen refugees and asylum seekers in England and further three in Poland (a national context not previously studied), and reflecting on their experiences in university, or on the way to university, the analysis focuses on how distinct barriers relate to one other – which is the key scholarly contribution of this part of the study. Although previous studies acknowledge that disadvantage experienced by RBS is often multi-layered and accumulative from distinct barriers, this study provides a clear overview of *how* exactly the discrete issues not only *accumulate* but also *inter-relate* and *exacerbate each other*. It is proposed in this chapter, that the *Fairness Based Meritocratic Equality of Opportunity* model should be applied in relation to supporting RBS, to afford them with access to HE opportunities on foot with that available for citizens. It is finally discussed in this chapter, how Chapter Six contributes to answering research question 1 (and in particular sub-question 1.3).

Chapter Seven draws on responses to open-ended questions for the freedom of information requests, and nine interviews with university representatives and four interviews with third sector representatives in England, and two university officials from Poland. It first examines the perceptions of barriers to HE access for RBS as held by university staff (those interviewed, and those providing information in response to the FOI request) and third sector staff, to ascertain whether the understanding of the issues faced by RBS has evolved since the previous studies have been undertaken - some a decade ago now. It considers the idea that assumptions about the barriers made by staff in some universities can lead to lack of or insufficient support for RBS aspiring to enrol in HE, and/or unsatisfactory support for those who have managed to access the limited opportunities. A further contribution to research is made by analysis of the perceptions of the interviewed staff concerning the role that universities and the third sector must play in supporting access and participation of RBS. Finally, it examines the issues faced by university and third sector staff in setting up of support structures for RBS, consideration of which can support future developments, so that, eventually, access and participation of RBS can become truly equitable and socially just. The *Fairness Based Meritocratic Equality of Opportunity* model is discussed again in relation to the findings from this chapter, arguing that ‘equality of opportunity’ must

extend beyond that of ‘access’ as its key currency. This chapter contributes to answering research question 2.

In the concluding section of this thesis – Chapter Eight – all the findings are drawn together through an overall discussion, recommendations (answering the last part of research question 2 – how can access for RBS be improved?) and conclusions. Future research directions are discussed here, and final remarks are made about the original contribution to knowledge made by this thesis.

1.2 A Word on Terminology

There is a growing body of research on the topic in question in this study, yet there remain some disagreements regarding the terminology used. While some studies refer to ‘forced migrants’, a more commonly now accepted is the term ‘refugee background students’ (RBS) – a term adopted also in this study.

Term	Definition
Refugees	Those who have had a positive decision on their claim for asylum under 1951 Refugee Convention (further detail of the legal terminology is provided in Section 3.2).
Asylum Seekers	Those who have formally applied for recognition as a refugee and are awaiting a decision on their application.
Humanitarian Protection (HP), Discretionary Leave to Remain (DLR), Subsidiary Protection (SP)	Those who have not met the strict criteria of the 1951 Convention but have been recognised by the host state as in need of a temporary protection.
Refugee Background Students (RBS)	A collective term used throughout in relation to current students and potential learners alike, to collectively include all of the above.

Table 1. Terminology

Chapter 2. Equal Opportunities in Higher Education as a Fundamental Human Right - Theoretical Foundations

The aim of this chapter is to present the theoretical foundations and conceptual frameworks underpinning this study, presenting the right to access opportunities in HE as a fundamental human right, which must be afforded to all.

Although the key contribution to knowledge made by this research is empirical in nature, the findings are necessarily interpreted and related to established theoretical concepts. Some implications for theory can also be identified: firstly, advancement of our understanding of the previously defined concept of ‘equality of educational opportunity’ through identification of an additional construct – the moderating variable of ‘fairness’(ss.2.2.4). As noted by Lazenby (2016), new positions relating to interpretation of the equality of educational opportunity may and should be produced, not despite, but precisely because there are so many interpretations of the concept already, to ensure a progress to be made about its meaning. Secondly, conceptual frameworks of barriers (from the work of Cross (1981) as expanded by Alderman and Potter (1992)) (ss.2.2.6) and bounded agency (Rubenson & Desjardins, 2009) (s.s.2.2.7) are validated through observation of empirical facts. These frameworks and concepts and they ways in which they are connected are explained in this chapter.

2.1 Introduction

As discussed by Kotzmann (2018), there are two general theoretical models currently used to frame higher education policy and practice. The prevalent market-based approach, reflective of neo-liberal theory, suggests that HE will be most effective if it is left to the market and is “characterised by the introduction of or increase in tuition fees, a shift towards privatisation and treatment of higher education as an ‘export commodity’” (p.63). The market-based approach has been criticised in particular for its impact on social justice and equity, its focus on societal and individual economic benefits, and ignoring of other HE participation purposes and benefits (pp.70-74). Human rights-based approaches, on the other hand, “translate contemporary human

rights norms and operationalise them” (p.74), advising that higher education should be seen as a right belonging to all people, with state holding a primary responsibility for ensuring equal access. The human-rights based approaches are well established and constitute powerful instrument to advocate for social justice and equity in HE. In this thesis, a human-rights based approach to policy and practice is suggested to afford RBS access to HE in host states. To ensure that this approach is conceptually coherent, the overarching principles (equality) and specific rights expressly stated in relevant international legal instruments are summarised below. This is followed by discussion of non-discrimination in relation to refugees and asylum seekers and their right to access higher education in Chapter Three. This theoretical framing is necessary for 1) examining of the *de jure* opportunities to access HE by RBS in both countries, as discussed primarily in this and the next chapter (as well as findings Chapter Seven), 2) analysis of the *de facto* barriers to RBS exercising their right to access HE, as presented in Chapter Six.

2.2 Theoretical Foundations – Education as a Human Right

Education is not a privilege. It is a **fundamental human right**. This means that it belongs to all. It means that *access to quality education* is guaranteed legally for everyone, without any discrimination. It means that states are under an obligation to respect, protect and fulfil this right. It also means that there are ways to hold countries accountable for deprivations of the right of education. Why is the right to education fundamental? Education, as stated in the General Comment 13 of the UN Committee on Economic, Social and Cultural Rights (responsible for the supervision of the international Covenant on Economic, Social and Cultural Rights), is central for human, social and economic development of individuals and societies. It has long been accepted that education is instrumental in achieving some important economic outcomes in life, for example getting a well-paid job (see human capital approaches to education, helpfully summarised by Chattopadhyay (2012)). It is an empowerment right, allowing the marginalised children and adults to lift themselves out of poverty and be full members of the society. Most importantly, however, education has been more recently acknowledged as being of intrinsic importance – a valuable achievement in itself and a powerful tool in developing full human personality, leading to individual wellbeing, and fulfilling individual and collective potential. In the

approach to social justice and equality developed by Sen (the capability approach)², education is seen as a basic capability in itself in that it provides a foundation for development and expansion of other capabilities, i.e., the potential to achieve the desired outcomes (functionings), e.g., having been taught to read and having books and newspapers to read are the capabilities of the functioning of being able to read. Having opportunities for education and developments of educational capabilities expand human freedoms, that is being able to choose to be and do what we value (Nussbaum, 2006; Sen, 1999). These freedoms can be grouped into five broad areas of: political freedoms, social opportunities, economic facilities, transparency guarantees and protective human security. Many of these freedoms are so fundamental to human wellbeing, they have been categorised as human rights. In other words, therefore, the exercise of the right to education provides essential means for realising all other human rights.

The right to education is guaranteed by many international legal instruments encompassing both entitlements and freedoms, including *the right to equal access to higher education on the basis of capacity made progressively free* (see ss.3.3 below). For the right to education to be a meaningful one, education – in all its forms and at all levels – must necessarily exhibit some interrelated and essential features. These have been helpfully defined by the first UN Special Rapporteur on the Right to Education, Katarina Tomaševski, and adopted by the Committee on Economic, Social and Cultural Rights in its General Comment 13 on the right to education (paragraph 6). These are:

- (i) Availability – ‘functioning educational institutions and programmes have to be available in sufficient quantity’, with adequate infrastructure and trained teachers.
- (ii) Acceptability – the content of education must be relevant, non-discriminatory and culturally appropriate, and of quality.

² There are number of problems with the equality of capabilities approach, including the lack of ability to weigh capabilities in order to arrive at a metric for equality, and the fact that various moral perspectives are compromised (Cohen, 1993; Williams, 1987). It is outlined here for illustrative purposes as one of currently operating theories recognising – and prioritising – the right to education. In this study, however, a resourcist approach – that of equality of opportunity – is adopted.

- (iii) Adaptability – the content of education must evolve with the changing needs of society; it must also adapt to suit the locally specific needs and contexts.
- (iv) Accessibility – education must be accessible to everyone, without discrimination, and *positive steps must be taken to include the most marginalised vulnerable groups, in law and in fact*; it must be physically accessible – either through convenient geographical location or via modern technology; education has to be affordable to all – in particular, HE must be made progressively free [emphasis added].

For this thesis, the final feature is of particular interest. In what follows, the practices, protections and policies, that are legally recognised, which *should* facilitate RBS equal access are considered. This is contrasted with the *barriers* to equal access (and participation), and if/how do they differ between different groups of RBS? What are the roles and actions of the state and non-state actors in enabling or preventing equal opportunities? These questions (elaborated on in the Methodology chapter of this thesis) will be answered and explained through use of a theoretical approach (*'Fairness Based Meritocratic Equality of Opportunity'*) combining the theoretical underpinnings of equality law with both education and philosophy-based discourses of equality of opportunity, in particular, using the human rights approach to equality.

It is argued below (Section 2.2.4) that the conception of equal access to educational opportunities is a widely accepted one in the contemporary European and American political discourse, yet it has its limitations. Before turning to this argument, however, it is essential to explain what 'equality' is, and what is meant by 'equality of opportunity' in particular.

2.2.1 What is Equality? The Law and its Theoretical Underpinnings

The principle of 'equality', next to that of 'freedom', is a fundamental assumption of a democratic society. In legal terms, it is closely linked to the notion of non-discrimination (Evadre, 2007; McCrudden, 2004). Indeed, anti-discrimination laws have often been labelled as 'equality laws' (Fredman, 2001; McCrudden, 1993). Discrimination, in law, refers to differential (or unequal) treatment of an individual or a group of individuals, based on their physical or personal traits, which results in

disadvantage. The traditional approach of national legal systems was to employ the concept of equality as a system of formal rules dictating treatment of those sharing an equal status in at least one normatively relevant respect, to be equal with regard to this respect. The crucial question is which respects are normatively relevant and which are not. In the past, as noted by Sandra Fredman (2011), women were not thought about as being ‘like men’, and therefore deserved fewer rights (this remains true in number of countries around the world today). The same logic was applied over the centuries to people of colour, slaves, non-Christians, and more recently to disabled people or non-heterosexual orientation. It is still the case in respect of non-citizens, issue which is central to this research and as such discussed in more detail in Chapter Three below.

Such equal treatment demands impartiality, thus the formal rules are prohibiting discrimination on a basis of specific characteristics, such as sex or race, as grounds for differentiation. This traditional approach, referred to as ‘formal equality’, can be traced back to Aristotle and his pronouncement that equality means ‘things that are alike should be treated alike’ (Ackrill & Urmson, 1980), and is based on the belief that a person’s individual physical or personal characteristics should be deemed irrelevant in determining their right to some social benefit or gain, or the way they should be treated in the same circumstances. This most widespread understanding of equality often equates ‘equality’ to ‘justice’ or ‘fairness’ – for many ‘justly’ and ‘fairly’ means ‘equally’. However, the relationship between these terms is somewhat more complicated. Indeed, a closer inspection of anti-discrimination legislation reveals a deviation from a simple formal equal treatment principle, in that – in some cases – different rather than the same treatment is required. For example, law requires pregnant women to be treated differently rather than the same as men, or other women³. It also dictates that disabled persons are treated differently than able-bodied persons, to enable them to gain access to work, education and other opportunities⁴. Further, ‘equal’ (that is the same) treatment itself is sometimes prohibited, if it causes

³ E.g., *Council Directive 92/85/EEC*, OJ L 348, 28.11.1992.

⁴ E.g., *Council Directive 2000/78/EC*, OJ L 303, 02.12.2000.

‘indirect discrimination’⁵ – when ‘a rule or practice disproportionately operates to the disadvantage of one of the protected groups’ (Collins, 2003, p.17). Finally, preferential – that is ‘unequal’ – treatment of the protected groups is permitted in certain situations, to recompense for a prior history of disadvantage (‘positive (or reversed) discrimination’, in the US known as an ‘affirmative action’). Formal equality cannot adequately deal with these types of laws.

These deviations from ‘equal’ treatment and their relationship with the concept of justice which are recognising the force of the equal treatment as a principle but, at the same time, are acknowledging its deficiencies, can be explained by reference to another conception of equality – a so called ‘substantive equality’, that is furthering of distributive goals. The deviations from ‘equal’ treatment are justified here by reference to pursuit of goals, such as equality of results, equality of responsibility, equality of resources, equality of welfare and equality of opportunity, central to the analysis in this thesis.

2.2.2 Why Should People Be Given Equal Opportunities in Life? Philosophy Based Concept (and Conceptions) of Equality of Opportunity

The topic of distributive justice concern issues of distribution of material goods and services, but these are not the only economic distributions which are important to people. If one believes that all of us are equal in some important ways (as is prescribed in the international human right law instruments, for example, Article 1 of the Universal Declaration of Human Rights (UDHR) which states that: “All human beings are born free and equal in dignity and rights.”), and that all should be free to pursue their happiness without undue interference, then ‘equality of opportunity’ is also very important indeed. Rawls (1971), Dworkin (1981a, 1981b, 2000), and other distributive justice theorists, have endorsed some form of equality of opportunity, as “a notion of equality which seeks to equalise starting points irrespective of a person’s background or status” (Equal Rights Trust, 2007, p.3-4).

⁵ E.g., *Council Directive 2000/78/EC*, OJ L 303, 02.12.2000, Art. 2.2(6).

The concept of equality of opportunity was examined by philosopher Peter Westen (1985), who described ‘opportunity’ as a three-way relationship between a person, some obstacles, and a desired goal. Opportunity is only real if one has a true chance of achieving that goal, without facing insurmountable obstacles. ‘Equal opportunity’ is something more than mere ‘opportunity’. While everyone could have an opportunity, each facing different relevant and irrelevant obstacles, equal opportunity requires that no one should face any irrelevant obstacles (whilst sex and race would be deemed as irrelevant obstacles in pursuit of education, ability to learn and willingness to work hard are obstacles relevant to the distribution of opportunity to access university programmes). Indeed, the concept of equality of opportunity suggests that measures have to be taken to rectify past discrimination, allowing individuals from traditionally disadvantaged groups to receive special education or training, or encouraging them to apply for certain jobs (Equal Rights Trust, 2007). This aspect of equality of opportunity is central to its worth as a social ideal because it expresses the moral value of equality, and injects a substantive element into its framework, recognising the shallow nature of formal equality.

There are several different conceptions of equality of opportunity, some more, some less demanding. The most demanding is the so-called ‘equality of opportunity for welfare’, requires a “great encroachment on some putatively valuable forms of individual freedom” (McCoy Family Center for Ethics and Society Stanford University, n.d.-b), such as right to property which is affected when the well-off are taxed on their earnings to fund the removal of obstacles for the poor, decreasing the political feasibility of measures used to achieve it.

At the other end of the spectrum, the arguably least demanding conception of equality of opportunity, is the ‘formal equality of opportunity’. It focuses on achieving formal equality (as described above) through ensuring that the formal rules are not acting as obstacles in the way of achieving particular goals, such as access to schools or employment. According to this conception, as long as no formal rules standing in the way of individuals’ achievement of some goal – which is assured through imposition of anti-discrimination laws and policies – the society will be both free and equal.

There are number of in-between conceptions of equality of opportunity, such as the ‘meritocratic’ conception of equality of opportunity which requires redistribution based solely on the individual ‘merit’ (that is aptitude combined with effort), or the ‘fair equality of opportunity’, a conception partially based on an individual libertarian model seeking to limit the application of full redistributive justice, which requires redistribution only as far as to offset inequalities in access to jobs, due to obstacles such as social class and family background.

Importantly, as a stand-alone conception, fair equality of opportunity rejects only one source of inequality (and as such it may seem insufficiently egalitarian) – that of a social class background. The meritocratic equality of opportunity may be considered as sufficient to ensure achievement of some goals: this idea is most prevalent in the allocation of jobs where most meritorious applicants are to be offered work, disregarding any arbitrary/irrelevant factors such as race and gender, although application of this conception limits the room for discretion, e.g., removing the right to employ staff who are systematically disadvantaged already. It is, however, deemed as not appropriate in other circumstances, for example in relation to education, as opportunities to develop ‘merit’ are not distributed equally, and might be a function of previous discrimination.

It is the fair equality of opportunity⁶, supplementing and developing meritocratic equality of opportunity with a fair chances condition, that may support measures which help close the gap in attainment of social positions, including background and characteristics produced by social factors – relevant ones in the context of education

⁶ The most well-known conception of fair equality of opportunity was developed by John Rawls, published in the revised edition of his book *Theory of Justice* (1999). Rawlsian original fair equality of opportunity is a limited version of the conception, restricted to achieving narrowly defined goals of social and economic advantages attached to public offices and social positions, by equalising the opportunities between people with the same level of talent and ability and willingness to use them. For this reason, it is criticised or disregarded as inadequate by egalitarians, who care about distribution of opportunities between a wider range of people, and to achieve a wider range of goods. However, as noted by Brighouse and Swift, “this does not mean that it is false, nor that there might not be areas where it is particularly valuable either to pursue it (e.g. if one thinks it is efficient) or to frame arguments in its terms (e.g., if it is politically strategic)” (2009, p.118).

may include poverty, language proficiency at home or exposure to early childhood learning. When working with other principles, it can guide the law and policymakers quite precisely, advancing social justice for differently disadvantaged groups.

2.2.3 Human Rights Approach to Equality

The particular model of fair equality of opportunity used in this study adopts the principles of the human rights-based approach to equality. This approach highlights the conceptions of equality which are dismissed by the purely economic integrationist models, making a distinction between the equal distribution of resources, and treating people as equals (Dworkin, 1977, p.227). ‘Equality’ becomes here an agent for the delivery of enriching value-laden principles, bringing equality and non-discrimination agenda within a human rights framework (see Appendix I for elaboration of equality as a principle from which all human rights stem from). The human rights-based approach requires prohibition, prevention and elimination of all forms of discrimination in the realisation of human rights and demands a more aggressive vertical equity – treating differently placed people differently – thus prioritising those in the most marginalised situations who face the biggest barriers to realising their rights. Although benefiting the least advantaged is interpreted by some as a separate ethical demand, and one that can outweigh the demands of equality (Brighthouse, 2010), others disagree, suggesting that equality should be interpreted in a way that already incorporates attention to the position of the least advantaged (Howe, 2010). This is consistent with the fair equality of opportunity conception.

The human rights-based approach to equality reflects the universality, indivisibility, and interrelatedness of all human rights, shifting the considerations of equal distribution, e.g., of goods, responsibilities, opportunities, to the reasons for the inequalities, which is consistent with principles of equal concern and respect. Although the human rights-based approach has been differentiated by some from the equality of opportunity model because it incorporated human rights framework within its conceptual core (e.g., Equal Rights Trust, 2007), whereby the conceptual distinction between equality and human rights is removed, these two models are largely consistent and intersecting and have been regarded as such in the context of education. The UNICEF report on Education for All (2007) for example, describes

the holistic human rights-based approach to education as incorporating the respect for human rights in education, the right to quality education, and the right to access to education. This last central element is said to be made up of three dimensions: education throughout all stages of childhood and beyond, availability and accessibility of education, and – equality of opportunity (these last two dimensions largely overlapping). In essence, if one recognises the right to education as a human right, one must accept that this right will necessarily include equality of opportunity (to access quality education) for all prescribed beneficiaries of this right – that is all people.

The right to access quality HE, which is central to this research, is a human right. However, it is often not afforded on equal terms to non-citizens on the basis of their immigration status – the fair equality of opportunity conception (meritocratic equality of opportunity in the language of educationalists) operating within the human rights approach to equality seems one most appropriate to be adopted.

2.2.4 Why Equal Opportunities in Education? Education Based Discourses of Equality of Opportunity

As outlined earlier in this chapter, many people agree that education is important. It equips people with knowledge, provides a route to well-paid work and full membership in political society, increases social mobility, and is instrumental in pursuit of individual happiness and collective success (see also Chapter Three). Equality of opportunity in the society can thus be achieved ‘through’ education – a lever much more politically feasible than pure redistribution of financial resources. Further, not only does it benefit the individuals and their families, but it creates a spillover effects that result in economic and social benefits to the whole society. As so much depends on the educational opportunities people are afforded in life, the society must ensure that such opportunities are distributed fairly, but what exactly should it look like?

The dominant understanding of education equality in contemporary European and American political discourse has been for a long time meritocratic. However, the demands, if understood strictly, are for the equality of outcomes, i.e., equalising where

people end up rather than where or how they begin, in terms of policy goals (at least in regards of the compulsory level education), rather than ‘just’ equality of opportunities (see, for example, Clarke (2003), or Miliban (2004) – both Secretaries of State for Education in the UK – who have called explicitly for the elimination of any influence of social class on education achievement). This is, however, extremely difficult to achieve, both for political and practical reasons. At primary and secondary level of education for example, it would require an implementation of measures severely curtailing parental power, to prevent an ‘arms race’ between the governments allocating compensatory resources for disadvantaged students, and advantaged parents supplementing with private resources the education of their children (Brighouse & Swift, 2008; McCoy Family Center for Ethics and Society Stanford University, n.d.-a).

The conceptions of educational adequacy or indeed that of ‘meritocratic equality of opportunities’ (the educational analogue of fair equality of opportunity) are more theoretically defensible and have a greater probability to succeed in the courts or as successful robust educational policies. While the rhetoric of adequate education for all – that is the principle that everyone is educated well enough so that they can meet all others as equals in the public domain (Brighouse & Swift, 2008) is currently preferred in the US (Anderson, 2007; Liu, 2006; Satz, 2007), authors in the European contexts largely support the equal opportunities principles (Brighouse & Swift, 2008, 2009; Lazenby, 2016). They argue that a principle of educational adequacy cannot be all there is to justice and education and see the equal opportunities (as a conception) as superior to adequacy for two reasons. Firstly, education is partly a positional good with a role as a competitive means to other goods like employment and wealth, which means that getting ‘enough’ of it will not give one a fair chance in competition to which education is relevant, against others who have received more than enough. Secondly, education also provides people with advantages which are substantive (rather than positional) in character, enabling them to engage in “intrinsically valuable pursuits, such as reading good literature and discussing it with friends, playing complex games, entertaining themselves with mathematical puzzles, and socializing with people who speak other languages” (Brighouse & Swift, 2008, p.463). These substantive advantages delivered by education, typically significantly contribute to the quality of people’s lives, their happiness and fulfilment. Considered in these terms, it

is not fair that some people (through luck and nothing else) should receive more or better education than others, even if they too get ‘enough’. The educational adequacy approach further does not pay due attention to the fact that some groups (e.g., some racial minorities) are especially vulnerable in the education system – subsequently missing out on the instrumental benefits of good education including better career prospects, higher incomes and improved social status (Brighthouse & Swift, 2008; Koski & Reich, 2006).

The meritocratic equality of educational opportunity has been criticised for its shortcomings in terms of delivering social justice: precluding people’s chances of achieving offices and positions from being dependant on their class of origin but permitting those chances to depend on their talents and efforts, allowing for the emergence of the ‘aristocracy of the talented’ who become a ‘socially entitled aristocracy’, requiring levelling down of educational expenditures which prevents development of human talents which would benefit the less advantaged in the long run (Anderson, 2007; Satz, 2007). These objections have been addressed comprehensively by Brighthouse and Swift (2009), who state that the meritocratic principle cannot be used as the sole principle of educational justice, as indeed, it does not provide a full guide to the distribution of educational resources and attention, but rather, it sets constraints. It must instead be seen as just one of the values constraining policymakers, so that they do not over-generously accept that, “as long as the inequalities help the less advantaged in the long run – relative to some theoretically arbitrary, status-quo-dependant, baseline – they are beyond criticism” (p.121).

Fairness Based Meritocratic Equality of Opportunity – Conceptual Model

In agreement with this view (although not in complete alignment with the Brighthouse/Swift argument), this study – as mentioned above – is adopting a fair equality of opportunity model, which is additionally enriched with the principles of human rights-based approach to equality.

This proposed conceptual model is termed *‘Fairness Based Meritocratic Equality of Opportunity’* as it seems to most clearly express the meaning behind it:

- ‘Meritocratic’ signifies here the acknowledgement of the qualifying element of the right to participate in HE as a human right (e.g., para 1. Art. 26 UNDHR), that is that access to HE programmes is granted based on merit/capacity, understood here as a sum of aptitude, that is the ability to learn, and the willingness to work hard, i.e., the motivation or effort, assessed in reference to all relevant expertise and experience.
- ‘Fairness Based’ refers here to the added fair chances condition, that is imposition of measures meant to compensate for the particular obstacles (or barriers) to access faced by the disadvantaged subjects (RBS in the context of this study). These barriers and RBS’ ability to overcome them must be considered through assessment of structural conditions associated with the legal and social position of refugees and asylum seekers, and (lack of) targeted policy measures (bounded agency).
- Finally, ‘equality of opportunity’ uses primarily ‘access’ as its currency in the context of this research, acknowledging that educational policies have no significant control over students’ motivations, abilities or luck which will affect their educational results, but can control the opportunities by ensuring fair equal access to educational programmes. While not a matter for policy, it has to be acknowledged here that access is only a first step in ensuring the equity. Social inclusion (particularly relevant in relation to refugees and other migrant communities) and realisation of rights to education and through education are also essential. Participation and success which can be supported by the educational institutions themselves (through provision of quality teaching, appropriate evaluation methods and support measures, including, for example, academic learning support, disability and learning difficulty support, mental health and wellbeing support, and financial help for students who need it) can and should be seen as counterpart measures of equal opportunities in HE – although largely outside of the scope of this study, these are considered briefly, in particular in relation to the initial period of transition into HE (see also ss. 2.2.8).

In the context of education, the term ‘access’ typically refers to how educational institutions and policies ensure, or strive to ensure, that students have equal opportunities to take full advantage of educational opportunities.

As noted by Jacobs (2010), there are four classes of access claims occurring in educational contexts. Firstly, ‘Access for whom’ – this refers to the distinct group or class of persons at the heart of the particular consideration, often corresponding to those discussed in the literature on social stratification – that is race, ethnicity, class, gender – or immigration status, and usually concerning barriers to access for members of these groups. In the context of HE, ‘access for whom’ may also refer to questions relating to merit measured by consideration of previous achievement, e.g., in the case of university admissions, distinction is made between high school graduates and non-graduates. This study deals with both these aspects, that is barriers to access for a particular group – RBS, including non-flexible access criteria for HE admissions, not accounting for relevant life experiences and not accommodating non-standard qualifications.

The second class of access claims – ‘Access to what’ involves concerns about the substance of the opportunity, deriving their urgency from constitutive educational outcomes. This study focuses on HE opportunities. Despite the tangible benefits involved (see Chapter Three below), opportunities to access degree programmes are not as yet distributed equally to RBS hosted in European countries.

Next come the ‘Access when’ claims, focusing mainly on the fact that most educational resources should be devoted to educating children or young adults. In relation to RBS, further discussed in Chapter Three, current focus is on primary and secondary education, with substantially less attention given to post-compulsory education (including HE), especially in the context of the young people living in the host states of the Global North. This study challenges this centralisation of attention, both in policy and academia, calling for both greater policy and institutional support, and higher levels of scholarly engagement with this issue. The scope in terms of age has been widened from the initially planned 18-24 age bracket – the ‘university-going’ age – to reflect the often-prolonged journeys into HE experienced by the RBS.

Finally, ‘Access where’ claims revolve around issues of space and geography. Concerns arising in this study surround accessibility of opportunities for RBS and the barriers faced by them, including their place of residence or access to financial resources.

The question of access (that is equal opportunity) for whom and where – are RBS ‘legitimate’ beneficiaries of the equal opportunities in the host states in Europe? – is considered in Chapter Three. Issues of ‘when?’, that is why more attention is needed for post-secondary education of RBS, and the second aspect of ‘where?’, that is the importance of additional support in accessing the physical locations of HEIs in the host states, or the availability of alternative forms of delivery, are discussed in chapters Three, Six and Seven. First however, the question of what does ‘equal opportunity’ mean in the context of access to HE and why is it important must necessarily be answered here.

2.2.5 Why Equal Access to Higher Education?

As noted above, substantive equality aims to redress disadvantage and to address stigma and ensure meaningful participation – providing access to HE opportunities for refugees, asylum seekers and other forced migrants, is arguably the best policy option available to governments, to ensure the social inclusion, integration, political and civil participation, and self-sufficiency for these people, ensuring they live in dignity (acknowledged, for example, by the Committee on Employment and Social Affairs of the European Parliament – Report on refugees: social inclusion and integration into the labour market (2015/2321(INI)). The meaning and importance of HE participation in general terms described through reference to individual and societal market and non-market benefits are explained in section 3.7.1 below. The particular worth of HE participation by RBS are explained in detail in section 3.7.3. It is enough to say here, that access to degree programmes is highly consequential and as such should be determined fairly. Before moving on, however, it seems pertinent to discuss now access to HE in terms of its comprehensive value informing our concern with equality of opportunity in education.

As distinguished by Lazenby (2016), there are two broad categories of value that can be distinguished in the context of equality of opportunity. First are values that are concerned with the goods, which may include well-being, knowledge and other things. An example of how this kind of value may be invoked in public discourse about equality of HE is the affirmative action policy in the US or widening participation (WP) policies in the UK. While affirmative action demands extra weight be given to applications from individuals from particular racial groups, WP activities may vary from in-school visits to raise aspirations, to running of programmes where students, upon successful completion, gain admission to university based on lower than generally accepted entry criteria. The policy demands for increase of underrepresented groups in HE institutions (in the UK including those from lower socio-economic groups and low-participation schools and neighbourhoods) stem from the fact that HE is generally speaking a prerequisite not only for access to well-paid jobs and the associated wealth, but more importantly, access to positions of power, including those in politics (HEFCE, 2004; Osborne, 2003). Better representation of the currently marginalised groups of members of the society in universities, and consequently, in government and other positions of power, will lead to a higher quality of democracy and thus, better civic outcomes. This – as a value – is accepted by policymakers and educational institutions who weigh it against the value of attaining highest levels of academic excellence (which could be easier achieved if the candidates were selected for admission based solely on the basis of their academic ability), as evidenced for example, by the support of various widening participation schemes in England and generous financial support structures in Poland.

The second category of values are those not concerned with the goods but acting as constraints on how the goods may be pursued (e.g., justice and legitimacy). For example, if the affirmative action or WP policy is adopted because of the will of the people expressed in a referendum, where the government has bound itself to the result of such referendum, aforesaid realisation of opportunity will be supported by the value of legitimacy compelling the government to act to realise it, even if it believes that more good could be realised by adoption of a different policy (Lazenby, 2016).

Importantly, these examples illustrate that there is not necessarily only one value that should inform the conception of equality of educational opportunity – it may be a

compromise between two, or more, values. The values compromised here include those of goods (as delivered through HE participation) such as knowledge and awareness, behaviour and participation (e.g., greater civic and political engagement), capacity (e.g., increased employability), and well-being (e.g., greater life satisfaction and better general health), and those constraining values stemming from the right to education being a human right – understood as defining basic standards necessary for a life of dignity. The many values derived from the two fundamental ones – those of equality and human dignity, constraining how the right of equal access to HE may be pursued are (among others):

- *non-discrimination* – as humans are equal in dignity, their rights and opportunities cannot be judged based on their characteristics,
- *justice* – requiring the society to redress the disadvantages faced by some individuals and groups, as people are equal in their humanity and such deserve fair treatment,
- and *freedom (of choice)* – condemning obstacles that stand in the way of accessing HE only insofar as it affects the happiness of those affected – it is important to remember that people may wish to pursue education to different extents, human will is an important part of human dignity, and people should not be forced to do things against their will as it demeans the human spirit. It must not be forgotten, however, that motivations too are – to a certain extent – affected by the individuals' upbringing and social background.

The position taken in this study acknowledges that equal access to HE (based on merit, but subject to compensatory measures aimed at redressing inherent disadvantages faced by the vulnerable group in question), is a subject of social justice standards, which are guiding adjustments in social institutions in their distribution of socially available goods across members of a society, as a matter of responsibility towards the political community of the state. However, it is also argued here that this right to fair access stems from the human rights standards, which constrain actions of public bodies towards individuals, whether or not they are members of a political community of the state in question. This is because human rights are universal and inalienable, and indivisible – they are such because everyone is born with and possesses the same

rights, regardless of where they live. From this perspective, it seems indisputable that refugees and asylum seekers and their right to access HE in their host state should be protected by the law and policies of the state within which they reside. Yet, it is not as straightforward as one may think. Current issues related to policy frameworks in both countries are considered in Chapter Three below. This is preceded by a reflection on relevant legal provisions, demonstrating that indeed refugees and asylum seekers are legitimate beneficiaries of the equality and non-discrimination provisions contained in international and regional refugee and human rights legal instruments. Nevertheless, there are still several examples of discrimination (both direct and indirect) on the basis of an individual's asylum status, which show the need to formally adopt refugees and asylum seekers as protected categories under legislation as well as national and European equality and human rights guidelines. In the context of equal opportunities as considered in this study, the main concern is with the fact that people's opportunities must not be affected by their membership of some disadvantaged group – in this case that of non-citizens who have claimed asylum in a particular European state (and have either had their claim recognised or are still awaiting the decision).

2.2.6 Barriers to Higher Education Access

As noted above (ss.2.2.3), equality of opportunity is as a three-way relationship between a person, some obstacles, and a desired goal. Opportunity is only real if one has a true chance of achieving that goal, without facing insurmountable obstacles and is only an equal opportunity if one faces the same *surmountable* obstacles. While the motivations to study at university reported by the participants in this study varied, they have all, with no exceptions talked about issues they have faced in accessing HE opportunities. Several participants have used the word barriers when referring to the obstacles or issues faced. Following a search on the use of this term in educational literature, I have made the decision to adopt both the metaphor of barriers and the existing framework of classification of the barriers to access to educational opportunities (Cross, 1981; Alderman & Potter, 1992) for thematic analysis (see Chapters Six and Seven).

Gorard et al. (2006) argued that patterns of participation in HE can be (at least partially) explained through hypothesising of issues faced by individuals from disadvantaged backgrounds as barriers. It is an attractive concept in terms of its relevance to the policymaking as “it contains its own solution – the removal of the barriers” (Gorard et al., 2007, p.5), which should, at least in theory, ensure equitable access and participation. Much of the widening participation literature in the UK and beyond is indeed based on this metaphor (see, for example, Bowl, 2001; García-González et al. 2020; Gore et al., 2017; Hudson, 2005; Jackson and Cameron, 2012; McCoy and Byrne, 2011; Wilson et al., 2019). The range of barriers faced by adults who wish to access post-secondary education, including higher education, have been classified into four main groups in the literature: dispositional, academic, situational and institutional. While the former (dispositional) refers to barriers which could preclude individuals from making a decision/effort to participate, the last three refer to the barriers external to the individual, which *influence* whether or not she or he ends up participating – not necessarily precluding participation but making participation harder or less likely. This broad categorisation was developed by Patricia Cross in 1981 (with alternate names suggested by Fagan in 1991, and academic barriers added by Alderman and Potter in 1992), and the different groups of barriers can be described as follows:

- Dispositional (Cross, 1981) / learner-inherent (Fagan, 1991) barriers – are those relating to disadvantaged individuals’ attitudes and perceptions about HE, and their self-perceptions as learners. These can include fears of being too old; low grades from school; lack of confidence in personal ability; attitudes about the benefits of learning; prior negative experiences in learning activities; perceptions about the attitudes of administrators and teachers; fear of being isolated within a learning community; health conditions that affect the ability to learn.
- Academic barriers (Potter & Alderman, 1992) – influencing participation, predominantly, during learning activities, have been added to this classification by Potter and Alderman (1992). These can include, for example, lack of necessary skills (literacy, numeracy, IT skills, critical and reflective thinking skills, academic writing skills etc.); or current level of skills below of that required due to the elapsed time since last used; difficulties in getting

accustomed to learning after a longer disruption of ones learning path. It must be noted here that this study focuses on both the external and internal barriers to study, perceived and experienced by those who already attend universities, or who have self-identified as wanting to participate in HE learning. It is important to acknowledge that negative attitudes to educational institutions, teachers or themselves, can affect individuals' "interpretation of external circumstances and opportunities to engage in education" (Radovan, 2012, p.97).

- Situational (Cross, 1981) /life (Fagan, 1991) barriers – are those created by external influences on the individuals, which are beyond their control. These consist of broad circumstantial conditions that can hamper both access to- and continued participation in educational opportunities. These can include, for example, distance to an education provider; time constraints related to multiple and often conflicting roles and responsibilities in relation to family and work; the amount of resources – including finances – a learner can expend on learning activities; the level of support learner receives from important people in their lives – family members and friends.⁷ Although these issues are generally understood as residing with the individual, placing a responsibility upon them to overcome these 'deficits', inflexibility, and lack of support from the educational institutions intensifies the problems (Dench & Regan, 2000).
- Institutional (Cross, 1981)/ programme (Fagan, 1991) barriers – result from the ways institutions design, deliver and manage learning activities, biased against or ignorant of the needs of disadvantaged learners. These can include, for example, the availability and quality of information about learning opportunities; level and type of credentials required including recognition of prior learning; the complexity of admission and registration procedures; the quality and availability of support services; the attitudes of administrative and teaching staff towards learners; modes of study available; inclusive curriculum; high cost of admission and registration fees; availability of

⁷ Cross (1981) divided the three groups of barriers identified into a small number of subgroups, however, these have since been expanded to include other factors, as listed here.

financial support and childcare facilities. Like situational barriers, institutional barriers are outside the control of the learner.

Research subsequent to that of Cross and Alderman and Potter, has confirmed that this intuitive classification of barriers aids our understanding of the uneven patterns of post-compulsory education. Although it has been problematised as a useful concept/framework (Gorard & Smith, 2007) due to research evidence often being based on self-reports of existing participants, it has in fact been used to consider levels of participation, for example, by age group (including so-called ‘mature students’), gender and social class (Learning and Work Institute, 2018; Malhotra et al., 2007), or that of disabled students (Kendall, 2016), based on data collected from both participants and non-participants.

Notably, although the concepts of barriers are often used in the recent literature related to matters of students with refugee background (see Chapter Three below), the authors do not use the four-way-classification as developed by Cross. It seems however, that it can be very useful indeed, as some of the barriers are more amenable to change by the efforts of universities than others. Categorising the issues faced by RBS makes it easier for universities to develop a hierarchy of effort to be involved in the elimination of the different issues, with *institutional* barriers being the easiest for the universities themselves to remove. It is argued in this study that in the current environment – given the invisibility in policy and so far, limited relevant research evidence to guide practice – where a lot of responsibility for widening or equalising opportunities to RBS is placed on universities, use of the four categories can help universities really understand RBS needs, and create plans of action, to methodically tackle all of the barriers.

Alternative frameworks considered

Although the concept or metaphor of barriers remains omnipresent both in the research discourses and (UK) widening participation policy, recent research on the continued under-representation of the disadvantaged groups in HE focuses on the identification of sociological explanations, emphasising the long-term and persistent role of cultural influences and structural factors such as race, gender and in particular social class (Archer et al., 2003; Bell, et al., 2013; Savage, 2015), often utilising

Bourdieu's theory of capitals. The (in)equality in educational opportunities is correlated with the possession – or lack of – one, or more of the forms of 'capital': economic, social, and cultural (Bourdieu & Passeron, 1977). This in turn contributes to reproduction of a stratified society, impacting individual's ability to move (up) between strata (social mobility). Arguably, RBS are exceptionally disadvantaged, because they are deprived of all three forms of capital, due to unforeseen circumstances, regardless of their background and socio-economic position prior to migration – in other words, even if they do possess cultural or social capital, this is irrelevant in, or they are unable to translate it for the new context of their host country. This means RBS are unable to move up or even achieve a similar social position to that which they may have held in their home country. Although it would be possible to carry out a Bourdieuan analysis the findings utilising this capitals framework, this would not necessarily enhance or nuance the core argument (or possibly distract from it) of how the different identified barriers from the four groups intersect, leading to compound disadvantage experienced by RBS. Instead, to better comprehend the social structural impacts on RBS higher education participation, a bounded agency model is adopted. It asserts that barriers faced by different disadvantaged groups are systematic and are impacted by both the broader structural conditions and individual policy measures.

2.2.7 Bounded Agency

According to Rubenson and Desjardins (2009), the type and size of the barriers as discussed above and individuals' ability and willingness to overcome these barriers, are affected by 1) structural conditions which form "circumstances, environment or contexts, in which individuals make their participation decisions" (Roosmaa & Saar, 2016, p.257), and 2) by targeted policy measures which create conditions that allow individuals to overcome the barriers faced. Such policy as well as institutional measures and initiatives can have a mitigating effect on the extent and impact of situational and institutional (structurally derived) barriers by "directly affecting the contextual conditions of individuals" (p.257) and de-limiting the feasible alternatives from which individuals can choose. They can also influence the perception of dispositional barriers by "affecting [individuals'] views and dispositions of the opportunity structure" (p.257), that is by raising awareness of options available to

them, and thus influencing rational choices to participate in learning activities. The bounded agency model emphasises that dispositions are not independent of social and economic conditions.

Research on post-secondary education (including HE) in Europe in particular has shown that adults facing similar barriers to participation in different countries overcome these obstacles differently, and to a different extent. Radovan (2012) reports higher participation in the Nordic countries despite similar barriers as in other European countries – with some of the barriers more pronounced than in countries with the lowest participation rates. Some 78% of the 1/3 of Swedes who report situational barriers, manage to overcome them and access education (p.105). In other countries, much smaller proportions of those who report barriers are successful in overcoming them. Radovan applies the bounded agency model attributing the high rates of participation in the Nordic countries to structural conditions of labour market focusing on “development of complex jobs and civil society, promotes learning for both social and personal development”, paired with a variety of targeted measures, including funding for education and promoting of educational opportunities to certain groups such as older adults and immigrants (Rubenson and Desjardins, 2009, p. 202, cited in Radovan, 2012, p. 106).

It is argued in this study, that England and Poland have so far either 1) not established structural conditions in which the group under consideration – refugee background students – highly value participation in HE, or have expectations to participate, and/or, 2) that both countries fail to apply targeted measures to help RBS overcome barriers to HE access when they encounter them, which would empower individuals (and RBS as a group) to access relevant opportunities, which is otherwise not possible (adapted from Radovan, 2012, p.106).

The first point is not empirically tested in the current study as all ‘non-participants’ here are individuals who formulated an intention to participate in HE but who did not yet succeed in accessing a degree course. Here, as several previous studies, motivations to participate were present and high. However, as RBS are shown to be under-represented, it is possible that these findings are not representative for the whole population. Although this study expands the approach taken in previous studies where

only perceptions of those who are currently participating in HE are considered, it does not go as far as to consider perceptions and experiences of those who do not participate and do not want to. Unless all asylum seekers and refugees are surveyed to establish their educational backgrounds and educational and career aspirations it is not possible to fully understand the demand for HE amongst them, or the dispositional barriers in place. Some previous studies, however, conducted with non-participants who did not necessarily want to enter HE (e.g., Doyle, 2009 where some of the participants had refugee backgrounds) suggest that regulating governments do indeed play an important role in influencing *participation decisions*.

2.2.8 Participation and Success as Counterpart Measures of Access to HE Opportunities

Before turning to the matter of ‘equality of whom’, it is necessary to recognise that access is just one of the measures of equal opportunities in HE. It must be remembered that as a matter of international human rights, the right to HE calls for access to ‘quality’ HE. Although, as noted by Gidley et al. (2010), quality in HE is often framed in free market neoliberal ideology terms and understood as ‘success in globally competitive league tables and other performance indicators’ (p.2), broader interpretations arising from the more inclusive ideology of social justice is more in-line with the human rights (the now-preferred) perspective. These interpretations consider equitable access, participation and engagement and success (through programme completion) as essential ingredients of quality HE, identifying therefore two critical dimensions in equality of opportunity – the equality/inequality of access to HE opportunities, and the equality/inequality of the HE opportunities themselves. Although these two important measures – participation and success, are only considered briefly in this study (through exploration of the transition experiences of RBS who are currently enrolled on degree programmes), further research must be carried out, as it is clear that any policies and interventions relating to furthering access to HE, unless constructed through multi-stakeholder dialogue and strategic visioning processes aimed at ensuring engaged participation and empowered success, will not lead to greater representation.

2.3 Chapter Summary

The aim of this chapter was to present the theoretical foundations underpinning the study reported on in this thesis. The central focus was on presenting the right to access opportunities in HE as a fundamental human right, which must be afforded to all without any discrimination. It was proposed that a *'Fairness Based Meritocratic Equality of Opportunity'*, a human rights-based (or derived) model should be adopted in both academic and policy discussions about access (and success) for RBS. This model can be used to assess and adapt policy and practice to ensure that RBS are in fact afforded 'equal opportunity' to access and participate in higher education. This is to acknowledge the qualifying element – merit – of the right to participate in HE as enshrined in international human rights instruments. 'Merit' is understood here as a sum of the ability/capacity to learn and motivation. In the case of RBS, this relates in particular to fluency in the host state language, and preparedness to study in universities in Europe, as currently generally judged by review of documented prior educational experiences and qualifications. It is further explained in the next chapter, however, that 'merit' or 'capacity' to participate in HE learning should be assessed in reference to all relevant expertise and experience, and by all appropriate means, beyond assessment of traditional measures or merit (test scores and previous qualifications). 'Fairness Based' refers here to the need for imposition of measures necessary to compensate for the particular obstacles to access faced by RBS in the context, resulting from their legal and social position. It was further explained that these 'obstacles' are analysed later in the thesis, utilising an existing framework of classification of the barriers to access as developed by Patricia Cross (1981) and updated by Potter and Alderman (1992), as well as bounded agency. The latter framework helps us discuss the structural conditions which form contexts in which RBS make decisions to participate in HE, and existing – or missing – targeted policy measures which create conditions that allow individuals to overcome the barriers faced.

The barriers as experienced and perceived by RBS are discussed in Chapter Five, which is immediately followed by an exploration of perceptions of such barriers as held by university and third sector staff in Chapter Six. Before moving on to findings, however, contextual information and a review of existing literature must be presented.

Chapter 3. Equality of Whom? – Definitions, Context, Literature Review and Study Rationale

3.1 Introduction

The aims of this chapter are to provide definitions for terms central to this study, demonstrate that refugees and asylum seekers are legitimate beneficiaries of the right to HE, outline the socio-political context in both countries, inspect relevant bodies of literature, and conclude with a rationale for the current study.

It is evidenced, that access to HE opportunities is vital for both personal development and careers of the RBS, but also, that it is beneficial for their families. It plays an important role in creating community cohesion, and it can contribute to economic growth in the host state. Further, it can contribute to the rebuilding of society in RBS home states, should they be able to return in the future. It is discussed that aspirations do not seem to be an issue, but that RBS face many barriers to HE. Although RBS are not the only group facing barriers to access and success in HE – some of their experiences and problems are shared with other migrants, ethnic minorities, looked after citizen children, and people from other disadvantaged backgrounds, as a group they face further – particular to them – obstacles to rebuilding safe and fulfilling lives.

3.2 Key Terms: Refugees and Asylum Seekers

Refugee

The ordinary meaning of the word ‘refugee’ has quite a loose meaning, signifying someone in flight, who seeks to escape conditions or personal circumstances found to be intolerable. Implicit is the assumption that the person concerned is worth of being, and should be assisted and protected from the causes and consequences of the flight (Goodwin-Gill & McAdam, 2007).

In law, refugeehood was first coherently defined on the international arena in strictly limited terms, through a single legal definition contained in the UN Convention Relating to the Status of Refugees 1951 (hereafter referred to as Refugee Convention) – expressing the then priorities of Western governments that involved the ideological struggles of the Cold War. According to article 1(a) (2) of the Refugee Convention,

the term 'refugee' applies to "any persons who, owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country". Even this early definition reflects the fact that refugees are, by the very nature of their circumstances, victims of human rights violations.

In Europe, many states have over the years developed practices going beyond the strict requirements of the Refugee Convention. Both the jurisprudence of the European Court of Human Rights (EctHR), and the EU instruments (e.g., the *EU Qualification Directive*, OJEU L 304/12, 20.09.2004) made ambitious attempts to combine the refugee and human rights law to ensure a measure of human rights protection for refugees.

Although in the past human rights issues were excluded from the global discourse on refugees (human rights problems seen as distinct from the humanitarian problems), the current trend is towards an integration of human rights law with refugee (and humanitarian) law. This is a reflection of the growing realisation of the limitations of the approach devised in the context of the post-Second World War refugees, in light of the current scale and complexity of the problem. It is now increasingly recognised, as noted by Nirmal, that the human rights approach is "useful in reinforcing and supplementing the existing refugee law and securing the compliance with its provisions through quasi-judicial human rights implementing bodies, but can also make it more humane and effective" (2001). Indeed, assisting refugees in integration within their host country requires ensuring that they enjoy a secure legal status and human rights.

Asylum Seeker

The definition of asylum seeker may vary from country to country, depending on domestic laws, however, in general, the term describes someone who has applied for protection as a refugee and is awaiting the determination of his or her status (whereas the term 'refugee' describes a person who has already been granted protection by the local immigration or refugee authority which deemed them as fitting the international

definition of a refugee under the criteria laid down by the Refugee Convention). For the purposes of this study, the main focus is on the rights of those who are applying for asylum under the Refugee Convention, and those who have been granted the refugee status in either country is considered, with comparisons made with the rights of those granted humanitarian protection (in the UK), or temporary, or subsidiary protection (in Poland) where relevant. See Appendix II for a further explanation of the different protection statuses.

Refugees and asylum seekers have very different sets of rights afforded by the host states which affects our understanding of equality. Although refugees – in most situations – can expect equal treatment with other long-term residents, with anti-discrimination legislation applying to them more clearly, asylum seekers' rights are often restricted to a basic minimum, and so it is less clear how the national anti-discrimination legislation applies to them. Examples of discrimination on the basis of an individual's asylum status in the UK include limited access to income support, forcing asylum seekers into poverty, and leading to their isolation and limited access to mainstream services; most asylum seekers are unable to engage in employment and training opportunities, while refugees access and potential funding may be limited through having a limited leave to remain; asylum support accommodation is provided on a no-choice basis, regularly removing asylum seekers from community networks, language, and vocational courses (Refugee Council, 2007). Similar issues are faced by asylum seekers residing in Poland (Uchodźcy Info (Refugees Info), n.d.)

The rights denied to refugees and asylum seekers fall most often under the economic and social rights or civil rights (within the human rights framework). Importantly, the 1951 Convention provides for both types of rights, and thus, arguably, these can be defended through the mechanisms adopted by the UNHCR. The Convention does not contain specific provisions on the treatment of asylum seekers, however, as is explained below, human rights belong to asylum seekers in the same way that they belong to refugees and host state citizens and thus, the restrictive practices adopted by these states vis-à-vis asylum seekers seem legally unjustified.

Some of the rights afforded in the Refugee Convention provide for a lesser standard of protection than offered by human rights treaties. However, the 1969 Vienna

Convention on the Law of Treaties, Article 30, states that when successive treaties relate to the same subject matter, the earlier treaty applies only to the extent that its provisions are compatible with those of the later treaty. As most of the human rights treaties which are relied on today came after the Refugee Convention of 1951, it seems that both refugees and asylum seekers should benefit from their human rights in the host states without discrimination. Further legal basis supporting this position are examined in the next section.

3.3 Human Rights, the Rule of Non-discrimination and Non-citizens

As explained in Chapter Two (see also Appendix I), equality is not a human right itself but is a basic concept underlining the international human rights law. It is complemented by the principle of non-discrimination, meaning that, as a general rule, the rights and freedoms recognised by international human rights law apply to everyone by virtue of their essential humanity, and states cannot make distinctions between individuals in protecting these rights. Exceptions to this principle (for example exceptional differentiation between citizens and non-citizens) have been accepted by international human rights tribunals or bodies (such as EctHR and the Human Rights Committee) but may be made only if they are prescribed by law, they serve legitimate State interests and are proportional to the achievement of that objective⁸. States must however avoid different standards of treatment with regard to citizens and non-citizens that might lead to racial segregation and the unequal enjoyment of economic, social, and cultural rights, including access to education (Weissbrodt, 2003).

The prohibition of discrimination in relation to human rights is of crucial importance to refugees and asylum seekers. As non-citizens in the host state, they are particularly vulnerable to discrimination. This may be due to the absence or insufficient provisions in the national laws of the country of asylum for refugees, the lack of certainty about the extension of the benefits of the laws to refugees and/or asylum seekers, lack of identification forms and other official documentation, and the general resentment or

⁸ See, for example, the approach taken by the European Court of Human Rights in the *Case Relating to Certain Aspects of the laws on the Use of Languages in Education in Belgium (Merits)*, judgement on 23 July 1968, EctHR, 1968, Ser. A, No. 6, (1979-80) 1EHRR241.

suspicion due to different cultural, religious or ethnic background from the population in the country of asylum. However, since as a general rule, the rights and freedoms recognised in international human rights law instruments apply to everyone, including refugees and asylum seekers, the discriminatory conduct on the part of the host states based on the asylum-status of an individual alone appears to be prohibited and duty is placed on these states to ensure to all individuals within their territory and subject to their jurisdiction have their rights recognised, respected, fulfilled and protected. Indeed, when a state ratifies a human rights treaty, it takes upon itself the obligation to respect, protect, and fulfil the rights contained within. Respect for the rights means that the state must refrain from interfering with the enjoyment of the rights. Protection means preventing others from interfering with the enjoyment of these rights (usually through regulation and legal guarantees). Finally, fulfilling the rights means adopting appropriate measures allowing for a full realisation of a right. Article 2(1) UDHR states that

Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. (emphasis added)

For an overview of other international and regional instruments evidencing the general rule of non-discrimination in relation to human rights, see Appendix III. It must be noted here that these non-discrimination provisions prohibit discriminatory conduct based on grounds commonly related to circumstances refugees and asylum seekers, including race, religion, national or social origin, and as such provide further grounds for challenging mistreatment. Additionally, there are some specific provisions forbidding discrimination of specific categories of persons in relation to particular rights, and some refugees and asylum seekers may also fall into one or more of these groups and should accordingly benefit from the protection accorded to them through this particular human rights law instrument.

3.3.1 Higher Education, Human Rights and ‘Merit’

Access to HE is indeed a matter of human rights. The international legal basis for access to HE for all – including asylum seekers and refugees – can be found in the Universal Declaration on Human Rights (1948), Article 26, which states: “Higher education shall be equally accessible to all on the basis of merit”. Access to HE is a qualified right in a sense that such access shall be granted on the basis of “merit, capacity, efforts, perseverance, and devotion, showed by those seeking access to it” (*World Conference on Higher Education. World Declaration On Higher Education For The Twenty-First Century: Vision And Action*, 1998), in keeping with Article 26.

This has been reaffirmed and built upon by number of other instruments including: Convention Relating to the Status of Refugees (1951), Article 22, which requires the Contracting States to accord a favourable treatment to refugees with respect to education other than elementary, in particular, as regards access to studies, recognition of documentation, the remission of fees and charges and the award of scholarships. Convention against Discrimination in Education (1960), Article 4, calls on the State Parties to this Convention to develop and apply national policy which will promote equality of opportunity, making HE “equally accessible to all on the basis of individual capacity”. The International Covenant on Economic, Social and Cultural Rights (ICESCR) (1966), Article 13, which recognises the universal right to education without discrimination of any kind, including equal access to HE on the basis of capacity, measures to literacy and quality improvement. Article 28(c) of the Convention on the Rights of the Child (1989) requires the State Parties to “make higher education accessible to all on the basis of capacity by every appropriate means”. This means going beyond non-discrimination and adopting appropriate measures towards the full realisation of the right for those most disadvantaged. In its Concluding Observations in relation to Canada, The Committee on Economic, Social and Cultural Rights (CESCR) expressed a specific concern that “loan programmes for

post-secondary education are available only to Canadian citizens and permanent residents” and not recognised refugees or asylum seekers.⁹

It must be noted here that ‘merit’ has been included in the UDHR in 1948, a decade before the British sociologist Michael Young coined the term as a spoof in his satire *The Rise of Meritocracy, 1870-2033*, defining it as a sum of intelligence and effort (1958). It is shown in this study that universities are generally adopting Young’s meritocracy through their test-best admission criteria, with a few considering the contextual factors affecting the ability of RBS to develop ‘merit’ as measured by traditional school leaving certification and tests and other quantifiable metrics. It is argued below that such context-blind assessment of merit is inappropriate in relation to RBS. Indeed, the backward-looking ‘merit’ emphasizing past achievements as included in the UDHR, has been modified or extended by inclusion or addition of a more forward-looking ‘capacity’, which stresses students’ potential (Beiter, 2006, p. 97) in other instruments, as mentioned in the previous paragraph. The General Comment No. 13 by the Committee on Economic, Social and Cultural Rights relating to the implementation of the ICESCR (which obliges states to make HE economically accessible) further stressed, that the ‘capacity’ of individuals to participate in HE learning should be assessed by reference to *all their relevant expertise and experience*.

Furthermore, the original definition of ‘merit’, as discussed by Guinier (2015), is ‘earned by service’ (p. xii). She suggests that democratic merit affords access to educational opportunities to “those who serve the goals and contribute to the conditions of a thriving democracy” (p. xiii). As discussed further below, RBS are often highly motivated, already volunteer within their communities, bring with them a wealth of experience and different perspectives to universities benefiting all students’ learning, and hope that HE will afford them access to full democratic participation in their host society or in their country of origin if they are able to return. These qualities, however, do not currently carrying the same amount of weight in admissions considerations as scores on standardized tests - such reductionist definition/use of merit instead of enabling equality *entrenches privilege*, reproducing

⁹ CESCR, *Concluding Observations: Canada*, UN Doc E/C.12/1/Add.31 (10 December 1998). See also CESCR, *Concluding Observations: Norway*, UN Doc E/C.12/1/Add.109 (23 June 2005).

demographics of cohorts in higher education and professions, as noted for example by Hilary Sommerland (2015), “sanctify[ing] an exclusionary social order by marking its material basis” (p.2326), a process which she describes as “social magic”.

Having established that refugees and asylum seekers appear to have a right to non-discriminatory treatment in relation to the enjoyment of their human rights (including access to HE), it is important to describe the wider context for this study, before returning to aspects related to HE specifically.

3.4 Refugees Today

As reported by the UNHCR (2019), the world is now witnessing the highest levels of forced displacement on record. Some 37,000 people a day were forced to flee their homes in 2018 alone. Some 70.8 million people around the world are living away from their homes, having been forced to seek protection elsewhere, either within the borders of their countries or in other countries. Among them, nearly 20.4 million people are protected under UNHCR’s mandate as refugees (over half of whom are under the age of 18), with further 5.5 million Palestinian refugees registered by United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), and 41.3 million people displaced internally. In this number included are also the asylum seekers – an astonishing number of around 2 million people applied for asylum in 2015, the highest number ever recorded. By the end of 2018, about 3.5 million people were waiting for a decision on their application for asylum. As stated by Filippo Grandi, the UNHCR High Commissioner, in August 2016, “Refugees are mostly the result of unresolved conflict and until and unless we solve those conflicts the risk of new influxes and new emergencies cannot be excluded” (quoted by Tagaris, 2016). With at least 26 ongoing conflicts worldwide (including five wars) classed as having an unchanging or worsening status (Council on Foreign Relations, 2020), and several ‘forgotten wars’ as reported on by The New Humanitarian (2016), some of which seem to still be ongoing, yet not included on the Council’s website – these numbers are set to remain high in the future.

3.4.1 Forced Migrants in Europe

Europe has a long history of forced migration, with the first ‘refugee crisis’ occurring as a direct result of the First World War and the 1917 Russian Revolution, with some

five million refugees leaving their homes between 1914 and 1922. This already large number was dwarfed by the flood of misery created during and after the Second World War, when about forty million people in Europe became refugees – homeless, uprooted and in flight. This crisis was notably met with a collective political will to face the emergency, and a sense of humanitarian responsibilities which delivered solutions. This political will and humanitarian impulses were in much shorter supply during Europe’s third ‘refugee crisis’, occurring in the 1990s as a result of the break-up of the Soviet bloc and the wars in Yugoslavia, and wars by Western powers in Afghanistan and Iraq (Marfleet, 2006; Roberts, 1998). Both are largely missing today as well, during the fourth ‘refugee crisis’ which began in 2011, with a spike in 2014-2015, and – most recently – in late 2019.

The current so-called ‘European refugee crisis’ results largely from the civil war and Daesh occupation in Syria and the region, failed or fragile states – Afghanistan, Iraq, Somalia, Sudan, Libya and the Democratic Republic of Congo, and the growing inability of states in African continent to deal with the colossal refugee populations seeking protection within their borders, and the establishment of new routes for mass migration through the Balkans and Eastern Europe. In 2015 over *one million refugees* and migrants fled to Europe, but the numbers are not evenly distributed across the continent. Arguably, the ongoing nature of the crisis in Europe can also be attributed to the unsuccessful migration policy management in the EU. The EU states have committed to the plans for a common asylum system as far back as 1999 and have ratified the Dublin Convention (defining which states are responsible for consideration of asylum applications) and minimum reception standards directive, yet there are still significant differences between the EU Member States (MSs) asylum systems, in terms of refugee protection, and conditions of their reception. These can be partially attributed to the economic situation of the individual MSs, but also the number of people applying for protection there. According to the Dublin Convention, it is the countries where refugees first enter the EU territory who are responsible for examining their applications. The hastily established in the summer of 2015 system of reception and distribution of refugees aimed at relieving pressures on the states lying on the borders of the Union is largely ineffective and inadequate. The processing of cases in these states is inefficient and slow, and relocation quotas are not adhered to by many MSs – including Poland.

Out of 1.3 million asylum claims outstanding in Europe (in the 28 EU MSs) in 2015, 35% percent were Germany's share (Germany received 476,510 applications in 2015). In comparison, the UK received 38,800 new applications placing it as a 9th in Europe as a destination state for refugees, and Poland received only 12,190 applications in the same period, placing it as 15th out of 28 Member States. As the numbers of new arrivals in Europe decreased, so have the asylum applications in most countries – in 2018 Germany, still a 1st in the EU, received 184,180 new applications. Applications to the UK remain similar to 2015 levels at 37,730 (placing it as a 6th in Europe as a destination state for refugees that year), while applications to Poland decreased by two-thirds to 4,110 (now in 13th position in Europe) (European Parliament, n.d.). There was another spike in new arrivals to Europe through Greece in late 2019 (UNHCR, n.d.) – the effects on application numbers in other MSs will likely be seen in 2020.

3.4.2 Political and Social Context – Responses to the so-called 'Refugee Crisis'

The arrival of some 1.8 million refugees and migrants to Europe since 2014 (until the end of 2018) exposed the flaws of the existing asylum system and caused serious tensions between the EU MSs over funding, sharing of responsibility, harmonisation of procedures, and appropriate integration policies for refugees. Notwithstanding the lack of agreement at the regional level, some states are taking the lead – accepting more than their fair share of asylum applications and doing a great deal more than required of them by the EU Council Directive laying down *minimum* standards for the reception of asylum seekers. Most notable is the position of Germany which received over 1.6 million asylum applications between 2015 and 2018, and funnelled hundreds of millions of euros into integration programmes, including support for language learning, transition into employment and education. Although the numbers of applications have gone down in Germany too and some commentators report increase in deportations and a shift away from the 'Wilkommenskultur' or 'welcome culture' adopted in 2015 (e.g., Shubert & Schmidt, 2019), plans to cut integration funding by just under a third from 2020, announced in 2019 by Germany's Finance Minister, drew criticism from across the political spectrum (DPA/The Local, 2019). The responses in other EU countries have been somewhat less hospitable.

(i) *England*

Despite the often-negative government and popular responses over the centuries, England (as part of the United Kingdom), has a long history of offering sanctuary to refugees, who, in particular, over the last five centuries, have made an immense cultural, social and economic contribution to the country and its society, bringing with them a wealth of knowledge, skills, and experience. Yet, since the 1990s in particular, the successive governments have tried to outdo each other in restricting access to those seeking asylum and creating harsher conditions for those already here to deter potential newcomers and encourage 'self-deportation'. In 1999 asylum seekers were removed from the mainstream welfare system and are now reliant on the support of the National Asylum Support Service (NASS), providing accommodation and weekly personal allowance in 2020, equating to about £5.39 per day (Gov.uk, n.d.). The allowance, provided on a payment card which can be used only in specific shops, is equivalent to between 51% (single, over 25) and 64% (single, 16 to 24) of the current income support received by non-asylum seekers. Asylum seekers are not currently permitted to work while waiting for a decision on their asylum application unless they have not received the initial decision on their application for more than 12 months and have been granted a special permit to work (this is explained further in the next chapters).

Refugee unemployment rates - despite the prima facie permission to work – are much higher when compared to the UK-born population (49% vs 27% in 2017, as reported by Kone et al., 2019)). Although poverty is not all that uncommon in modern-day UK (OHCHR, 2018), and destitution is intrinsically linked to that broader poverty, the 'hostile environment' policies introduced since 2010 by the coalition government (and later Conservative government), have further weakened the benefit entitlements and restricted other forms of support available to asylum seekers and refugees (Lambrechts, 2020). Hostile environment policies are part of a strategy to reduce net migration figures, as promised by the Conservative Party in their Election Manifesto in 2010. The government has tried to use the 'compliant environment' term since the Windrush Scandal broke in 2018, but little has changed (LIBERTY, 2019). These hostile policies have been linked in recent reports with an increase in destitution amongst those groups (and in particular among refused asylum seekers), exceeding the levels of relative poverty experienced by those from other marginalised groups

(British Red Cross, 2016; Joseph Rowntree Foundation, 2018; Malfait et al., 2017; NACCOM, 2018; Refugee Council, 2017).

Driven by negative policies and proclamations by the successive governments and matching misrepresentations of migrants, and asylum seekers in particular, in the British media – which over time have discursively constructed forced migrants as ‘unwanted invaders’ (Parker, 2015) – the public opinion of the English has become increasingly polarised over the issue of migration. Indeed, migration was a defining issue in the UK’s June 2016 referendum on EU membership, resulting in ‘BREXIT’, with the UK leaving the EU in January 2020. However, data supplied by Pew Research Centre surveys (Spring 2017 and Spring 2018) suggest that although disapproving of the way in which the EU is handling the ‘crisis’, and expressing a preference for the national government to make decisions about migration, about three-quarters of adults in the UK actually *support* taking in refugees from countries where people are fleeing violence and war.

Indeed, in the face of slow and most unhelpful policy responses to the recent ‘refugee crisis’ from the European and national governments, England (and the other home nations) has witnessed a groundswell of support for refugees, with thousands reported to have travelled to Europe to support the new arrivals (many of participants in this study have mentioned the hospitality of English volunteers they have met during their journey, which has led them to believe that the United Kingdom is the place which they can make their home, despite the anticipated difficulties in trying to reach the country). Stories of citizens taking the initiative to help both in mainland-Europe, by donating their time and skills, and from home, e.g., by collecting money and physical donations – food, clothes, tents, toys, etc., have been emerging, and many new volunteer-led groups and charities dedicated to helping refugees have been set up across the country (McKernan, 2016; Rampen, 2018).

(ii) Poland

Although, like the UK, Poland has a long tradition of offering sanctuary to – in particular political – refugees¹⁰, the numbers of those seeking asylum there are

¹⁰ For a historical overview see: <http://uchodzcy.info/infos/historia/> (in Polish).

relatively very small when compared to other European states as, traditionally, Poland has been a transition country for those travelling to the ‘safe countries’, West or North of Poland. The process of granting the ‘refugee status’ as defined in s. 3.2, has only been institutionalised there in 1991 when Poland became a signatory to the UN Refugee Convention, and the number of applications under the Convention rules has not exceeded one thousand until the mid-1990s. Of note were the changes to Polish laws (related to Poland’s planned accession to the EU) establishing provisions of social assistance for asylum seekers and introducing the previously non-existent concept of ‘refugee integration’ in 1997. Still, the numbers of applications in the 2000s revolved around a modest figure of 10-15 thousand. This can be at least partially explained by the low rates of application approval in Poland, in particular in recent years – just over 13% of asylum seekers were granted protection there in 2019 for example (Helsinki Foundation for Human Rights, 2019).

In 2015 Poland acknowledged their responsibility to accept just over 7000 refugees to be relocated from southern EU countries or resettled from refugee camps outside of Europe. It was planned that the refugees would reach Poland in several groups over a two-year period, until the end of 2017. These plans, however, were never implemented, with the Polish right-leaning government arguing that in the current situation (following the terrorist attacks in Paris and Brussels in 2015 and 2016), Poland is not able to accept refugees. A binding decision on this matter has not yet been taken.

Here too, asylum seekers are not allowed to work for the first six months, and a majority reside in reception centres (which are generally located in rural areas). They receive a small maintenance allowance: 2.15 EUR per day for meals (in the centre of a financial equivalent), 11.93 EUR/month for personal expenses, 4.77 EUR per month for hygienic utilities and one-time financial assistance or coupons – 33.42EUR – for purchase of clothing and footwear. The financial allowance for all costs to stay in Poland outside reception centre equates to 5.97 EUR per day. This amount is generally not sufficient to ensure an adequate standard of living.¹¹ Notably, if the asylum

¹¹ Commissioner for Human Rights, Letter to the Ministry of Interior of 7 December 2015, in which the Polish Commissioner for Human Rights asked to consider an

procedure takes longer than six months, due to reasons beyond the applicant's influence, the applicant can obtain a certificate from the Head of the Office of Foreigners, which – together with temporary identity certificate – entitles the applicant to work (Sienkiewicz, 2016).

Although people in Poland have held very positive attitudes towards refugees in the 2000s (some of the most pro-migration, pro-refugees, and pro-asylum-seekers views in Europe), linked to the historical outwards migration movements from Poland (Bachman, 2016), these attitudes have changed dramatically after 2015. Driven by political populism and media which incited cultural, social, economic, political and security fears, the public in Poland has become less accepting of those fleeing violence and persecution, in particular, if they consider them as culturally (including religiously) different. In 2015 and 2016, the Polish Public Opinion Research Centre gathered data which suggests that just 33% of Poles believe that Poland should accept refugees from areas affected by war. Only 25% of participants thought that the country should take refugees from the Middle East and Africa, compared to 60% being prepared to accept refugees from Ukraine (Public Opinion Research Centre, 2016).

3.5 Specific Host State Responsibilities in Relation to Refugees and Asylum Seekers

Notwithstanding the current anti-migration sentiments in Poland and the UK, both states have signed up to the 1951 Refugee Convention and most major human rights treaties mentioned above and have formally adopted humanitarian values. They thus have certain responsibilities towards those who seek asylum. The foremost one is to provide protection from persecution. It is not, however, the only one of the refugees' needs that must be considered – the protection of the economic and social rights (housing, healthcare and basic social assistance but also access to quality education) is not a secondary goal in refugees' flight from oppression – the life they are seeking is a safe one, but also a dignified one, and this can only be achieved by ensuring that all of their rights are secured.

increase the amount of financial assistance for asylum seekers, available at: <http://bit.ly/2kSuaa4> (in Polish).

The debate about the duties owed to refugees and asylum seekers by the receiving states, under the international law, is not new, and still ongoing. This is despite the Refugee Convention having made a tremendous contribution to defining those responsibilities back in 1951. It is in fact exactly *because* the Convention has left some important gaps in the protection regime (some due to the nature of this legal instrument, some due to the times and circumstances in which it was developed), that other sources of protection, including human rights instruments and national equality legislation, have to be considered.

At the time of the research, England (UK) and Poland were both MSs of the EU, and thus were bound by the laws approved by the Council of Ministers and the European Parliament. To ensure that all rights of refugees arising from the international law instruments and those stemming from the international human rights law are protected in the EU MSs, the Union has spent several years developing a Common European Asylum System which sets out minimum standards and procedures for processing and assessing asylum applications, and for the treatment of both asylum seekers, and those whose claims have been recognised. Under the European Council Directive on the reception of asylum seekers of 27 January 2003¹², MSs are required to protect certain social and economic rights of refugees and asylum seekers within their territory. They must for example ensure access to suitable housing, and appropriate healthcare. These rights stem from the ICESCR (Articles 11 and 12) and other refugee and human rights instruments, and both apply from the time asylum seekers arrive in the MS concerned. Regrettably, the Directive was the outcome of a compromise between (then) fifteen EU states who had to balance respect for human rights and the overall restrictive objectives of the EU asylum policy and various financial and political consideration. The MSs saw the adoption of this piece of European legislation not – as it ought to be – as a tool for consolidating human rights considerations through adaption of dignified standards, but as a potential deterrent tool. In particular, the provisions for living conditions of asylum seekers’ pending the examination of their claim are limited to a minimum, and their social and economic rights are severely restricted, which is meant

¹² Council Directive 2003/9/EC of 27 January 2003 laying down minimum standards for the reception of asylum seekers, OJL 31/18, 06.02.2003. This Directive was adopted on the basis of article 63(1)(b) EC.

to discourage asylum seeking in the EU. Indeed, the substance of the measures adopted contrasts (and so it puts in question) the Union's and its MSs unreserved commitment to the international refugee and human rights laws, so eagerly reiterated on numerous occasions (see, for example recital 2 and 5 of the Directive on the reception of asylum seekers). These limits of the Directive itself (low reception standards), coupled with the considerable latitude with respect to the implementation of the Directive given to the MSs, result in a patchwork of now 28 asylum systems producing uneven results. The belief that liberal domestic provisions will render a state as more 'attractive' to those seeking asylum, means that MSs are unlikely to adopt and maintain domestic laws and practices more generous than those required by the Directive. In other words, the minimum standards set out in the Directive are likely to become the standards common to the MSs (Da Lomba, 2004).

The policy environment and related literature on RBS access to HE are considered in detail in the sections that follow, identifying the research gap and concluding with a rationale for this current study.

3.6 (Higher) Education for Refugee Background Students in Host States

In addition to housing, healthcare, and basic social assistance as noted above, host states in Europe are also responsible for providing asylum-seeking and refugee children with basic education at the primary and secondary levels. Right to education has been recognised as a basic human right and a lasting tool for peace in various international and regional legal declarations and instruments, and it has been relatively high on the agenda of the European host states.

In the European Union, the Directive on the reception of asylum seekers stipulates that "Member States shall grant to minor children of asylum seekers and to asylum seekers who are minors access to the education system (...) for so long as an expulsion measure against them or their parents is not actually enforced" (Article 10(1)). The Directive further provides that "Member States shall not withdraw secondary education for the sole reason that the minor has reached the age of majority". Access to national education systems must be afforded under conditions similar to those applicable to the MS's nationals.

In line with the Directive and other overarching international law, children in Poland and England (as part of the UK) are generally afforded access to both primary and secondary education. This is reflected in the national legislation of both states and an overview of the legal and factual situation is provided by reports issued and updated regularly by AIDA, the European Council on Refugees and Exiles' Asylum Information Database. Importantly, refugee and asylum-seeking children in these states are entitled to education under different logic than the citizen children – that of personhood. They are not considered as 'citizens in the making' (Rose, 1990) expected and encouraged to be involved and to develop their own sense of agency. Instead, they gain access to certain limited rights, including the right to education, seen as attached to them as children (Pinson et al., 2010).

The literature in relation to the education of refugee and asylum-seeking children in the host states of Global North has been growing, in particular, over the last two decades, although there are some issues that have been considered in more depth than others up to this point. In England (and more widely in the UK) and Poland, these include the access to different services – including education (Appa, 2005; Aspinall & Watters, 2010; Rutter & Hyder, 1998; Hamilton et al., 2003; The Refugee Council and The Children's Society, 2002), the impact of immigration policy on the integration of refugee children in mainstream education (Bačáková, 2011; Hardwick & Rutter, 1998; Rutter & Jones, 1998), their schooling experience (Błeszyński, 2010; Candappa, 2000; Closs et al., 2001; 2002; Save the Children/Scottish Refugee Council, 2000), the role of education in the settlement of young refugees (Candappa & Egharevba, 2000; Dennis, 2002; Hek, 2005; Rutter, 2003) and the nature of support available to them (Doyle & McCorrison, 2008; Hamilton, 2004; Richman, 1998; Rutter, 2001; Zabiega & Sobotnik, 2011).

The matter of the educational needs and experiences of refugees and asylum seekers is somewhat more complicated when it comes to post-secondary education – access to HE is not assured by the state as a matter of reception conditions. Both the EU and national governments apparently recognise, that it is in the best interest of Europe and the host states to adopt measures aimed at the integration of refugees in the receiving

societies if they wish for the socially cohesive society to become a reality¹³. It has also been acknowledged that integration can only be achieved if refugees are empowered to reach their full potential as members of the host state society, access the services which they are entitled to, and contribute fully to the community¹⁴. Yet, this one important element that aids development and empowerment – higher education – has so far been neglected.

Overshadowed by persistent challenges to access and quality of primary and secondary education, the issue of HE for RBS has been so far largely ignored by policymakers in most of European countries (European Commission/EACEA/Eurydice, 2019). There is, however, hope for a gradual change – in line with the slowly shifting focus in the global policy on refugee integration. This is explained below.

3.6.1 Global Support for Higher Education for Refugee Background Students? - The Policy Environment

The last five decades or so have been the period of most spectacular expansion of HE not only in the UK and Poland but globally, with more persons set to attend universities in the twenty-first century than in all of human history. The HE enrolment figures of young people aged 18-25 shot up from an estimated 3% globally in 1950 (UNESCO, 1970) to 38% in 2018 (The World Bank, n.d.). Yet, according to the UNHCR when looking at the same age group amongst refugees and asylum seekers, less than 3% globally are thought to have access to HE opportunities (2019a). This figure is a significant improvement on the 1% figure, where the world has been stuck for years.

¹³ See, for example, the Communication From The Commission To The European Parliament And The Council on the State of Play of Implementation of the Priority Actions under the European Agenda on Migration, Brussels, 10.02.2016 COM(2016) 85 final.

¹⁴ Notably, more recently, in the UK, the Department for Communities and Local Government reversed the wider definition of integration as described in the 2004 Strategy, returning to narrower race relations focus of the 1960s, defining integration within its community cohesion agenda merely as a process of adjustment of new and existing residents to one another.

Although the gap in terms of access and resources for HE has widened significantly between the developed, developing and least developed countries during this period of expansion in the second half of twentieth and the beginning of twenty-first centuries, today, the governments, donor institutions and universities of the Global North seemingly do recognise the value of HE for developing countries and its people and support its growth in number of ways. Through voluntary contributions to the UNHCR and individual government donor programmes – including USAID, AusAid, Nuffic, NORAD and the UK Department of International Development’s Development Partnerships in Higher Education programmes – the EU member states, USA, Australia, and Canada invest millions of pounds each year in HE programmes aimed at increasing access and quality in developing countries such as Afghanistan, Sudan, Zimbabwe, Democratic Republic of Congo, Yemen, Vietnam and Ethiopia (notably, these are countries of origin of many displaced people) (Refugee Children’s Consortium, 2011; Creed et al., 2012). Specific programmes include scholarships, training courses, distance learning initiatives, institutional development and capacity building programmes (Creed et al., 2012).

Actions targeted to bring HE to refugees in refugee camps specifically are being taken by universities and organisations from around the world, e.g., the Australian Catholic University (ACU) has, since 2003, been coordinating the provision of HE programmes to Burmese refugees living in camps on the Thai-Burma border. The Jesuit Commons: Higher Education at the Margins (JC:HEM) organisation is linking Jesuit and secular universities to provide HE programmes in camps in Malawi, Kenya, and Syria. The Windle Trust Kenya, University of British Columbia, York University and the World University Service of Canada, in partnership with Kenyan institutions, provide a Borderless Higher Education for Refugees (BHER) programme in Dadaab camp, Kenya. The programme which commenced in 2013 aims to help 400 refugees and locals in the first few years of its presence in the area. Sharing its experience and expertise in the area of connected learning, BHER, with the support of the UNHCR and InZone University of Geneva, is leading on the formation of a consortium of connected learning in HE for refugees. Other institutions and organisations involved include the ACU, JC:HEM, Kenyatta University, Kepler, Moi University, Protect Education in Insecurity and Conflict, and the Vodafone Foundation (all already experienced in providing tertiary education programmes for refugees in camps and

urban settings). The consortium aims to increase opportunities for refugees, both those who will live in the camps for a long time – offering opportunities for development of skills needed to support their communities, for example through teaching at the primary and secondary levels, and those who will be resettled quickly – offering good foundations for further study in the host states (O'Malley, 2016).

In response to the ongoing Syrian crisis, the European Commission and Italian government have set up the first EU Regional Trust Fund – the 'Madad Fund' in 2014, as a new strategic tool to mobilise more aid needed to respond to the crisis effectively. Applications can be made to the Fund to obtain financial support for setting up regional HE programmes for Syrians resident in Lebanon, Turkey, Jordan, Egypt, and Iraq. The Fund aims to have more Syrian students enrolled in certified HE programmes within local institutions in these countries. This is achieved by increasing institutional capacity, providing information on existing opportunities, and facilitating of exchange of experiences between institutions, governments, and funding partners.

The Albert Einstein German Academic Refugee Initiative Fund (DAFI), funded by the German government and now administered by UNHCR, operates around the world, providing local sponsorship for refugees to attend universities in their country of asylum (notably, as with many others, this scholarship programme is aimed at refugees only – asylum seekers awaiting the decision in their host state cannot apply for support through this scheme). In 2018, DAFI supported 6,866 students, funding places in universities in 51 countries. Although the programme has grown significantly, in the last few years, it is insufficient to meet the demand – in 2018 the programme was able to accept just one in every ten applicants (UNHCR, 2019a).

The UNHCR's support for these initiatives reflects its more recent policies regarding HE of displaced persons in the conflict areas and refugees residing in the countries of the Global South: in 2011, Erika Feller, the UNHCR Assistant High Commissioner for Protection, stressed the importance of education – including HE – in UNHCR's protection strategy in her speech to the Executive Committee. Presenting the UNHCR's Education Strategy (2012-2016), she called for the expansion of opportunities for refugees to participate in HE (Feller, 2011).

In May 2015, the UNHCR and UNESCO, together with UNICEF, the World Bank, UNFPA, UNDP, and the UN Women, organised the World Education Forum 2015 in Incheon, Republic of Korea. Attended by over 1,600 participants from 160 countries, including over 120 Ministers, heads and members of delegations, heads of agencies and officials, representatives of civil society, the teaching profession, youth and the private sector, the Forum has been concluded by adoption of the Incheon Declaration for Education 2030. Setting out a new vision for education for the next fifteen years, the Declaration states the commitment of its signatories to “promoting quality lifelong learning opportunities for all, in all settings and at all levels of education” (para.10, Preamble). Further, although briefly, the Declaration clearly addresses the issue of education for refugees (including children, youth and adults), calling on countries to develop inclusive and responsive education systems that will meet the needs of displaced persons and refugees, equipping them with knowledge for social and economic recovery of their country or region (para. 11, Preamble). Later that year, in September 2015, the UN General assembly adopted the 2030 Agenda for Sustainable Development, including seventeen Sustainable Development Goals (SDGs). SDG4 is dedicated to education, and target 4.3 speaks of HE specifically, setting out the aim to “By 2030, ensure equal access for all women and men to affordable and quality technical, vocational and tertiary education, including university.” The UNESCO Education 2030 Framework for Action (based on the SDGs and the Incheon Declaration), has called on all countries to “Ensure that education policies and sector plans and their budgeting guarantee the principles of non-discrimination and equality in and through education, and develop and implement targeted urgent strategies for vulnerable and excluded groups”. That includes “(...) initiatives that respond to the education needs of (...) adults affected by a disaster, conflict, displacement and epidemics, including IDPs and refugees” (UNESCO, 2016, p.45).

In early 2017, the UNHCR has published its Strategic Directions for 2017-2021, in which it reiterated these commitments. It pledged to recognise and build on the education and skills of refugees, and ensure that they are “equipped with relevant skills and capacities in locations of displacement”, and to “present an evidence-based case for enabling displaced and stateless people to contribute to communities in which they live and secure their own futures, including through (...) tertiary education” (UNHCR, 2017, pp.22-23).

In December 2018, the UN General Assembly affirmed the Global Compact of Refugees (which is grounded in the New York Declaration for Refugees and Migrants and its annex, the Comprehensive Refugee Response Framework). In line with the Strategic Directions, this framework for cooperation promotes the inclusion of refugees in national systems of host states, including national education systems.

In line with national education laws, policies and planning, and in support of host countries, States and relevant stakeholders will contribute resources and expertise to expand and enhance the quality and inclusiveness of national education systems to facilitate access by refugee and host community children (both boys and girls), adolescents and youth to primary, secondary and tertiary education.

(Global Compact on Refugees, 2018, para. 68)

The Declaration recognised HE as essential to refugee self-reliance both in host states and states of origin upon a return, where it can aid “recovery and rebuilding of post-conflict countries” (UNHCR, 2016a, para. 37).

This has directed the development of Refugee Education 2030 – A Strategy for Refugee Inclusion document (UNHCR, 2019b), where a target of 15% enrolment of “college-eligible refugees in tertiary, technical and vocational education and training” in “host or third countries” (p.7) by 2030 was set out.

This discourse is certainly encouraging, however, as it stands today, governments, non-governmental organisations (NGOs) and universities, in the Global North, and (importantly for this study) in particular in Europe, do not seem to be doing enough to provide access to quality HE opportunities for refugees who seek protection there. Absence of appropriate national policies, higher fees, lack of targeted information and support, and rigid entry criteria lead to *de facto* barring refugees and asylum seekers from exercising their rights set clearly in both the international law and human rights law as described above. There are of course *some* third sector organisations and universities which support RBS in accessing HE programmes in their host states, for example, The Unity for Tertiary Students which is lobbying on behalf of refugees,

identifying or creating funding HE opportunities for them, and promoting their rights and well-being in South Africa. Similar initiatives in England are mentioned in this thesis. No third sector initiatives were identified in Poland although some universities offered support to RBS to enter degree programmes.

In Germany on one hand – where phrase “Wir schaffen das” (we can do it) once famously used by the Chancellor to describe the need to take in people in an emergency, seeking refuge in Germany, now guides the policymakers to find long-term, sustainable structures to integrate them in the wider society – the Federal Ministry of Education and Research funneled a total of *100 million euros* until 2019 to programmes run by the German Academic Exchange Service (DAAD). This includes a dedicated information service, support of student-led activities aimed at refugees’ academic success and social integration, assistance with recognising of skills and qualifications – achieved through an initial advising session, diagnostic testing procedures and the assessment of certificates, and the ‘Integra’ programme, offering funded places on language and subject-related preparation programmes aimed at non-native applicants to German degree programmes. Although the European Commission, the governing body of the EU, now funds various research and capacity building programmes for RBS in EU universities and partner countries, and supported the development of ENIC-NARIC guide and European Recognition Manual for credential evaluators and universities, which help institutions recognise qualifications presented by RBS, in most European MSs, the policy response has so far been much less satisfactory (European Commission/EACEA/Eurydice, 2019). In the next section, policies in England and Poland are discussed. See Appendix IV for contextual information about the HE systems in both countries.

3.6.2 Higher Education Access and Funding for RBS in England and Poland

In both countries those who:

- have been granted refugee status under provisions of the 1951 Convention, those who are a spouse/civil partner or such a refugee or are a child or such a refugee or of their spouse or civil partner (with further conditions applied),

and, additionally, in England:

- have been ordinarily resident in England on the first day of the first academic year of the course, and

- have not ceased to be ordinarily resident since being recognised as a refugee (or – if they are a spouse/civil partner, or a child, of a refugee – since they were granted leave to remain in the UK),

are eligible to undertake and receive HE in accordance with the rules applicable to citizens. In England, that also means immediate access to the Student Finance England provisions, with exemption from the set period (three years) residency requirement rule which applies to other applicants. In Poland, it entitles them to apply for scholarships and social allowances/bursaries funded by the government and administered by HE institutions themselves, in accordance with the same rules and conditions applicable to Polish citizens.

If a student (or their parent or spouse/civil partner) becomes recognised as a refugee after they start the course, in England, they will be entitled to have their fee status amended to ‘home’ from the start of the next academic year if they meet the requirements listed above. In Poland, they will become entitled to tuition-free full-time education from the nearest new term following the granting of status.

Those granted temporary or subsidiary protection in Poland have the same rights to HE as those who have been granted refugee status. In England, those granted humanitarian protection (and their family members), have to satisfy the three years residency requirement before they can access student loans. Notably, since August 2017, people with Limited Leave to Remain (including Discretionary Leave to Remain) who have been resident in the UK half their life or for 20 years preceding the first day of their course, can access students finance under the new ‘long residence’ category. This was introduced after a successful challenge in a UK Supreme Court case¹⁵. In reality, however, this applies to a small number of applicants, it is difficult to apply under this category, and RBS are not necessarily aware of this relatively recent development.

There is nothing in the immigration rules of either country which would prevent asylum seekers (or those with tolerated stay permit) from undertaking a course of

¹⁵ R (on the application of Tigere) (Appellant) v Secretary of State for Business, Innovation and Skills (Respondent). [2015] UKSC 57).

study at a HE institution (the exception in England is for those whose claims have been rejected and who have been released on immigration bail, pending removal. This is discussed in more detail in Chapters Six and Seven). However, they are treated as international students for fee purposes. In Poland, it also means that they are ineligible to apply for the social allowances funded by the state budget (based on the new law on HE: Act of 20 July 2018 - Law on Higher Education and Science, however, it appears that asylum seekers are entitled to apply for other types of material assistance including rector's scholarships, disabled students allowance, scholarships financed by local government, scholarships for academic or athletics achievements, and ministerial scholarships (Ministry of Science and Higher Education, n.d.)). In England, as asylum seekers are unable to meet the residency criteria, they are ineligible for funding from Student Finance England.

In the UK, the focus of support for refugee integration (as proposed in the Integrated Communities Strategy Green Paper published in 2018, in the absence of a national integration programme) is on language courses, civic education and vocational training (although significantly different approaches are taken locally, for example in Scotland). Although HE is acknowledged in the Paper as a “springboard for greater social mobility, supporting interaction between different groups, and improved economic opportunity for individuals from all ethnicities” (p.27), this is related to all members of the society, without a particular reference to refugees. Refugees are also absent from legislation and any central strategies on HE¹⁶ (including the Higher Education and Research Act 2017 or the International Education Strategy 2019).

An attempt to challenge this invisibility in policy has been made in 2016, by the Office for Fair Access (OFFA) a regulatory body (now replaced by the OfS), tasked with a responsibility to ensure that universities and colleges are meeting their commitments to individual students and groups, as set in their access agreements (from 2019/20 academic year replaced by access and participation agreements). For 2016/17 academic year, OFFA has included ‘refugees’ (without further explanation of the term,

¹⁶ Education is a devolved matter in the UK, with each of the four countries having separate systems, under separate governments. UK Government is responsible for educational policies in England.

although it appears to be interpreted by universities as those with settled status only) as a target group for widening participation activities offering legitimacy to universities with aspirations to make a difference in this area. Universities can now choose to focus some of their outreach activities and earmark part of their budgets for equal access provision, to support this group (this is assessed in further chapters).

While their rights to access HE and (for those with refugee status) to access financial support and recognition of prior qualifications in the absence of documentation are guaranteed in legislation (Act of 20 July 2018 - Law on Higher Education and Science¹⁷), in Poland too, the issue of HE for RBS is invisible in policy. Like the UK, Poland has no national integration policy. Recognised refugees can benefit from Individual Integration Programme (introduced in 1998 and currently regulated by the 2004 Act on Social Assistance¹⁸). The focus of the programme is on providing financial assistance for living costs and paying for language courses. Poland also does not currently have a migration policy.

Having established the gaps in policy, the following section focuses on a review of currently available literature on HE for RBS, highlighting the need for further research.

3.7 Review of the Literature

HE access and participation of RBS has not only been, so far, largely invisible in policies in Europe. It has also been under-researched and under-theorised - at the start of this research project, in Autumn of 2015, there were very few publications (available either in English or Polish language) considering this issue in the context of refugee-hosting states. What was available, related largely to the issues faced and programmes available in the education in conflict-affected and displacement settings in the host states of the Global South – countries often characterised by internal complexities, conflicts with neighbouring countries and many of their own problems (see, for example, MacLaren, 2010; Purkey, 2010; and Purnell and Kengkunchorn, 2008, all reflecting on the tertiary education opportunities for Burmese refugees in

¹⁷ Journal of Laws 2018, item 1668.

¹⁸ Journal of Laws 2008, nr 115, item 728.

Thailand, or Wright and Plasterer, 2011, for discussion of HE programmes for refugees in Kenya's biggest refugee camps). With already limited means to provide for the fundamental needs of their own populations, their governments face enormous difficulties to offer decent living standards to refugees – with education often taking the last place in the priority list. However, as discussed above, the development of HE programmes available to refugees residing in the camps and towns of the Global South is supported by various governments of the Global North, NGOs, and universities.

Before 2015, only a small number of studies have been carried out in the context of host countries of the Global North. These were primarily focused on needs of specific groups of refugees in relation to access, or success, in Australia, Canada, New Zealand or the US, as a country of settlement (Ferede, 2010; Hannah, 1999; Harris & Marlowe, 2011; Hirano, 2014; Joyce, et al. 2010; Lawson, 2014; Lenette & Ingamells, 2013; O'Rourke, 2011; Olliff, 2010; Perry & Mallozzi, 2011). Although the attention of several researchers in the various EU MSs has also been drawn to this issue since 2015, helpfully attracting funding and (sometimes helpfully) media attention, at the start of the project there were only a handful of relevant publications in Europe (e.g., Doyle, 2009; Gateley, 2015; Morrice, 2009; Morrice, 2013; Stevenson & Willott, 2007, 2009).

In the last five years (between 2015 and 2020), several new studies have been published, in particular in Germany, but both in England and Poland, the research space in this field remains occupied by no more than a handful of scholars. The literature available, in particular in relation to what it tells us about representation and barriers to access for RBS, is reviewed in some detail in below, to identify the many remaining gaps in the knowledge of this subject. First, however, a complementary body of literature which contributes to our understanding of the educational aspirations of refugees and asylum seekers and in particular the meaning and effect HE may have on the lives of the RBS, their families, communities and societies both in the host state and upon return to their home country, is considered. Although the research relating to RBS specifically here has been largely carried out in the settings of refugee camps and urban locations in the developing states of the Global South, with few studies considering the same issues in the context of settlement in the Global

North, the positive outcomes of HE of refugees and asylum seekers seem to be occurring in both contexts, as confirmed by the recent studies carried out in Europe and Americas reviewed further in this chapter.

3.7.1 General Benefits of Higher Education

[E]ducation outcomes comprise knowledge and skills and attitudes and values. Higher education therefore contributes both to national economic performance and to the promotion of core values, and thus has a significant cultural dimension.

(Barr, 2012, p. 300)

HE and its economic and public or social outcomes have been widely researched and reported, particularly in the last few decades since the 1990s. The available research provides evidence that participation in education, and in particular in HE, has numerous benefits not only for the individual concerned but also for his or her society (discussed research refers to the population in the country as a whole, without differentiation between citizens and migrants). Such benefits can be classed as either market (i.e., economic benefits) or non-market (wider) benefits.

Notably, benefits¹⁹ discussed below relate only to HE participation, disregarding in this instance benefits arising from research exploitation, export earnings through international student fees and spending, and other aspects of HE.²⁰

¹⁹ NB: it is often difficult to determine whether the effect of higher education on both economic (market) and non-economic (non-market) related aspects of life is casual – correlation between the different factors does not necessarily equal causation.

²⁰ As noted above, access to higher education in Poland is free for full-time students in public institutions with universities, institutes and academies receiving financial support from the government based on the number of students enrolled. In England students are charged tuition fees up to a maximum amount as set by the state. While this study focuses on the benefits of higher education – both economic and social – it is acknowledged that there are multiple arguments against making university education universally available, for example, basic skills shortages can be linked to channelling of all support towards HE access (in both England and Poland there are shortages in sectors which require lower level vocational skills - no shortages of art graduates are reported). There are also arguments against HE being free in general or at the point of entry, including, for example, opportunity costs (higher taxes or less spending elsewhere is required if HE is funded by the government in any form).

(i) Individual Market Benefits

Probably the most obvious, and also most widely researched, are the individual market benefits to individuals. The majority of studies have focused on the educational attainment effect on participation in the labour market and earning benefits of graduates.

In 2018, (in the EU countries) 83.4% of university graduates (aged 20-34) were employed, compared to 65.8% of those with an upper secondary general education. The percentage difference in the employment rates between those with higher education and those with below upper secondary level qualifications were 8.4% for the United Kingdom, and 16.4% for Poland (Eurostat, 2020).

Of those employed, those with university degrees are also more likely to work full-time, when compared with those without a degree (OECD, 2019). Graduates are more employable not only because of their specific expertise, but also because they are more flexible than their peers with lower educational attainment, they use their initiative more, have problem solving skills, learn quickly, bring new ideas, perspectives and energy to the workplace (Hogarth et al., 2007).

In terms of earning advantages from higher education (the 'graduate premium'), it has been evidenced that over their working life, the average male graduate in the UK will earn USD 316,138 more than a man attaining upper secondary or post-secondary non-tertiary education, while the average female UK graduate will earn USD 276,748 more. In Poland, the figures were USD 310,015 for male graduates and USD 200,423 for female graduates respectively as of 2010 (OECD, 2014). A more recent report from Institute of Fiscal Studies confirms that there continues to be a graduate premium, despite the growing numbers of students in higher education (Belfields et al., 2018). There is a further benefit of greater pay rises of graduate salaries - in the UK for example the median salary of bachelor degree graduate increased by 26% in 3.5 years between 2006 and 2010, compared with an average increase of only 6.3% across the whole economy over the same period (HESA, 2011). The returns are higher for people (men in particular) from lower income backgrounds and lower socio-economic background (Belfields et al., 2018; Dearden et al., 2004), although some data suggests that because students from poor backgrounds are less likely to access

degree courses associated with high earnings, their earning potential will be lower than that of graduates from more wealthy backgrounds (Britton et al., 2016). These lifetime benefits are necessarily both population averages and retrospective, and do not provide any certain guide to future performance. These statistics do, however, show us that obtaining a university degree does, for the majority of population, increase the earning power and employability.

(ii) Individual Non-market (Wider) Benefits

There is a positive correlation between having experience of higher education and the propensity to vote and participate in the political process, with the connection being highest amongst young people (Milligana et al., 2004; OECD, 2014). Universities are seen as key institutions in developing their students' civic engagement which is demonstrated by their greater propensity to volunteer, participate in public debates and to trust and tolerate 'the others' in their society, for example migrants, when compared to those less educated (Borgonovi & Miyamoto, 2010; Borgonovi, 2012; Calhoun, 2006; Ogg, 2006). Several studies have found a positive correlation between educational attainment and lower (violent) crime rates (e.g., Feinstein & Sabates, 2005; Machin et al., 2010; Sabates, 2008), with one study in particular suggesting that graduates are on the whole the least likely to commit crimes (Feinstein et al., 2008). Further, those with tertiary education are expected to live longer (Miyamoto & Chevalier, 2010), enjoy lower child mortality rates (Baum & Payea, 2004), are less likely to engage in unhealthy behaviours such as smoking or drinking excessively or to be obese (Bann et al., 2016; Cutler & Lleras-Muney, 2010; de Walque, 2004; Devaux, 2011; Wilberforce, 2005). They are more likely to engage in preventative care and healthy behaviours including exercise and health screenings (Baum et al., 2010; Feinstein & Sabates, 2004; Fletcher & Frisvold, 2009), have better mental health (Bynner, 2003; Feinstein et al., 2008; Mandemakers & Monden, 2010), greater life satisfaction (OECD, 2011a), and better general health (Bynner et al., 2003).

(iii) Societal Market Benefits

Relevant evidence for market benefits of higher education may exist concurrently at individual and societal level, as some of the benefits arising for individuals, for example increased productivity, can have a collective effect for the wider society.

Thus, this and above section on individual market benefits should be considered together.

It has been evidenced that an educated population is vital to national economic growth and prosperity (Castelló-Climent, 2010; Hanushke & Woessmann, 2008; Krueger & Lindahl, 2001). Firstly, tax revenues are significantly increased. Secondly, higher education increases the speed of economic growth – in the UK for example, as showed in the study by Holland et al. (2013), around 20% of the economic growth between 1982 and 2005 came as a direct result of a rising number of people with a university degree. A recent study of data from 76 countries, spanning over six decades, suggests that there is a causal link between opening of new universities and economic growth (Valero & Reenen, 2016). Accumulation of graduate skills further leads to greater innovation and labour market flexibility (BIS, 2011; Florida et al., 2006) and increased productivity of co-workers (Machin et al., 2010), including productivity in enterprises (Haskel & Galindo-Rueda, 2005). Finally, higher education of the population leads to reduced burden on public finances from co-ordination between policy areas such as health and crime prevention with the estimated benefit of these being equivalent to an average graduate premium (per each graduate) (Grossman, 2006; Haveman & Wolfe, 1984; Lochner & Moretti, 2004; McMahon, 2009).

(iv) Societal Non-market (Wider) Benefits

As for market benefits, some non-market benefits for the individuals also have an effect (collectively) on society at large. Therefore, this section too should be read in conjunction with the part above itemising the individual wider benefits.

In general, highly-educated individuals are more trusting and tolerant of ‘the others’ in the society, have greater racial understanding, are more open to diversity and support gender equality, which creates a more stable society (Pascarella & Terenzini, 2005). Today, in both Poland and England (UK) higher education achievements form the most important foundations of the social stratification system. A report by Green et al. (2003) suggests that the smaller the gap between high and low levels of educational achievement the greater the social cohesion. The already mentioned crime reduction has a huge social benefit in improving the quality of life in wider society, and higher education has been proven to lead to political stability – in fact, it was

found to be the largest single determinant of a democratisation within OECD countries (Keller, 2006); greater social mobility – by enabling access to social networks and entry into the middle class (Blanden et al., 2010; Dearden et al., 2004; Ermisch & Francesconi, 2001); and increased social capital – with greater participation in voluntary and charitable organisations and in local government. The presence of students in the area makes the towns and cities safer and the communities more diverse (Feinstein et al., 2008; Munro et al., 2010). Finally, but crucially, education has been linked to environment-friendly behaviour – highly-educated people tend to use less energy (Poortinga et al., 2004), save water (OECD, 2011b) and recycle more (Ferrara & Missios, 2011).

All of the abovementioned benefits to both the individuals and the society, are relevant (sometimes to a different degree) in the context of developed and developing countries alike and are relevant to the refugees not only in the context of repatriation but also their local integration in the host state. What follows in the next section is a brief account of the benefits of higher education specific to the context of development, relevant here for two reasons: firstly, some of the asylum seekers and refugees will return to their country or region of origin at some point in the future and will form part of the society of this developing country, often taking on leadership roles; secondly, some of the negative practices associated with lack of education may be replicated within the migrant communities marginalised by lack of educational opportunities within the host society.

3.7.2 Benefits of Higher Education in the Context of Development

As in the developed countries, higher education in developing countries generates substantial and multiple direct, indirect and catalytic economic and social impacts benefiting both individuals and societies. There too it enables social mobility, in particular preventing the transmission of poverty between generations, enabling the poor to escape from chronic poverty and lead better lives (UNESCO, 2014).

As countries develop, any education increases women's chances of participating in the labour force, while higher education significantly transforms their employment outlooks (Gaddis & Klasen, 2012). This in turns contributes to women's empowerment and betterment of their country's prospects (*Executive Committee*

Conclusion No. 64 (XLI) on Refugee Women and International Protection, 1990; Kabeer, 2012). Educated women in the developing countries are less likely to marry early and have younger average age of first birth. Their daughters are less likely to be subjected to female genital mutilation. They are also more likely to have a say over their choice of spouse and size of their family and are less tolerant of domestic violence. (Aslam, 2013; Kandpal et al., 2012; Mocan & Cannonier, 2012; UNICEF, 2013).

Further, education, including higher education, in developing countries helps reduce the risk of conflicts and to heal its consequences (*Executive Committee Conclusion No. 80 (XLVII) on Comprehensive and Regional Approaches Within a Protection Framework*, 1996). It helps reduce corruption (Rothstein & Uslaner, 2012) and ensures more equitable access to the justice system (Abregú, 2001).

Although all of the above assertions resulted from research in developing countries, there is no reason to believe that higher education obtained by nationals of these countries in another state during a temporary residence would yield different results. Likewise, values, beliefs and practices of those educated in universities in the host states of the Global North would be affected, leading to changes within migrant communities resident in the host states, and resulting in a still complex, yet more coherent society.

Before turning to a review of literature showing the benefits of higher education particular to the refugee context, it is important to elaborate that higher education is sought and valued by the refugees themselves.

3.7.3 Aspirations and Commitment to Higher Education amongst Refugee Background Students

Despite continuous issues of access and quality, a significant proportion of refugee children and youth complete primary education – the Gross Enrolment Ratio (GER) – a statistical measure used to express a total enrolment (regardless of age) in a specific level of education, as a percentage of the population in the official age group corresponding to that level of education (UNESCO, n.d.) – stood at 63% in 2018, compared with 91% for global primary GER. Although this drops dramatically to 24% vs. 84% GER at the secondary level (Dryden-Peterson, 2011), and may be lower at both levels today due to the current crisis in Syria, these figures remain at a much higher level than the already mentioned estimated tertiary level (HE) enrolment rates which, as noted above, currently stand at about 3% globally. This is despite the fact that among refugees who have completed secondary level education, there is an almost universal desire to continue education at the university level (Women’s Refugee Commission, 2009, cited in Dryden-Peterson and Giles, 2010). It has been stated in various reports (e.g., Doucet, 2015; Rashid, 2015), that those who reach Europe are not a random draw of the home country population – majority of refugees who embark on the journey to Europe come largely from the middle-classes – as their previous income and savings allow them to pay for the expensive journey. Their families’ financial position in the country of origin prior to the emigration, would often mean that they had access to education at all levels. Indeed, a study commissioned by the Department of Work and Pensions (Bloch, 2002), which surveyed a few hundred refugees, asylum seekers and ethnic minority migrants, suggests that people who study in the UK have previous experience of education. Namely, all refugees who were studying in the UK at the time of the survey have been educated up to secondary education or higher before coming to Britain. However, as noted further down in this section, another study has found that individual success in education in the UK does not usually depend on the young person’s previous education experience. Findings from this current research also show that RBS have HE aspirations notwithstanding their prior educational experiences (see Chapter Six).

The commitment and value of education among refugees residing in host states of the Global North specifically has been confirmed in a number of studies carried out by scholars and representatives of third sector organisations supporting access to education. In 2005, Rachel Hek carried out a study on the role of education in the settlement of young refugees in the UK, interviewing school age pupils in London schools who had a refugee background. She has reported that “All the [interviewed] students had high aspirations and hoped to go on to college and university when they left school” (2005, p.164).

In their report from a larger study carried out two years later, Stevenson and Willott, who interviewed 18 young people aged 16-20 and eight parents of those young people who have accessed, or attempted to access, HE, observed that “All of the individuals interviewed spoke about their high aspiration for themselves and their desire to use HE as a route out of poverty and exclusion and as means of establishing a better and more secure way of life for themselves” (2007, p. 676).

They found this to persist despite the low levels of expectations experienced by these young people from mainstream schools and other support services. This is not dissimilar to the minority ethnic (ME) groups young people who in general have higher educational aspirations than white people, both where the ME parents have obtained HE qualifications, and where they have not (Connor et al., 2004). Unlike the ME groups though, refugees and asylum seekers are not recognised as a group with specific needs, and no targeted policies and strategies have been put in place to raise their access levels and achievement.

This was again confirmed by Brownless and Finch (2010) who reported that education is the main priority for the majority of young asylum seekers and refugees residing in the UK, and many of them have aspirations to continue their education at university. They quote an educational adviser from social services in Kent who stated that more unaccompanied asylum-seeking young people were accessing and succeeding in HE, than looked after citizen children (this report was issued in 2010, before the policy change which removed the right to access university and financial assistance from those with a Discretionary Leave to Remain and those awaiting Home Office decision). Notably, they find that success in education in the UK does not usually

depend on a child or young person's previous education experience, but rather on their ambitions, quality of education they can access in the UK, and the support they received in helping them to effectively participate in the educational programmes.

This point raises interesting moral, philosophical, and political questions about priorities (Should refugees and asylum seekers as non-citizens benefit from more support than underprivileged citizens? Should public spending be used to tackle other issues affecting the wider society, for example, more basic skills shortages?), rights and duties (Does a state have duties towards non-citizens? What is the extend of these?), which have often been raised in discussions about this project. My own view, in line with the human rights-based approaches to education, is that having an opportunity to access education – including HE – is a human right and as such it must be afforded to all without prejudice. It is every state's responsibility to provide opportunities and support for everyone living within their territorial boundaries to be able to exercise their rights, in particular those most disadvantaged by their circumstances. See also Chapter Two above.

In a report based on casework and internal research projects of the Refugee Support Network (RSN) – a non-governmental organisation based in London, supporting young people affected by displacement to access and progress in education in the UK – Elwyn et al. (2012) described that it is especially the unaccompanied asylum-seeking young people who speak of education as the most important and most positive thing in their lives. They are motivated to progress and reach universities, concentrating on their future rather than their past. This was further confirmed by Doyle and O'Toole (2013), and more recently, in the report by Morrice and Sandri (2018) and the AccessHE Report by Alberts and Atherton (2017). Here, the focus was specifically on the access to HE for unaccompanied asylum seeker children, and it was confirmed yet again that these young people not only aspire to join universities but that they see HE a way of building a foundation for their future, in a time of great uncertainty, while their asylum application is being processed.

Although, to the best of my knowledge, no studies relating to educational aspirations (at HE level) have been carried out in Poland, similarly high levels of aspirations among refugee and asylum-seeking young people have been reported in Australia

(Hannah, 1999), in Canada (Shakya et al., 2010), and more recently in Germany (Grüttner et al., 2018; Schneider, 2018). Interestingly, in the study by Shakya et al. (2010), it has been further identified that education aspirations have strengthened considerably amongst these young people post-migration, reflecting not only the limited opportunities or quality of the pre-migration educational experiences, or their positive educational experiences at primary and secondary level in their host country, but also mindfulness of the value and benefits that HE can present them, their families and communities with, in their new home.

3.7.4 Benefits of Higher Education to Refugee Background Students, their Families, Communities and Societies – Why Europe Should Care about the Higher Education of RBS

For people who have lost all their other assets, education represents a primary survival strategy. Education is the key to adaptation in the new environment of exile. Education is the basis upon which to build a livelihood. For some, education will be the decisive factor for resettlement in a third, normally richer country. Finally, education will ease reintegration on return home. (Flukiger-Stockton, 1996, p.3).

Participation in HE programmes provides RBS with opportunities for professional development, leading to self-reliance which in turn warrants social, economic, and gender equality. Particular benefits of HE of RBS can be categorised as either market or non-market (wider) ones. The societal beneficiaries can be divided into four groups, to best demonstrate how HE benefits them in particular. These include:

- individuals (both refugees and asylum seekers although some of the benefits may relate to one of these groups specifically – it will be identified where it is the case),
- their families (living in the same host country or the country/region of origin),
- communities (forced migrants and economic migrants form a community in the country of residence – the ‘diaspora’. Some of the benefits will refer only to other forced migrants, while others relate to the whole of the particular diasporic community),

- and the society at large (first, benefits to the host society will be described, followed by benefits to the society in the home country – gained either through refugees’/asylum seekers’ transnational activities or through their repatriation).

(i) Individual Market Benefits

As the world market is increasingly driven by digital technology, jobs become more complex and employees must become more flexible. Employers are now seeking staff with the ability to process complex information, work in a team but also autonomously, communicate effectively, and – perhaps most of all – be creative. HE qualifications have now become almost a prerequisite for employment in many European countries (including in occupations traditionally classed as ‘low skills’, in most sectors in construction and manufacturing, which in the past have relied on apprenticeships) and a necessary ‘attribute’ for social advancement.

The most recent study on employment among refugees in the UK, analysing results from the UK Labour Force Survey produced by the Office for National Statistics (ONS), suggests that the rates of employment among this group remain well below the UK average – 51% among refugees compared to over 73% UK average (Kone et al., 2019). There is currently no data regarding the employment rates among refugees in Poland (as they are put under the general category of foreigners in the state employment agency data), it is unlikely to be at higher levels, as Poland has similar unemployment rates to the UK (3.3% in Poland (Statista, 2020) and 3.8% in the UK (ONS, 2020)).

In both countries, as noted above, the right to access the labour market is linked to the refugee status. Asylum seekers are only occasionally granted permission to undertake paid employment after six months in Poland, and after 12 months in the UK, from the date of submission of an asylum application if a first instance decision has not been given within this time and if the delay is not attributed to any fault of the asylum seeker. In the UK, such access is restricted to jobs included in the list of shortage occupations (formulated and recommended to the UK Government by an independent body), including posts in engineering, nursing, graphic design, secondary school teaching, and sciences – all of which require a degree. In Poland, such access is not

limited to certain sectors, but is nevertheless problematic in practice. This is partly because many employers do not know the immigration rules and partly because majority of asylum seekers in Poland live in centres which are located away from big cities where job opportunities are available.

In these circumstances, lack of independence and reliance on social assistance is extremely difficult to overcome for refugees and asylum seekers, who are being continuously excluded from both the labour system and HE.

As noted, before, HE leads to the development of advanced skills which greatly improve employment prospects. Obtaining a degree offers refugees specifically a way out of poverty (UNHCR, 2015b), and for asylum seekers who are unable to work while awaiting the decision regarding their immigration status, HE provides an opportunity to ‘do something’, keeping them off the streets and offering them hope for the future. Dodds and Inquai, suggested (in a somewhat bleak way) that without education, refugees “will inevitably remain outsiders and a permanent drain on the resources of the host community” (1983, p.12).

(ii) Individual Non-Market (Wider) Benefits

Refugees and asylum seekers often have poorer health than the general population (Cebulla et al., 2010). Notably, those who describe themselves as being in good health are more likely to be employed than other refugees. Combined with the research evidence showing correlation between education and health (see above), it can be confidently assumed that refugees and asylum seekers who have access to HE and subsequent employment, are likely to live longer, healthier lives.

Moreover, offering educational opportunities for asylum seekers and refugees, providing them with hope for improved future employment possibilities will make them less likely to commit a crime. According to Becker’s economic model of crime (1968), individuals make a rational choice between criminal and legal activities by comparing the expected net benefit from each activity. The key driver in this model (besides the probability of getting caught and the possible punishment) is the difference between potential earnings from the legal activity in the labour market and the financial returns from criminal activity. Accordingly, poor labour market

opportunities for individuals or groups can lead to higher criminal activity among them. Bell et al. (2013) examined local crime patterns in England and Wales from 2002 to 2009 and found that although a rising share of migrants in local populations is not associated with statistically significant changes in violent crime, increase in the asylum seekers share of the local population by one percentage point is associated with a 1.1% rise in property crime. This can be explained by a combination of two factors - since asylum seekers are not allowed to work upon their arrival and have reduced access to welfare benefits and have to wait for a prolonged period of time to have their applications assessed, the relative returns of crime are increased for this particular group (of course, we cannot be sure of course that it is the asylum seekers committing the crimes and not others in the area).

Further, it has been evidenced in previous research that education leads to emotional healing and lowering of levels of anxiety for RBS (Brownlees & Finch, 2010; Eisenbruch, 1988; Huyck & Fields, 1981; Sinclair, 2001), and provides them with stability and normality “by developing a sense of belonging to an institution run by the host community” (Black & Ademi, 1998, p.12). This sense of belonging reported to be crucial for refugees and asylum seekers (Hek, 2005), is strengthened through their friendships with people from different backgrounds – including non-refugees. Universities could offer a perfect opportunity for such friendships to form.

Research also shows that participation in HE programmes, in particular, leads to personal growth, social development, increased confidence, and higher self-esteem, and augmented sense of hope and pride amongst RBS. A particularly strong sense of achievement was found amongst graduated refugees (Dodds & Inquai, 1983; Dryden-Peterson & Giles, 2010; Zeus, 2010). Importantly, HE also provides a way for RBS to assert themselves, to feel lifted to an equal footing with their non-refugee peers (UNHCR, 2015b).

Finally, according to studies by Wright and Plasterer (2011) and Kabeer (2012), HE gives refugees and asylum seekers the ability to make informed, inspired, better strategic life choices, which will also convey benefits to their families and communities.

(iii) Familial Market Benefits

Access to HE for RBS offers hope for more sustainable economic livelihoods not only for themselves but also for their families, who often rely on the young adults to support the households with many children (Dryden-Peterson & Giles, 2010). Additionally, parents who remain non-dominant monolingual for longer periods of time often rely on their children who learn the dominant language much faster (through access to educational opportunities) for completing tasks such as tax returns or benefit applications (Gold & Nawyn, 2013). Young people with experience of HE will develop better language skills and will be able to help their families secure all financial help they are eligible for from the state.

(iv) Familial Non-Market (Wider) Benefits

Research on women refugees and gender in forced migration studies more generally is quite extensive (see a volume edited by Doreen Indra (1999) for an introduction to this body of literature), however, neither the gendered experiences nor needs of refugees and asylum seekers in educational settings in the host countries, nor the effects of education on refugee family relations have yet been considered in either educational or forced migration literature. Arguably, some assumptions can be made based on the research already completed, with a reservation that further research is necessary to confirm these.

Qualifications gained through degree programmes, coupled with the experience of HE in the host country in the Global North, may lead to a change of forced migrant women's relative position within their family. It has been evidenced already that increased social mobility and economic independence and economic and social responsibilities of migrant women often lead to a change in the distribution of power within the family, leading to greater authority and participation in household decision making and greater control over the family's resources (Morokvasic, 1984; Tienda & Booth, 1991), although participation in the labour force does not automatically ensure greater intra-familial equality (Tienda & Booth, 1991). These changes may also cause positive shifts in migrant women's relationships with their husbands and children (Simon & Brettell, 1986; Tienda & Booth, 1991). Social mobility and chances of

economic independence are greatly increased through obtaining HE qualifications as already discussed, in turn improving the chances of such familial changes to occur.

It has been suggested in previous research that for non-working migrant women, the circumstance of migration can sometimes undermine their position in their family. Isolated from their extended family network, they often find themselves increasingly dependent on their spouses or children to deal with the outside world (Simon & Brettell, 1986). Providing educational opportunities for refugee and asylum-seeking women especially will improve their language skills, help them build up social networks and find employment in the future, allowing them to participate fully in the life of the host society.

(v) Community Non-Market (Wider) Benefits

Education, and in particular HE presents several benefits for the migrant communities within the host states. It has been demonstrated that HE has the potential to give greater voice to displaced populations. It allows the refugee background students and graduates to become the voice of those communities in the host country. They become their own ‘agents’, empowered from within by education, as HE provides RBS with leadership skills necessary to play a greater role in their community (Dryden-Peterson & Giles, 2010). They are no longer considered principally as victims, vulnerable persons who just need the bare necessities of food and shelter, relying on the help of others. They can then represent the interests of their communities in their localities and nationally (Fraser, 2005; Zeus, 2010). Further, the HE of refugees improves gender equality within migrant communities – as noted in the UNHCR report (2015), graduate refugees “become agents of change within their communities”, helping to “alter traditional views on the roles of man and women” (p.15). Above all, HE opportunities offer reinforced protection of forcefully displaced children and young people and other migrant children within the same diasporic communities. Compelling evidence has been provided by a number of studies which suggest that enrolment and achievement in primary and secondary school are improved by young people observing their older peers in the communities who are studying at the higher education level. Where such access is limited or non-existent, migrant (including refugee and asylum-seeking) children and young people are not as motivated to persist

in primary and secondary schools (Chaffin, 2010; and Perlman Robinson, 2011, as cited in Dryden-Peterson & Giles, 2010).

Before turning to the next section, it must be acknowledged that from a human rights perspective, the instrumentalising language of market benefits for the host society is somewhat uncomfortable. As stressed above, it is argued in this study that RBS access to higher education is a matter of human rights and social justice – before anything else. It is, however, useful to acknowledge relevant evidence, which offers counterclaims to those who allege that economic sacrifices outweigh the humanitarian arguments.

(vi) Societal Market Benefits

UK Department for International Development concluded in one of its publications in 2013 that “(...) a good education is a human right, a global public good and a necessary ingredient for economic development and poverty reduction” and recognised that higher education strengthens and contributes to open, inclusive and economically vibrant societies (UK Department for International Development, 2013). As noted above, the rates of employment among refugees in the UK remain well below the national average, and according to a recent International Monetary Fund report (Aiyar et al., 2016), this is the case internationally. IMF also note the lower wages of refugees when compared to those of natives in the country and point out that the market integration of asylum seekers and refugees are “key to reducing the net fiscal cost” (p.4) associated with the inflow of forced migrants to European countries since unemployment among refugees and asylum seekers means the cost to the state through welfare payments and potential loss of tax income. Higher employment rates among refugees and asylum seekers will help the public finances through increased tax income and social security contributions. Further, the successful labour market integration of these groups will also help to counter some of the adverse fiscal effects of aging populations in the EU states (see Chapter One). Employability rates and income levels are higher amongst graduates, leading to a conclusion that increasing the access and ensuring the success of refugees and asylum seekers in higher education in Europe, brings many considerable market benefits to their European host societies.

(vii) Societal Non-Market (Wider) Benefits

There are several non-market benefits to society at large resulting from the access of refugees and asylum seekers to higher education in the host state, in the Global North.

Host Society

Firstly, higher education ensures peaceful co-existence between refugees and their hosts because in universities, young displaced people are exposed to different cultures, beliefs, lifestyles, and views, which strengthens their ability to live in harmony with people from different backgrounds – notably, this will also benefit the societies within home countries of refugees who do repatriate (Brownlees & Finch, 2010; Refugee Council, 2005; Morrice, 2009; UNHCR, 2014b). In 2010, Peterson reported the benefits of the presence of refugees in Canadian universities, including the formation of long-term personal friendships between the home students and refugees and experiential learning, where home and other international students can learn from their refugee peers about the realities of life in exile, causes and consequences of conflicts, human rights and their abuses, politics, and history of countries and people they usually only read about in newspapers. The affective and social impact in terms of relationship building and positive recognition of who the refugees are has been further confirmed in a UK study by Linda Morrice (2009).

Furthermore, research shows that many refugees “feel that they owe something to the world” (Hannah, 1999, p.160) and are motivated to use their education “to give something back” (O’Rourke, 2011, p.28) to their families, countries, and culture, and to their host country which offered them safety and opportunity²¹. They often choose courses that will allow them to be in a position to help other people as they have been helped – they want to become doctors, nurses, social workers, teachers, and care givers (Aspinall & Watters, 2010). Both Poland and the UK (and many other European countries) currently face shortage of workers in all these professions.

²¹ Analogies with other disadvantaged groups, e.g., mature students, can be observed here (Maguire, 2001, cited in Brine & Waller, 2004).

Finally, as noted by Dryden-Peterson and Giles (2010), *any* “education can contribute to (...) creation, application, and dissemination” of knowledge (p.5), a fact that should not be ignored by the academic community or the European governments.

Home Country/Region Society

There are several benefits for the refugees’ country of origin societies in particular: first, refugees with education often provide leadership not only during displacement (Wright & Plasterer, 2011) but also upon return to their country or region of origin, playing a vital role in rebuilding communities recovering from conflict (UNHCR, 2014b; Farah, 2010). It is higher education that allows them to develop a set of skills relevant to the rebuilding of local, regional, and national institutions (Farah, 2010). Sometimes, as noted by Peterson (2010) who gave an example of graduates from the World University Service of Canada’s Student Refugee Programme in the University of British Columbia who returned to the new Republic of South Sudan to take up prestigious and well-paying jobs with the government and international institutions including the UNDP, it is precisely the experience of an overseas education that empowers these young people to repatriate and take up positions of responsibility and contribute to the development of their home country. Further, as noted above, exposure to different cultures and beliefs in higher education institutions strengthens RBS’ ability to co-exist peacefully with others – higher education has indeed been linked to the post-conflict stability in regions of origin (Dryden-Peterson & Giles, 2010).

Lastly, the experience of overseas resettlement can act for refugees (as for other migrants) as a catalyst for construction of transnational or diasporic national consciousness, that is cultural, emotional, social and political attachment to the real or imagined homeland, which can be constituted and sustained through new technologies of communication. Coupled with the higher educational experiences it leads to a phenomenon known as ‘brain circulation’ whereby these highly skilled refugees, attracted by a chance to make an impact and economic opportunities, form professional and business networks that link them to their countries of origin, resulting in net ‘brain gain’ for those countries (Peterson, 2010).

In summary, it can be stated that if RBS remain in Poland or England (UK), the qualifications and skills gained at university will contribute to the workforce in these countries, strengthening and contributing to open, inclusive, and economically vibrant societies. Higher education will also lead to improved integration between the refugee communities and their host societies. If they are returned to their countries of origin on the other side, HE qualifications will position refugees as potentially influential members of conflict-affected societies and poorer communities and contributors to post-conflict reconstruction. In this context, the exclusion of so many people – the “future leaders, bureaucrats and workers who have limitless potential and are critical to rebuilding the region” (Neal Keny-Guyer, CEO Mercy Corps (UNICEF, 2016)), from the opportunities of HE in Europe seems not only inconsistent and unjust, but it does not make much sense from the economic and social points of view. The legal, policy and programming support in the host countries of the Global North, including European countries such as Poland and the UK, aimed at enabling people with a refugee background to overcome any pre- or post-migration related barriers to HE access has been largely missing or ineffective, and to date, the issue of equal access to HE opportunities and the issue of ensuring success for refugees settled in the Global North, and in particular in Europe, has not been widely explored by the scholars.

3.7.5 Refugee Background Students in Higher Education in England and Poland - What is Known so Far

The literature discussing the benefits of higher education for RBS and that which evidence their aspirations to access HE opportunities has been examined above. This section, in turn, outlines how existing research speaks of (under)representation of RBS in higher education, with particular attention given to research on *barriers to access and participation in Europe*, and specifically in England and Poland as countries of (re)settlement. Although the literature is relatively fast-growing, several gaps remain – these have directed the choice of research questions and methods for this study.

(i) (Under)Representation in HE?

In view of the ‘European refugee crisis’, there is a growing potential demand for HE opportunities amongst refugee communities in England and Poland (perhaps to a lesser extent in Poland, considering the current political context as discussed above),

and more widely in Europe and the Global North. Current levels of representation of RBS in universities in England and Poland – and several other countries – is however largely unknown. In 2016, Terry et al. examined data from the Australian Bureau of Statistics and publicly available HE enrolment data to paint a picture of (under)representation in Australian universities. To date, there have been no attempts to estimate rates of enrolment for RBS in England or Poland, as universities are under no duty to record and report such data in either country. The numbers are also unknown in other European countries. This can be partially attributed to invisibility in research, and partially, to the fact that refugees with recognised status, in Europe at least, are generally classed as domestic students, and so no immigration information is recorded for them on university records systems (Stevenson & Baker, 2018; Stevenson & Willott, 2007). This renders them (and their needs) invisible to host country universities. In this study, a novel contribution was made by first establishing with some certainty the limits of current availability of reliable data on RBS applications and participation in HE in both England and Poland, and secondly, by estimating rates of participation based on the limited data which is available.

(i) *Barriers to Access*

The concept of barriers is widely used in the emerging literature on HE opportunities for RBS. However, so far, the four-way framework as proposed by Cross (1981) and amended by Alderman and Potter (1992), which has been widely applied to research on barriers to access and participation for other disadvantaged or ‘non-traditional’ students (e.g., Kranenbur, 2015; Saar et al., 2014) has not been applied in this area. Although it can be seen as arbitrary, and, arguably some of the barriers/issues can reasonably fall within more than one of these categories (dispositional, academic, situational, and institutional), the use of this particular framework seems very useful indeed. Some of the barriers described in the literature are clearly more amenable to change by the efforts of universities than others. Although universities are also capable of and have a certain level of responsibility to develop measures which will counter all the barriers – in so far at least as they exacerbate the barriers which are classed as institutions – categorising the issues makes it easier for universities to develop a hierarchy of effort to be involved in the elimination of the different issues. The institutional barriers are seemingly the easiest for them to do something about.

Thus, the present study uses this broad framework for the analysis of issues faced by RBS on their way into higher education.

A number of studies must be noted when researching barriers to RBS access to HE in Europe. Although no studies have been found to discuss the context of Poland, there have now been a dozen projects in England (for an overview of methodologies used, sample specifics and assessment of scope and limitations, see Appendix V):

As far back as 2005 (and based on interview data gathered in 2001), it was reported that refugee (and migrant) women in England suffer from misrecognition of their prior educational qualification, both in pursuit of higher (and vocational) education and employment (Clayton, 2005). This was also found for both genders in other national contexts (Andersson & Fejes, 2010; Berg, 2018; Grüttner et al., 2018; Marcu, 2018; O'Connor et al., 2013; Schneider, 2018; Shakya et al., 2010; Sontag, 2019), and confirmed in later studies in England, including in the first comprehensive study on perceived and experienced barriers to HE access, conducted by Stevenson and Willott (2007). In a project funded by Aimhigher, an initiative set up by the former Department for Education and Skills (now the Department for Innovation, Universities and Skills), they have examined perspectives of refugee youth in Yorkshire and Humber region in the North of England (18 interviews and activity-based discussion groups with 16-20-year-olds), their parents (eight interviews), and compared these with data collected through an online survey with FE and HE institutions (six in total), and third sector organisations (37 responses), further followed up by ten interviews with third sector staff. Beyond the misrecognition of qualifications, they have reported a general match between the perception of third sector participants and the young people and their parents. The commonly acknowledged barriers included:

- uncertainty over status and fear of inability of RBS to complete the course;
- lack of understanding of immigration statuses and HE entitlements of the different groups amongst the HE staff (informational barriers and misinformation from friends, job centres, schools/colleges, universities and other institutions in other countries have been discussed by Shakya et al. (2010); Berg (2018); Marcu (2018);

- gaps in formal education, both prior to arrival, and in terms of delays in access to schools in England (also found in Germany (Berg, 2018; Grüttner et al., 2018), Ireland (O'Connor et al., 2013) and Australia (Harris & Marlowe, 2011));
- language requirements, and in particular the prohibitive costs of IELTS course and exam fees (language barriers including the impact on school performance, the level required to secure a place at a university, and costs of training and obtaining certification have been also discussed in Felix (2016); Grüttner et al. (2018); Hartley et al. (2018); Marcu (2018); O'Connor et al. (2013); Santa (2017); Schneider (2018); Shakya et al. (2010); Steinhardt and Eckhardt (2017); Unangst and Streitwieser (2018));
- and lack of encouragement to access higher education – with low expectations in schools, and no outreach from universities themselves.

Stevenson and Willott found that third sector staff put more emphasis on the needs of emotional support (mental health issues are also a concern discussed in other countries, see Grüttner (2018) for discussion in context of German HE), while the young people focus more the issues of:

- poverty, financial concerns and fear of debt²²;
- lack of understanding of the UK education system complex (for other national contexts see, for example, Ferede (2010) reporting on Canada);
- challenging admissions procedures, including completion of online application form and difficulties in writing of a personal statement in support of the application (the admissions process has been also found to

²² The financial barriers are consistently cited in research in all national contexts. Sometimes, because participants namely asylum seekers are charged international students fees, but also in contexts where HE is technically free. This is because refugees and in particular asylum seekers generally receive low levels of financial support from the host states, and so may need to work to support their families financially or rely on unemployment benefits, and struggle to cover the costs of language training, travel, translating and certifying necessary documentation. Access to student loans or additional support is often highly bureaucratic in many countries and those without family support may be unable to pay for childcare which would allow them to participate in learning activities (Anselme & Hands, 2010; Berg, 2018; Marcu, 2018; O'Connor et al., 2013; Parker, 2017; Shakya et al., 2010; Steinhardt & Eckhardt, 2017).

be complicated and almost impossible to navigate by non-citizens (without access to support) in Germany (Berg, 2018; Schneider, 2018));

- limited bursaries available (these have been said to be rarely advertised out of fear that the demand will outweigh the support available); and
- fear of becoming isolated in a culturally and religiously different environment on campus, and fear of inability to adapt to new teaching methods.

Stevenson and Willott have reported a general match in other barriers cited by both expert and RBS participants. Unfortunately, no interviews were conducted with FE or HE providers.

Similar research (with a wider scope of education and employment progression journey) was carried out in four areas across England by Houghton and Morrice (2008) and included a larger sample of participants, although it is unclear how many of the 51 participants had a refugee background, and how many of the 51 expert interviews represented educational sector, employers, third sector and policymakers. Notably, the focus of this study were individuals with high-level qualifications. The key barriers to access identified in this study include lack of financial resources, with no eligibility to access student finance by asylum seeker RBS in particular; experiences of misrecognition of prior qualifications and inadequate access to information, and language requirements, including insufficient ESOL provisions and prohibitive costs of IELTS courses and exam fees (ESOL stands for English for Speakers of Other Languages and refers to learning English as a new resident in an English-speaking country. The issues around current provision for refugees and asylum seekers are discussed in Chapter Six). Houghton and Morrice commented that the expert interviewees reported being aware of all of the barriers cited by RBS but were not always able to address them (p.29).

Morrice returned to this topic in 2009, to evaluate the effect of a dedicated refugee outreach and support programme run at the University of Sussex in the South of England. Her paper presents four case studies with past programme participants, all of whom had prior HE qualifications before coming to England but have struggled to access further training or appropriate employment upon arrival. Again, the issue of

misrecognition of prior qualifications and the emotional toll it takes on the RBS have been discussed. Some further barriers experienced by participants included difficulties associated with lack of documentation to proof prior qualifications, limited access to advice and guidance services which can help RBS make realistic career choices and select the best educational paths to achieve them, responsibilities for family members (these are not limited to financial responsibilities but also, for example, looking after children) and mental health issues. This is also an issue in other countries (Berg, 2018; Felix, 2016; Marcu, 2018; Webb et al., 2018).

Similar barriers have been identified by Doyle (2009), in a study with 292 survey responses and six interviews with Zimbabwean migrants and refugees. Here, mishandled applications and the inability to relocate were also mentioned.²³

The effect of increased tuition fees in England (which went up from £3,000 to £9,000 in 2012/2013 academic year) has been considered by Elwyn et al. (2012), who reported on the casework and internal research of RBS. They have argued that the increase did not just affect refugees (like all other ‘home’ student who were faced with a prospect of higher debt at the end of the degree), but in particular asylum seekers and those with Discretionary Leave to Remain who could previously attend universities where discretion was applied to charge them ‘home’ fees. The increase in the level of fees made fundraising to cover the cost a much harder task. Alongside the generally applied higher ‘international’ fees, inability to access to student loans have rendered accessing HE almost impossible for those without refugee status. Lack of accessible information, including misinformation from the social workers, schools and universities, language barriers (ESOL courses were said to be too slow-paced to allow participants achieve fluency required by universities) and the strict language requirements – coupled with the cost of IELTS courses and exams have also been discussed. Similar issues were discussed in a report on refugee youth access to post-secondary education published by the Refugee Council the following year (Doyle & O’Toole, 2013). Although the study included 70 ‘expert’ survey responses and 10 interviews, these were directed at FE institutions, with no responses from universities.

²³ Asylum seekers are also unable to relocate at will in Germany as discussed by Berg (2018) and Steinhardt and Eckhardt (2017).

However, 20 interviews with both (refugee background) participants and non-participants in post-secondary education were also conducted, with some interviewees reporting on their HE aspirations and (unsuccessful) attempts to access university programmes.

In Elwyn et al. (2012), for the first time, the issues related to other documentation (which is not a certification of prior qualifications) were discussed here – the Home Office was said to often hold documents for prolonged periods of time, making it difficult for asylum seekers to prove their identity to HEIs. This was explored further in the current study.

Bowen (2014) found that financial barriers played a major role in preventing access for refugees both in England and in Wales. All of her participants (seven individuals) were current university students (aged 30-49), but all had a recognised status, making them eligible for student loans. A few of the participants experienced delays in access because of prior ineligibility to access loans, and inability to work – they have discussed universities not using their discretion to waive fees, and responsibilities to support family both in the host state and abroad, as key factors delaying their access and affecting their continued participation.

The role of third sector organisations was returned to by Gateley (2015), who evaluated an intervention to support access (FE and HE), delivered by non-governmental organisations as part of a now-defunct Refugee Integration and Employment Service. Lack of documentation to prove prior qualifications and waiting times for both college and university admissions (experienced by those who arrive or receive status mid-academic year) were not something that the advisers could help with. However, the individualised support in navigating the complex and challenging admissions procedures, starting from choosing a right course and institutions, through support in completion of the UCAS forms and help with payment of application fees, were seen as key by both the third sector staff (six participants), and the RBS themselves (42 participants aged 18-29, residing in London).

More recently, Alberts and Atherton (2017) looked at difficulties faced specifically by unaccompanied asylum seekers in London. Having conducted two focus groups with

six RBS (including four participants who have arrived as unaccompanied asylum seekers), and surveyed 14 HEIs (13 were London based), 23 local authorities and two third sector organisations, they too have found that financial barriers (lack of eligibility for student finance), gaps in formal education (prior to arrival in the UK but also delays in accessing schools once here), mental health issues and trauma, language barriers, and inability to prove previous qualifications were key. Again, lack of understanding of immigration statuses and HE entitlements in schools and HEIs themselves were said to impair young RBS' ability to access opportunities in a timely manner.

The last three studies considering access issues in the English context were all published in 2018: a book chapter by Roque et al. (2018) presented reflections of committee members of a student-led campaign to support access through advice and scholarship, set up at the University of Oxford in 2015. Familiar issues were discussed, including financial barriers, limited information, difficulties in navigating the application process, and inability to obtain replacement high school diplomas, and university certificates.

Stevenson and Baker (2018), based on multiple interviews and conversations with three participants the authors have had ongoing support/research relationships with (two in England and one in Australia), concluded that lack of understanding of the educational system in a host state, paired with lack of accessible information, complex application procedures, high language ability necessary for admission (and high costs associated with obtaining the right qualification) and undervalued third country qualifications caused unnecessarily prolonged journeys into higher education for RBS. They have emphasised the role of knowledgeable mentors, in supporting both young and mature applicants in their journeys but warned about the dangers of relying on the goodwill of the already overworked academic staff alone.

Morrice and Sandri (2018) worked with two peer researchers to interview eighteen refugee and asylum-seeking children and young people (12-20) in the Brighton and Hove area in the South of England, to explore, together with community partners, what are "the challenges experienced by young people [in the area] as they consider their futures and make their choices" (2018. Acknowledgements.). They have confirmed that aspirations amongst the young RBS still run high. The perceived and experienced

barriers described in the project report included limited prior education, resulting in low levels of literacy; language and cultural barriers, and different learning, teaching and assessment methods affecting progress through school and thus future prospects of joining a university programme; lack of understanding of the education system and limited support available from school/college to navigate the admissions system and gain an understanding of the student finance eligibility. Finally, the language requirements were also cited: ESOL courses were said to be oversubscribed, take too long and not offer an appropriate level of tuition to students, while the high costs of IELTS courses and exam fees make it unobtainable for many RBS.

Several of the above-cited studies have focused on examining the issues faced and needs for support amongst specific communities, sometimes at specific sites. In England Doyle (2009) reported on Zimbabwean asylum seekers only; Morrice (2009) interviewed past participants of an outreach programme run by University of Sussex; Stevenson and Willott (2007) interviewed participants in North Yorkshire and Humber region only; Morrice and Sandri (2018) interviewed young people in Brighton and Hove area only; Alberts and Atherton (2017) conducted focus groups in two London universities. Others have included refugees and/or asylum seekers in studies with a broader scope, amongst other migrants (in England Clayton (2005) interviewed 30 female participants in Glasgow and London; Houghton and Morrice (2008) interviewed 59 participants in four areas in England – in both studies it is not clear how many participants had refugee background). While some of the barriers and needs of RBS clearly overlap with the needs of non-refugee background migrants, many are aggravated by the asylum process and experience of forced migration specifically. Others are exclusively experienced by RBS, and not by other migrants. It can be therefore be argued that RBS perceptions and needs should be considered separately.

Further, although the studies discussed to provide an extensive account of the barriers identified, these are presented as separate issues, where in reality, these factors rarely occur in isolation. Without considering how the barriers relate to each other, aggregate and exacerbate each other, there can be no real understanding of RBS' marginalisation. Consequently, the current study – while building and drawing on the findings from the previous research – differs from these past studies in several respects. Firstly, the

four-way barriers framework is used to present findings, with clear links between the particular barriers made throughout. Secondly, the study includes both ‘expert-’, and RBS interview participants to compare and contrast the institutional perceptions and assumptions with the lived experiences of those with a refugee background. ‘Experts’ include representatives of the HE sector and third sector organisations – those offering generic support for refugee communities, and those focused in particular on supporting HE access (in the context of other European countries, several studies actually present the perspectives of university administrators, e.g., Berg (2018); Unangst and Streitwieser (2018); or third sector organisations’ staff or volunteers only, e.g., Santa (2017)). Expanding in particular on the studies in the UK contexts the RBS sample includes participants of varied ages, locations and study statuses – those currently enrolled in HE, offer holders and applicants, and those aspiring to enrol, but for whom the barriers to access have so far been insurmountable. Generally speaking, the voices of those who have not yet enrolled in HE are neglected in the literature, except for children and teenagers (Stevenson & Willott, 2007; Morrice & Sandri, 2018). The majority of participants in these studies, however, were of pre-university aged young people. In this thesis, the voices of those who are already of university going age – or older, are acknowledged. Further, both refugees and asylum seekers have been interviewed, which allows for contrasting the needs of those with (more) secure statuses and those in more precarious circumstances. The geographical scope is also wider, including RBS participants from seven cities in different parts of the country.

Although the data set from Poland is much smaller than that in England, as – to the best of my knowledge – the literature has not discussed these issues in this national context, the contribution made in this study is entirely novel. The benefits of comparing and contrasting data from more than one country are discussed in the next chapter.

(ii) Participation in HE

In terms of experiences of RBS *in* higher education, the literature is even more sparse than that in relation to access *to* HE. However, several post-enrolment issues have now been identified, both in the UK and elsewhere. These are considered only briefly,

as the main focus of this study is on access issues. Several studies have found that one of the main problems faced by RBS is academic unpreparedness and lack of familiarity with teaching, learning and assessment styles used in host country universities (Berg, 2018; Houghton & Morrice, 2008; Joyce et al., 2010; Lenette & Ingamells, 2013; Morrice, 2013; Naidoo et al., 2015b; Stevenson & Willott, 2009). Insufficient language skills and lack of institutional support available have also been widely reported, as refugee students are commonly treated as domestic/home students and their language needs (shared with other international students) are not considered by host institutions (Bowen, 2014; Harris & Marlowe, 2011; Hirano, 2014; Houghton & Morrice, 2008; Naidoo et al., 2015b; Olliff, 2010; Stevenson & Baker, 2018; Stevenson & Willott, 2009; Watkins et al., 2012). RBS do not have access to appropriate support on campus to help them deal with their past experiences of war and trauma (Berg, 2018; Hannah, 1999; Joyce et al., 2010; Watkins et al., 2012), and in several studies, participants further complained about general lack of awareness of their needs amongst university staff (Joyce et al., 2010; Lenette & Ingamells, 2013; Naidoo et al., 2015a; Terry et al., 2016). Where support is available, RBS may lack awareness of the relevant services on campus (Gateley, 2015; Stevenson & Willott, 2007). Other issues identified include a cultural mismatch between the RBS and their institution (Bowen, 2014; Joyce et al., 2010; Morrice, 2009, 2013; Stevenson & Baker, 2018); experiences of racism (Lawson, 2014; Morrice, 2013); and difficulties in establishing connections with other students (Berg, 2018), not least because of “feelings of being suspiciously judged” by others as receiving an unfair advantage in access to HE (Grüttner et al., 2018). Support of mentors in progressing through HE was cited as just as important as that received prior to enrolment (Stevenson & Baker, 2018; Wilkinson, 2018). Finally, perhaps unsurprisingly, RBS are also affected by lack of funding for childcare (Grüttner et al., 2018) and other ongoing financial pressures, and making hardship funds available was advised as a compensatory measure, especially for those without access to other forms of student funding or right to work (Bowen, 2014; Grüttner et al., 2018; Harris & Marlowe, 2011; Hartley et al., 2018; Joyce et al., 2010; Morrice, 2013). In the study reported here, a further contribution to this area has been made, in particular by exploring the experiences of current students in relation to the period of transition into their studies, as it appears that not much attention has been paid previously to the post-offer/before-enrolment period, or the first crucial weeks on the course.

(iii) *Can Barriers to Access and Participation for RBS be Overcome? Ways of Dealing with Marginalisation in Higher Education in England and Poland*

The issue of equal access, but also retention and progression in higher education is not exclusive to the context of RBS as already mentioned above – several other groups face numerous issues related to their particular circumstances. Over the years, a considerable body of literature has been developed, exploring in England in particular, the barriers to accessing and participating in higher education as experienced by the different groups, focusing on women, adults from lower-income groups, disabled people, and groups with minority status. More recently, several studies have been conducted on perspectives of mature entrants and those leaving care, reflecting the changing profile of the student population and investigating previously unknown challenges faced by those who may perhaps benefit most from higher education opportunities. The disadvantage of these groups in HE access has been long acknowledged in both scholarship and policymaking in England since the late 1990s, where ‘widening participation’ in higher education is now a major component of education policy, attempting to redress the inequalities and increase the proportion from under-represented groups accessing and completing programmes of study in universities. Widening Participation is one of the strategic objectives of the OfS and, as mentioned above, a requirement for universities that want to charge the higher-level tuition fees in England. A considerable (and growing) amount of funding is committed by these institutions to access measures under their access agreements, with some institutions investment towards these aims going beyond the levels required by the OfS. The proportions of the disadvantaged young people who are accessing HE opportunities is at a record high (UCAS, 2019), having risen greatly over the past decade. This success may be – at least partially – attributed to the effort and investment that universities have put into improving access, which in turn can be linked to the requirements placed on them by OfS in accordance with the national legislation. Notably, however, although a considerable body of evidence exists on increased aspirations and awareness following WP interventions, there is still a lack of robust evidence on the impact of outreach on actual university enrolment rates, (Robinson & Salvestrini, 2020).

Widening participation access measures, mentioned above, include:

- investment to support access through outreach activities for people with the potential to succeed in HE, for example by forming and sustaining links with communities and employers; training and mentoring of potential students to improve their grades; raising of aspirations by activities held in schools and colleges, or during university campus events or summer schools which provide a taster of university experience for children and young people who may not have a family background in higher education and thus might not have otherwise considered it an option for themselves,
- introduction of ‘second chance’ opportunities – Access to HE qualifications and foundation years,
- organising of student success activities, such as induction programmes, pastoral and study skills support, and mentoring, to help students stay on course and achieve their full potential while at a university,
- organising of progression activities aimed at preparing the disadvantaged students to go on to postgraduate study or their chosen career (these include for example mentoring programmes, internships and help with interview skills),
- finally, about half of the investment is dedicated to the provision of financial support through bursaries, scholarships and fee waivers or discounts for the disadvantaged students, and hardship funds for students experiencing financial difficulties.

Despite some (not unsubstantiated but somewhat cynical) views, which state that HE institutions “use access agreements to promote visions of widening participation that suit their own recruitment needs rather than to promote recruitment to the sector as a whole” (Molesworth et al., 2011, p.115; see also: Rainford, 2017), the OfS, access and participation agreements and linked strategic planning and monitoring of outcomes, unquestionably do play an important role in compelling universities to participate in activities they may otherwise not be engaging in at all. OfS supposes a role in widening institutional understanding of which approaches, and activities have the greatest impact by bringing together evidence, good practice, and resources to be used by the universities.

In Poland, there is currently a limited acknowledgement of equity issues in relation to educational opportunities (Fraccola et al., 2015). Although the impact of social and economic background on the access to higher education (and particularly free higher education²⁴) has been evidenced through research, with the main factors influencing access levels identified as the socio-economic background, parental education attainment and income levels, and place of residence (Herbst & Rok, 2010), the government's response has focused on students from economically disadvantaged backgrounds and has been limited to the provision of funding for scholarships and stipends. There are very few outreach initiatives aimed at widening access or ensuring the success of underrepresented groups, all carried out at institutional level rather than on national scale (examples include the introduction of lifelong learning programmes aimed at widening participation in education for adult learners – over 25 years old – and learners without prior academic experiences). It has been suggested in prior reports that more needs to be done by the government, which will have to provide higher education institutions with incentives to widen participation to all disadvantaged groups (OECD, 2013).

Although the formal evaluation of current outreach and support programmes for RBS is beyond the scope of this research, some of the existing interventions are mentioned in Chapter Seven, alongside considerations of barriers as perceived by university professionals.

3.8 Chapter Summary and Rationale for this Study

The third chapter has described the research context, clarified terminology, and examined existing literature, demonstrating that RBS access to higher education is indeed a matter of utmost importance, stating the limits of the previous relevant work and highlighting how this current research is addressing these limitations.

Asylum seeking and refugee young people are not the only group facing barriers to access and success in higher education – some of their experiences and problems are

²⁴ As explained in Appendix IV, Poland has a large number of private HE institutions which charge tuition fees. In addition, public institutions can charge fees for non-stationary and part-time courses.

shared with other migrants, ethnic minorities, looked after citizen children, and young people from other disadvantaged backgrounds, and thus, references to literature on representation, access and experience of other disadvantaged groups are made on several occasions in this, and findings chapters. This is not done systematically in relation to each possibly similar issue, as the argument made in this thesis is that even when barriers are similar, the difficulty in overcoming those is more pronounced for RBS. Further, as explored through the review of literature, and as evidenced in this thesis, as a group, RBS face many additional – specific to them – obstacles to rebuilding safe and fulfilling lives through higher education. Asylum seekers and refugees differ from the other groups as they may have experienced or witnessed violence; they may have experienced the separation from or loss of family members and friends; they may have experienced the destruction of their home, neighbourhoods and whole cities; they may have experienced the dangerous journey from their home countries before eventually arriving in the safe host country; they may have feared – or experienced – discovery, imprisonment, physical and sexual abuse; they may have emotionally detached parents or carers; they may have had a disrupted education (Refugee Council, 2005) – moreover, they may have experienced several of these at the same time.

Asylum seekers face further uncertainty over theirs (and their family's) future while their application is being assessed by the state, relying on family, friends, and community organisations to support their needs going beyond the basic sustenance. They will often stay in temporary accommodation (facing relocation to an unknown location upon the grant of status), may face poor access to services and public antagonism (and racism) – in addition to education-specific problems of lack of access to public funding and lack of targeted information and support. Although evidence on barriers or issues faced by RBS is still relatively limited, over forty papers from Europe, Australia, New Zealand and the US have been reviewed and cited above. Coupled with the evidence relating to benefits of providing higher education opportunities for RBS (not only for the individuals but also for the communities and society at large), it seems discernible and essential that the legislation and policymakers and education providers take into account the particular circumstances and needs of asylum seekers and refugees when drafting legislation, targeting

information and support, making admissions decisions and providing ongoing support for those who do enter HE programmes.

The rationale behind this study was to build upon the already existing and growing body of research to equip the universities and third sector organisations with tools to better support RBS, and evidence to lobby the policymakers.

The specific aims and research questions and methodologies and methods used are considered next.

Chapter 4. Methodology

Chapter Four provides an overview of the methodological considerations and research methods. Research aims and the specific questions asked are followed by a discussion of the key principles underlying the research design, and brief descriptions of data collection methods including sampling and recruitment of participants; difficulties encountered, and decisions made during data collection; ethical considerations; analytical approaches employed in this study. Finally, the trustworthiness of the research is deliberated, including the credibility, transferability, dependability, and confirmability of the findings.

4.1 Introduction

Notwithstanding the significant surge of interest amongst researchers in Europe and elsewhere and several published works related to higher education of RBS in the last few years, there are still only a handful of relevant studies in the English, and only one in the Polish context (this has not been discussed in the literature review as it specifically discussed the institutional responses; it is, however, examined in the discussion chapters below (Kontowski & Leitsberger, 2018)). The *purpose/aim of this study* was to determine whether RBS are indeed underrepresented in universities in both countries, and - if so – to examine the reasons behind this and consider what can be done to ensure equal educational opportunities are afforded to those with refugee background in the future.

The focus on the two countries can be explained by several contributory factors. Firstly – the pragmatic ones: my professional background and expertise are in English HE and my interest in the topic was sparked by encounters with RBS in England. Initially, I was hoping to study this topic comparatively with a few different European countries – there are a variety of theoretical and practical reasons for wanting to know more about what others do in terms of practice, law and policy in a specific area, namely, to learn about guiding principles and most effective procedures to overcome challenges in the formulation, implementation, and evaluation of such policies and practices. Practical concerns around time, funds, and language skills dictated limiting the study to just two country cases. In the UK, higher education is a matter devolved

to Scotland and Northern Ireland, with significant differences relating for example to tuition fees. Public attitudes and publicly funded support for refugees and asylum seekers also differ among the four home nations which led me to a decision to focus on England specifically. Beyond England, the choice was simple – as a Polish national not only do I have an understanding of the Polish political context and its HE system, I am also a native Polish speaker, which allowed me to communicate with relevant bodies, and to search for and access reports and documents not always available in the English language.

Beyond these pragmatic reasons, however, the choice of the two countries has also been theoretically informed. England (as part of the UK) and Poland are representatives of different clusters of states based on socio-economic and cultural dimensions (Mellens, 1999). They have different legal, political, and social policy systems that exist despite their common EU membership (at the time of the research). The two countries are in different locations on the migration track – Poland is mostly a transit country, while the UK is a destination country for many of those seeking asylum in Europe (Van Mol & de Valk, 2016). Although Polish nationals used to have the most pro-refugee views in Europe (Bachman, 2016), and the UK has a long history of offering refuge to those who need it (Refugee Week, 2015), in both countries the policies and social attitudes towards migration and specifically towards refugees have recently deteriorated – in the UK as long ago as 1993, but in particular since the early 2000s, and in Poland after 2015 (as explained in Chapter Two). Further, although both countries have relatively open HE systems with high participation rates and support in place for those with disadvantaged backgrounds, neither has so far developed specific policies to support RBS. Comparing the two countries rather than researching the situation in just one, has allowed this study to provide a wider picture of the situation in the region, showing that the issue of refugee access to HE is a widely occurring one, needing both further research, urgent policy action and adoption of new evidence-based practices.

It should be noted at the outset here, that the comparative design was in practice difficult to realise. The extremely small numbers of RBS studying in universities in Poland, very limited number of institutions involved in supporting access and participation for this group and difficulties in reaching non-participants with refugee

background and third-sector professionals resulted in a greatly imbalanced sample size, both for RBS and expert interviews. Statistical analysis (Chapter Five) based on much narrower sample is also significantly more limited. Not having much to report on, however, is a note-worthy result in itself, in particular considering the similarities between the numbers of and political attitudes towards refugees and asylum seekers in much of the Eastern Europe. To those countries, the experience of Poland is probably most relevant.

4.2 Research Design

Inclusion of RBS in HE is a new area of interest, with a relatively small number now (in mid-2020) – and only a handful of relevant publications available at the start of this project in late 2015. The study reported here has been designed to attempt to paint a broad picture of the contemporary situation, in two selected European countries, to systemise available information and provide practical policy solutions, and guidance for practice for third sector organisations and universities, potentially leading to an ultimate goal of supporting RBS in exercising their right to higher education.

4.2.1 Statement of Research Questions

In order to address the research aims, a number of specific questions have been asked, with answers presented in the chapters that follow.

R.Q.1 What is the *accessibility* of (degree level) higher education opportunities for refugee background students in England and Poland?

1.1 Are refugee background students underrepresented in universities in either or both countries?

1.2 Are there any differences in access (i) in the two countries and (ii) between the different groups of refugee background students?

(answered in Chapter Five)

1.3 What are the inhibiting factors (*barriers*) to equal access to- and participation in higher education as experienced and perceived by both participants and non-participants with refugee background in both countries?

(answered in Chapter Six)

R.Q.2. What are the barriers to refugee background students' access to higher education as perceived by universities and third sector staff, and what do they consider as their role in enabling access and supporting participation of refugee background students; what recommendations for improvements can be made?

(answered in Chapters Seven and Eight)

A multimethod research design was adopted to answer these questions, with numerical and verbal data gathered. The specific instruments and procedures are discussed further below. First, however, as methods of inquiry are based on assumptions, the key principles underlying the research design in this study must be considered.

4.2.2 Pragmatism as a Paradigm

Once more, the aim of this research was to investigate the reasons for underrepresentation and marginalisation of RBS in HE in England and Poland and to identify possible resolutions/recommendations ('what it is for') for policy and the HE and third sectors ('who it is for'). As the starting point here was a question that needed answers and a problem that needed solutions, a pragmatic approach was adopted, with methods chosen to fit most appropriately the specific meaningful questions asked (Hanson, 2008; Morgan, 2007; Punch, 2014).

Much work on pragmatism focuses solely on the practical 'what works' in getting research questions answered (Tashakorri & Teddlie, 2003), often associating it exclusively with mixed-methods (Biesta, 2010; Hall, 2013; Pearce, 2012). However, pragmatism is now accepted as a *philosophical position* with an extensive history – it originated in the United States in the late XIX – early XX century, in the work of philosophers Charles Pierce, William James and philosopher/educationalist John Dewey (see Maxcy, 2003, for an overview). Today, it offers an alternative research paradigm which can be adopted regardless of the methods used (Denscombe, 2008; Morgan, 2014). Pragmatism rejects the either/or choices and the ontological discussions about the nature of reality and truth (Punch, 2014) – the so-called paradigm wars, with quantitative methods mostly associated with post-positivism, and qualitative methods with interpretivism or constructivism – as neither practical nor

essential to the ongoing advancement of knowledge and practice (West, 1989). Pragmatists reject the idea that researchers have to choose between locating their research and findings as fully contextual and therefore non-generalisable (constructivism) or designing research with a universal set of principles (positivism/post-positivism) (Creswell & Plano Clark, 2011; Robson, 1993). Instead, they believe that “theories [and research findings] can be both contextual and generalizable by analysing them for transferability to another situation” (Creswell, 2009, p.4). Pragmatists apply “adductive reasoning that moves back and forth between induction and deduction” (Morgan, 2007, p.71), connecting theory and data, facts and values and experiences, and reconciling both objectivism and subjectivism, acknowledging that life is inherently contextual (that is “relative to the time, place and purpose of inquiry” (Hartas, 2010, p.41)), emotional, and social (Morgan, 2014, p.1045). They accept, that “there are singular and multiple realities that are open to empirical inquiry” (Feilzer, 2010, p.8) prompting them – the researchers – to adapt multiple or mixed methods of research to investigate the “plural views of the problem and the research question” (Cohen et al., 2017, p.34).

While quantitative – that is numerical data was considered to provide the context for the study – to evidence that RBS are in-fact underrepresented in our universities, quantitative research was deemed unsuitable for answering the remaining research questions – why are they underrepresented and marginalised and what is/can be done to change this?

The aim in this study was to provide space for the voices of those with refugee background themselves – those currently in HE, and those who express aspirations to go to university but have not yet succeeded (voices previously largely unheard) – to learn as much as possible about their perceptions and lived experiences of barriers or enablers to HE access and success, to understand the meanings of these experiences at both a general and personal level. This perspective needed to be contextualised, firstly, through consideration of the legal and policy frameworks, which could be aiding or constraining access (as presented in Chapter Three), and secondly, by evaluating the roles and actions of universities and third sector organisations. This has been achieved through examining views of such roles held by employees, and their perceptions of the barriers to access – to establish whether these match with the actual

barriers as experienced by the RBS themselves. The multimethod approach used, included consideration of perspectives of all parties involved, and utilised several different frameworks and concepts, which were decided upon, based on their applicability in understanding different realities, and solving particular problems. In accordance with pragmatist philosophy, it was acknowledged that multiple realities exist and that multiple interpretations of any phenomena/reality are possible. The rationale for choosing each method is presented in relevant sections further below.

Crucially, pragmatists acknowledge that as any inquiry necessarily involves a process of interpretation, the values, opinions, and past experiences of researchers, and changes they hope to produce inevitably influence the research. They consider any such inquiry a moral and political enterprise (Denzin, 2010), which should have social justice – that is to fight against the oppression of any groups within the society – as a central goal. I have a passionate commitment to education, and in particular higher education, as a means of self-improvement and fulfilment which should be available to everyone without prejudice. My professional experience in immigration advice in HE context, academic experience in law, politics, and human rights and personal interest in forced migration prompted me to pursue the issue which I consider to be highly important in the contemporary world.

Finally, and again in accordance with pragmatist views, it must be acknowledged here that any findings presented in this thesis cannot be seen as ‘guaranteed knowledge’ but rather as ‘sufficient’ (Hartas, 2010, p.41), a value of which must be appraised in terms of its usability and suitability to enable present action (Cohen et al., 2017; Creswell & Plano Clark, 2011; Miller, 2006; Ulysse & Lukenchuk, 2013). This means practical solutions that inform policy and practice (in here, to deal with problems confronting RBS). Such findings are tentatively confirmed until new findings emerge to confirm or reject them (Hartas, 2010) – the study reported on here confirms some of the findings from previous research, building on and adding to these (“relating data analysis to the research literature” (Bryman, 2008, p.395)). Throughout, where findings are limited (for various reasons including data availability and sample size), further research directions are discussed in acknowledgement that finding out answers to these further questions may change the focus of future practice. For now, however, it is argued that suggested changes to both policy and practice have the potential to

improve both access rates and the success potential of RBS in English and Polish universities.

4.3 Research Framework - Data Collection

As explained and justified above, two countries – England and Poland – were chosen for this study, looking at differences and commonalities in RBS access to higher education in both countries. The sources of data included statistical data, and interviews (with ‘expert’ and RBS participants).

The overall research design strategy and the underlying assumptions underpinning the research process have been discussed above. The focus in this section is on the research framework, describing the particular data collection methods used in this study.

A qualitatively-driven simultaneous multimethod research design (Morse, 2003) was adopted, with both quantitative and (predominant) qualitative methods of data collection used to gather evidence necessary to answer the particular research questions and sub-questions. Unlike mixed-methods research, where qualitative and quantitative research is actively integrated and triangulated, either sequentially or simultaneously (Johnson et al., 2007), the multimethod approach does not integrate the different methods. Instead, the data collection and analysis can be considered as relatively complete projects of their own. The dominant or key project in this study is that relating to experiences of RBS themselves, with findings discussed in Chapter Six. The other projects with findings discussed in Chapters Five and Seven – were supplemental projects. These have been used together to form essential components of the larger research programme (Morse, 2003), and are pulled together in Chapter Eight, where recommendations are made based on all the parts of the study.

Data for the projects have been collected at the same time and analysed in the subsequent stages of the research, as illustrated in Figure 1 below.

The research programme was completed in four years:

- The first year for a review of the relevant literature, development of the instrumentation and research design,

- The second year and first part of third year to gather data,
- The second part of third year to analyse statistical data and prepare qualitative data for analysis,
- The fourth year to analyse the interview data and complete the reporting (thesis and publications).

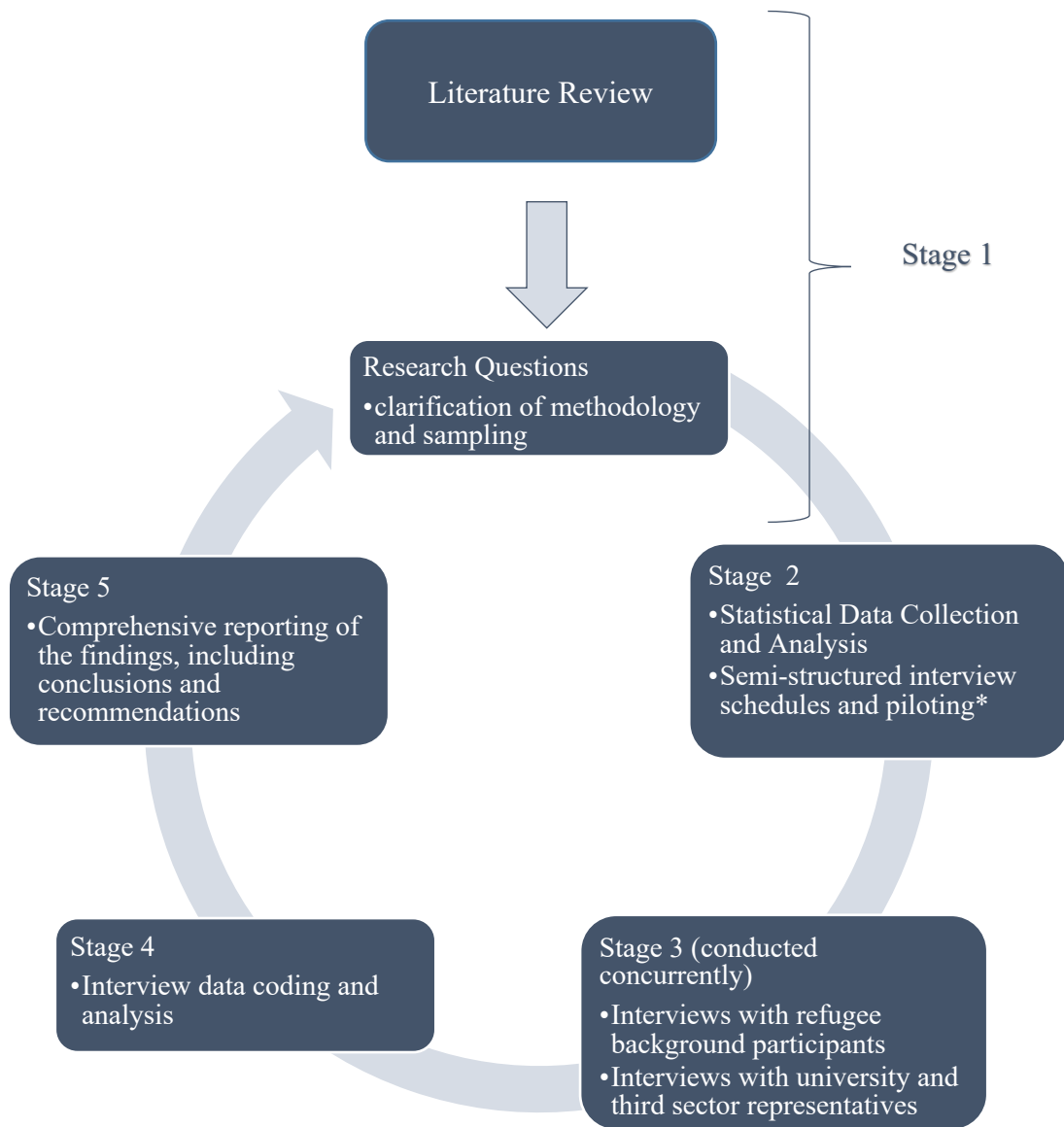


Figure 1. Research stages

* Because of the limited number of RBS, the interview questions were piloted with just one current refugee student, as to not preclude others from the final data collection.

The instruments for data collection included information requests for statistical data, and individual semi-structured interviews (in-person and online). These were used to address different questions in the study, as follows:

4.3.1 Statistical data and supplementary information

To answer the first research question and in particular its first two sub-questions: 1.1. and 1.2. (see above), it was necessary to adopt quantitative methods of data collection and analysis. This part of the study was based on two types of data - the first category relates to the actual accessibility of RBS data/*reporting capabilities of universities*. The second category includes *statistical data on applicants and students with refugee background* in the universities able to report on such data. Both types of data were obtained from universities in England and Poland using relevant freedom of information request procedures.

(i) *England - Freedom of Information Requests*

Freedom of Information Act 2000 in England provides the public with a right to access information (including datasets) held by public authorities – including universities. Freedom of Information (FOI) requests are routinely made to universities by the press, but also researchers. Although the body of work on usefulness and practicalities of obtaining and using empirical data through FOI requests remains limited, it has been previously described as a powerful research tool, in particular, in the field of social research (Lee, 2005; Savage & Hyde, 2014). Specifically, it allows researchers to access data that would not otherwise be released, “without the challenges of negotiating access and ethical approval that may impact on research using more traditional data-gathering methods” (Savage & Hyde, 2014, p.315). This is because data obtained through FOI request is publicly available (although it is only made available on request from the researcher - and as such can be seen as primary data type) and the responsibility for anonymising the data – that is for cleansing it from any personal information that could make it possible to identify any person – lies on the public authority from whom the data is requested. As with any other data collection method, however, the use of FOI to obtain information is not without its own disadvantages, some of which have been faced during this study, as described further below.

The guidance provided by the University College of London (Bourke et al., 2012) was followed to make the most of the request. A request was made in writing and sent via email to all selected institutions, directed at FOI officers. The requests themselves were drafted carefully, and a two-step approach was taken to maximise positive responses.

Information Request Design

The first request (FOI 1) was sent out to universities in August 2017 and contained the questions regarding institutional ability to report on numbers of applicants and students with refugee background; explanation as to why such information is not collected (if relevant); and question about special provisions for RBS. See Appendix VI for a copy of FOI 1 request.

Following responses from FOI 1, a second request (FOI 2) was submitted between October 2017 and January 2018 to universities that have declared the ability to report on RBS data. See Appendix VI for the full list of questions from FOI 2 request – this was adapted for individual institutions based on their FOI 1 responses so that no data which the university already said they are unable to report on was requested; only two requests have been sent initially before the request was refined and sent out to the rest of institutions).

Sampling

In total, FOI 1 request was sent to 127 universities and other publicly funded HE providers in England, using a list available on the Higher Education Statistics Agency (HESA) website in Autumn of 2016 (see Appendix VII). HESA is the Designated Data Body for England (as defined by the Higher Education and Research Act 2017), collecting, assuring, and disseminating data about HE in the UK. All publicly funded HE institutions are under an obligation to submit annual returns of data of their student body. As explained on the HESA website: “HE providers need data to benchmark their operations, and to improve their efficiency and effectiveness, while the funding bodies use it to allocate public money. Data is also required for regulatory purposes and, in some cases, is collected as a statutory requirement.” (HESA, n.d.-b).

Alternative providers that offer HE courses but do not receive public funding and further education colleges that provided HE level courses were excluded. There are a substantial number of alternative providers in England, but many are not required to submit data to HESA – which would make datasets obtained incomparable to those acquired from universities. Further education institutions have been removed as HE provision is spread across a large number of colleges, usually in small amounts. It is acknowledged that future research targeting FE colleges which offer degree level courses (also as a way of entry into a university programme at a later stage) is required, but it was beyond the scope of this study, which was limited by the time and resources available to me.

FOI 2 request was sent to 77 universities which had responded to FOI 1, confirming that they do indeed collect at least *some* applicant and/or student data on RBS.

Responses

Of the 127 institutions to which the FOI 1 was submitted (August 2017), 121 (95.3 percent) institutions responded to the request. Those that did not reply were contacted several times between November 2017 and January 2018, with a ‘no response received’ status recorded at the end of January 2018.

Of the 77 institutions to which FOI 2 was submitted, all but one – 76 (98.7 percent) responded to the request by the end of May 2018. See Appendix VIII for a full list of institutions contacted and response status.

Issues Encountered During FOI Data Collection in England – Obstructions, Delays and Misunderstandings

The issues encountered during data collection can be broadly classified as follows:

Delays – although – legally – requests must be acknowledged and then answered by the public authority within 20 working days, about a third of universities missed this deadline. While some asked for additional time (due to, for example, staffing shortages), there were a small number of universities that never replied to the request,

despite numerous follow-up emails and phone calls. Due to time limitations, it was not possible to appeal this with the independent authority (the Information Commissioner's Office) to 'force' the institutions to issue a response.

Obstructions – there were two types of obstructions experienced – firstly, as already mentioned, some institutions refused data (on various grounds as explained in more detail in Chapter Five); secondly – the format of data provided was not always as requested, making the data handling process more complex and time-consuming. The data (over 24 thousand fields across five databases) had to be inputted into a statistical programme (SPSS) by hand, as it was not supplied in a format that would allow for it to be imported into the databases. This took much longer than anticipated.

Misunderstandings – despite the time taken to draft a clear request, including refinement (after responses to the requests sent to two universities have been received), there were several misunderstandings which required return correspondence and caused additional delays (e.g., for a question requesting a number of RBS aged 18-24 years, some institutions provided a number of *all* students in the institutions within that age bracket).

(ii) Poland – Freedom of Information Requests

In Poland, a corresponding procedure, under the Act on Access to Public Information (2001 as amended 2004)²⁵ was used (the FOI acronym is used throughout when referring to the procedure used in Poland). There too, the potential of public data as an analytical resource is not yet fully utilised. The benefits of using such data in the Polish context – although these are also true for England - were discussed by Bożykowski et al. (2019). These include the potential to identify new problem areas (neglected social groups, social and economic problems) and the possibility to analyse entire populations. Further, a more accurate measurement of phenomena studied - not burdened by the imperfections of the respondents' memory - is possible. The use of FOI to collect data also aids avoidance of ambiguity of concepts, as those used in administrative registers should be the precise official definitions as contained in legal

²⁵ Journal of Laws of the Republic of Poland 01.112.1198 (amended by Journal of Laws 02.153.1271 Article 82, and by Journal of Laws 04.240.2407 Article 9).

provisions regulating the operation of such registers. Finally, the authors cite the relatively low acquisition costs – at least from the perspective of the researcher, when compared to the typically high costs for social and statistical surveys conducted using interview methods, and the ultimate potential to support the development of social policies and science.

Information Request Design

In Poland, a single request (in the Polish language) was submitted, asking whether a university records information relating to the immigration status of applicants and students, and if so – requesting information relating to applicant and student numbers with listed statuses in the ‘last 5 years’ (that is between academic year 2013/14 and 2017/2018). In addition, as in England, a question about the provision of targeted support for RBS applicants and/or students was asked. A copy of the full text of the request (including translation into English) can be found in Appendix VI.

Sampling

In the academic year 2015/2016, Poland had a total number of 415 HEIs - 132 public institutions, and 283 non-public institutions (for an overview of the Polish HE system see Appendix IV). The list of institutions was accessed via two websites of the Ministry of Science and Higher Education²⁶. In total, the FOI request was sent to 125²⁷ public institutions in Poland, and 67 private HE institutions (October 2017). Public institutions excluded church-affiliated institutions. Of the 283 non-public institutions, 15 were in the process of liquidation or merger. The 67 institutions contacted were a randomly selected sample (25%) of the remaining 268 operating institutions. The sample size was chosen on practical grounds, namely the time needed to contact each institution.

²⁶ <https://www.gov.pl/web/nauka/uczelnie-wykazy> for public institutions, and <https://polon.nauka.gov.pl/opi/aa/rejestry/run;jsessionid=273ED9C7D06AF5B5E344CF54BA4C9A99.NwsProdC?execution=e1s1> for private institutions.

²⁷ At the point of submission of the request it was 126, however, one of the institutions – the State Higher Vocational School in Sulechów - has merged with the University of Zielona Góra before the response was received.

Responses

Of the 132 public institutions (first contacted in October 2017), 104 (83.2%) responded to the information request. Only 15 (22.4%) non-public institutions responded before the end of May 2018. See Appendix VIII for a full list of institutions contacted and responses received.

Issues Encountered During FOI Data Collection in Poland – Non-Responses and Delays

The *non-response* rate was much higher here, despite several reminder emails sent to various parts of the institutions (as none of the institutions at the time had a publicised contact details for a person or department responsible for issuing responses to such requests). It can perhaps be explained by the relative *lack of awareness* of the legal responsibilities under the Act on Access to Public Information in Polish HE institutions, when compared to England, in particular amongst the non-public institutions. Although other non-public bodies are not obliged to disclose information, non-public HE institutions are usually partially funded by the state and are widely regarded as public administration bodies in the functional sense, and thus, their activities are subject to the Act, as confirmed by an Administrative Court in Olsztyn in 2013²⁸. As in England, it was not practical to submit complaints about non-responses, in particular, because in Poland such complaints have to be submitted individually in local administrative courts.

Here too, *delays* were experienced. The disclosure of information in response to a request made should be made ‘without undue delay’, no later than within 14 days from the day of submission of the application (Article 13, para.2). If this is not possible, the applicant should be notified within this period, providing the reasons for the delay and setting out a new deadline for providing the information, no later than two months after the date of the request. In some cases, it took up to six months to receive the (first) response. In other institutions, the request was seemingly bounced back between different individuals and departments, before a response was issued (noticeable through an email history included in the message finally sent back to me).

²⁸ Provincial Administrative Court in Olsztyn, 17 September 2013, II SAB / OI 33/13

(iii) Additional sources of secondary data

In addition to data collected directly from universities, data relating to the general student population in England in the academic years 2013/14 to 2017/18 was accessed via the HESA website and the Heidi Plus system – a data visualisation and analytics tool, now integrated with Jisc, updated on a regular basis and quality-assured by data specialists from across the HE sector. Data for undergraduate (UG) applicants was accessed using UCAS data explorer and End of Cycle Reports.

Corresponding data from Poland was extracted from annual reports (2014-2018) on Higher Education Institutions and their Finances, published by the CSO, Social Surveys and Living Conditions Department and SO Gdańsk, Centre for Education and Human Capital Statistics.

4.3.2 Interviews

To answer sub-question 1.3, and research question 2 (see above), it was necessary to adopt qualitative methods of data collection and analysis, to ensure the data is grounded in the reality of social existence (Denscombe, 2007), in particular, that of those with lived experiences of forced migration.

Qualitative data collection methods result in rich and detailed data, yielding insights into people's biographies, experiences, aspirations, and attitudes (May, 2001, p.120). Such data is open to interpretation, and any contradictions in data can be explained as a true reflection of the social reality, which is not static, and as such should not be seen as a weakness (Denscombe, 2007). Issues of trustworthiness of qualitative data are considered further below (ss. 4.6), but it must be acknowledged early on that the data thus collected is sometimes criticised as being less representative, as participant numbers are generally much lower than in quantitative research (Bryman, 2008). While data collected here (as in most qualitative studies) is indeed not statistically representative of the population, there is no need to apologise for the 'small' sample and the supposed inability to generalise findings, as "[a] qualitative study is not limited by virtue of any absolute number of persons or entities sampled, but rather because the sample size was too small or too large, for example, to support claims to informational redundancy or theoretical saturation" (Sandelowski, 2008, p.194). This

part of the study is based on two sets of data collected through individual interviews. Firstly, to answer Q. 1.3, interviews with RBS themselves, were carried out in both countries (19 in England and three in Poland). Simultaneously, interviews with ‘experts’, that is HE sector and community sector stakeholders, were carried out to answer Q.2 (12 in England and two in Poland).

In England, a maximum variation sampling was used with RBS participants, and mixed purposeful sampling was used for expert participants (here too the aim was to sample for heterogeneity), with no quotas set in advance. The preliminary coding and analysis were carried out alongside data collection, and interviews were carried out until it was determined that (considering the quality of information collected) no new substantial themes were emerging from the data. Given the intrinsic variability of experiences of forced migration, a continuation of recruitment and multiple further interviews could have perhaps resulted in new/additional information. However, the difficulties in reaching the participants (discussed further below), and the limited time and financial resources available, warranted bringing the data collection to a conclusion. In Poland, although the same sampling approach was attempted, the size of the sample was dictated predominantly by the pragmatic reasons – the very small size and difficulties in reaching the relevant population (for RBS interviews) and small pool of ‘relevant’ experts (with very few universities engaging with RBS).

(i) RBS Interviews

As discussed above, one of the key aims of this research was to examine the reasons behind the under-representation of RBS in universities in England and Poland and consider what can be done to ensure that equal educational opportunities are afforded to them in the future. Although the body of research on HE opportunities for RBS is fast-growing, it is still relatively new, and the current literature often considers institutional perspectives only. As is discussed later, this can lead to misunderstandings and wasted effort on the part of universities that make assumptions about the inhibiting and enabling factors for RBS access. It was hence a deliberate and early decision, that it is the RBS’ experiences and perceptions of the barriers to HE that should be at the heart of this research. This study builds on previous studies by including participants of varied ages, locations and study statuses – namely,

aspiring to enrol, or currently enrolled in HE. The voices of those who have not yet enrolled in HE are especially neglected in the existing literature.

Structure and Design of the Interviews

There are four types of interviews in social research: structured, semi-structured, unstructured, and focus/group interviews (May, 2001, p.121). Due to the population with which the study was to be taken, focus groups were deemed as inappropriate because of the confidentiality issues. Instead, individual interviews were designed and conducted in two parts. The first part was more structured, with standard questions about demographic data, educational and employment experiences, and migration history, included to allow for comparability across responses and to understand the individual contexts. This was followed by a semi-structured part, with a focus on HE aspirations and experiences. Semi-structured interviews allow the researcher to elaborate, probe, and clarify responses, and explore the in-depth meaning (May, 2001, p.123) – as such, it was deemed the most suitable method for this part of the study.

A draft interview schedule was designed in the summer of 2017, based on available literature about RBS and other disadvantaged students' groups access issues, and my professional experience in HE sector. This was piloted with one current student with refugee background to test the questions and ascertain whether the breadth and depth of data obtained will be sufficient to answer the set research questions and to check the sequencing and develop probes. It was also an opportunity for me to ask for suggestions regarding practical elements, like an appropriate interview location, and to practice interviewing skills, including re-phrasing of questions and answers and clarifying questions in a direct way (Kvale, 2007), and achieving a good balance between talking and listening. Additional questions and probes were added after the pilot, some of which were suggested directly by the pilot participant. The language used was simplified, and some sequencing was changed. Data obtained from this interview was excluded from the final analysis.

The finalised interview schedule (see Appendix IX) included 36 questions in part one and 15-16 questions in part two. A separate set of questions and probes was prepared

for current students and those not yet enrolled in a university programme. In a small number of interviews with applicants and offer holders, a combination of questions from both sets was used to elicit responses relevant to their context.

The schedule was translated into the Polish language, but a choice was offered to participants to be interviewed in English. All RBS interviewees in Poland selected this option, and thus the translated (into Polish) version of the interview schedule is not included with this thesis. The only notable difference was in relation to language skills, as questions about both Polish and English language skills were asked.

Research Procedure: In-person and Electronic Interviews

In total, 19 RBS interviews were carried out in England, and three in Poland, between September 2017 and March 2018. Of those 14 were face-to-face (England), one was conducted via Skype (video call), and the remaining seven participants emailed their responses in an ‘electronic interview’ (five in England and two in Poland). The option of an interview via email was offered to those who were unable – or not willing – to meet in-person. Although this is a relatively new approach to conducting interviews, there is a growing body of literature discussing its merits and potential in qualitative social research. The benefits include savings of time and financial resources; potential to reach geographically dispersed populations; reduced anxiety (for the participant) who is not audio recorded; and improved accuracy of records (as interviews do not have to be transcribed). Responses tend to be more reflective and thought through, and participants who are shy or nervous may respond better (Bryman, 2008, pp.640-641). These benefits were all considered alongside the disadvantages – in particular, the difficulties in developing rapport and probing (Bryman, 2008, p.641). On balance, it was deemed an acceptable option, which allowed those who would not otherwise be able to participate to have their voices heard.

The email interviews included up to five exchanges with the participants, following the same interview protocol as in face-to-face interviews and included providing participants detailed information about the research and obtaining informed consent – consent forms with participants real names were completed online using survey software SurveyMonkey (see Appendix X), to ensure participant responses could be

kept anonymous). Clarifications were sought where necessary and additional questions based on initial responses were asked. Resulting data was of approximately the same volume as most of the in-person interviews.

The face-to-face interviews lasted between 30 minutes and 2.5 hours, to allow for breaks and ensure that pace of the interview suited the interviewees – their language skills and the amount of information they wanted to share with me – and to allow for a debriefing which offered real closure to participation. Interviews were conducted in locations convenient for the participants: at universities and in spaces run by third sector organisations working with migrants. A private, quiet space was arranged for, and interviews were carried out at a time which did not require special effort on the part of the participants – before their English classes have started, between their volunteering shifts, or on days they have had to be on campus to attend lectures. Before starting their interview, participants were informed of the purpose of the study, their informed consent was obtained in writing (see Appendix X), and it was made clear that they can refuse to answer any of the questions asked.

At the end of the interview, participants were offered a chance to review their answers, withdraw any statements made, or withdraw from the study entirely. This has not happened – indeed, many participants expressed gratitude for the opportunity to share their experiences, frustrations, and stories with a sympathetic, trusting interviewer.

[Responsive Interviewing Model](#)

I have adopted what has been defined by Rubin and Rubin (2012) as a *responsive interviewing model*. This model recognises, that the “questioning styles reflect the personality of the research, adapt to the varying relationships between researcher and conversational partner, and change as the purpose of the interview evolves” (p.13). As the interviewees had extremely diverse backgrounds, experiences, and goals in mind, and the rapport built with the interviewees varied, the interviews were individually redesigned, refining the particular focus in response to what I have learned from the participants. While the direct questions prepared helped to elicit responses necessary to work out a coherent explanation for the under-representation of RBS in HE, it was key for me to understand what was it about HE that was important

to the interviewees – and to allow them to explain this on their own terms. I did not ask questions about reasons for seeking refuge – but many of the interviewees chose to share their stories with me, stressing how valuable it was for them to be listened to by someone whom they saw as caring about their futures.

Unlike many other forms of qualitative (and quantitative) research, analysis in the responsive interviewing model is “not a one-time task”, at the end of the project, but “an ongoing process” (Rubin & Rubin, 2012, p.13). Although the interviews were not transcribed for a while after the data collection phase has ended, I have listened to recordings multiple times, often starting on a way home from the interview, to consider what further questions and topics to pursue at the next interview. The interviews were later re-examined as a group, where I sorted, balanced, and analysed what I heard, to create a narrative, while figuring out the facts of the matter. This final process is further described below (ss. 4.5.2).

Sampling and recruitment

In this section, the sampling approach and recruitment strategies in both countries (in turn), including issues encountered, are discussed, followed by an overview of the participants profiles.

Sampling (England)

As in most (if not all) qualitative studies, the purpose of the sampling was not to gain statistical representativeness – leading to generalisation from a sample to a population, but to capture a range of perspectives from a cross-section of (in this case: refugee background) population, to gain an insight about the phenomenon under consideration. A maximum variation sample was constructed by identifying two key dimensions of variations (migration status and HE enrolment status, as illustrated in **Error! Reference source not found.**) and then finding participants that represent each of four target groups identified, who varied from each other as much as possible.

Migration status	Enrolment status	
	Currently enrolled in HE programmes	Not yet enrolled in HE programmes
Settled (refugee/HP)	Group 1	Group 2
Unsettled (asylum seekers)	Group 3	Group 4

Figure 2. Maximum variation sampling matrix: key dimensions of variations

No quotas were set for the different groups, but to build and expand on previous research, the aim here was to recruit participants with both settled and unsettled statuses, both those currently enrolled and those who self-identify as wanting to go to a university. This latter group was later divided into applicants/offer-holders and non-applicants, as it transpired that the perceptions and experiences between such participants varied considerably. The objective was to recruit adult male and female participants, who came to the UK as first-generation (or 1.5 generation²⁹) migrants from different countries. Initially, the intention was to work with ‘university age’ RBS – young people aged 18-24. It quickly became apparent, however, that for some individuals it can take considerably longer to meet the entry requirements, while others return to HE to (re)train after a prolonged period in transit, or awaiting assessment of their asylum application, and are thus older than 24 on enrolment. Consequently, the age limit was removed. Participants with a communicative level of English were recruited, to ensure that translators are not needed during the interviews.

Recruitment Strategies (England)

Early on in the research, it transpired that forced migrants – as a (research) population – are hard to reach. There is of course the issue of geographical dispersion, but further, and somewhat unexpected, was the position of the third sector organisations working with migrants, to which I have reached out to seek access. Many have responded saying that their clients have been inundated with request to participate in research, in particular in the wake of the reignited interest in migrant issues resulting from the

²⁹ The term 1.5 generation is sometimes attributed to Rumbaut (2004) and reflects the in-between status of individuals who migrate to a new country either before or during their early teens, thus bringing with them characteristics from their home (or third) country, but also experiencing socialisation processes during some of their formative years in their new country.

breakout of the so-called ‘European refugee crisis’ in 2014/2015, and research funding that followed. While they acknowledged the value of academic research about migration issues overall and this particular research project specifically, they were unwilling to pass on the details to their clients to whom they felt they owed a duty of care.

For the current students with a refugee background, it became apparent, that they are often unknown to their institutions, and even where this is not the case, due to institutional rules (put in place to protect students from getting flooded with research participation requests), most institutions were unwilling to forward the email invitation to participate to their RBS.

Consequently, the recruitment process was adapted to involve:

- sending flyers and posters to smaller voluntary organisations around the country (see Appendix XI), with a cover letter and a request to display. This has proven ineffective (it was not possible to ascertain whether the flyers/posters were in fact made available to the forced migrants),
- posting on various social media platforms (two participants recruited directly),
- publishing a blog post on the City of Sanctuary UK website, asking those working with forced migrants to contact me to help with recruitment (this resulted in four participants recruited through a third sector organisation working with City of Sanctuary),
- publishing an invitation to participate on a website which offers information on HE for refugees (one participant recruited),
- and attending various information events organised by universities around the country. This was most effective, resulting in the recruitment of thirteen participants.

Participant Profiles (England)

The final sample consisted of 19 individuals aged 20 to 50, including 12 males and seven females. They lived in seven cities across the country, including locations with high migration numbers, and others with relatively small groups of residents with refugee backgrounds. The participants represented 13 different countries, including Albania, Bangladesh, Congo, Gabon, Iran, Iraq (2), Libya, Malawi, Namibia, Sudan

(3), Syria (4), Turkey, and Zimbabwe. Ten participants had a recognised refugee status at the time of the interview, one a humanitarian protection status, and eight were awaiting their decisions on asylum-application. Those who had a settled status reported waiting between four months and two years to receive a decision on their asylum application. Those still waiting have applied between six months and four years prior to the interview.

The length of displacement ranged from 1 to 15 years. Three of the participants came to England as minors (as 10-, 13- and 15-year olds) but have made their own asylum applications having reached adulthood before a decision was made on their parents' claims (one of them has been granted HP status, the other two were still waiting for the decision at the time of the interview). All others came to England as adults.

Participants came from various educational backgrounds – some with only primary level qualifications, others with partially- or fully completed HE degrees (obtained either in their home country, in a third country or in the UK prior to claiming asylum). Few had an experience of English educational system, including GCSE and A-levels qualifications. A majority have experienced disrupted education due to experiences in their home countries (eleven participants reported being a student as their main activity before being displaced). All participants who were current students or applicants/offer-holders were studying or applying to study on undergraduate programmes.

Three participants are bilingual English native speakers and the rest speak English as a second language at a good level (this was one of the inclusion criteria as it was decided that all interviews should be carried out without the help of an interpreter – for ethical but also practical reasons). Some, however, were unsure of their written (academic) English language skills.

Finally, participants came from different socio-economic groups in their home countries – some had illiterate parents, working on farms in rural areas, others had parents leading professional lives in their home countries, working as lawyers, politicians, scientists, engineers, and businessmen, many with university degrees. While some continue to do so, others have been forcibly displaced and have lived in

refugee camps, in host countries in the region, with a small number who have travelled to England with the participant. While there were many differences between the participants, what they have all had in common was the resolve to do everything possible to join a university programme in England, a country in which all the participants expressed hopes to stay in the long-term.

Sampling (Poland)

In Poland, the initial sampling approach was the same as in England – the goal was to recruit a roughly similar number of students, and a number of non-participants with refugee backgrounds, both those already granted protection status and those still awaiting a decision on their application. As the number of refugees in Poland is considerably smaller than in England, it was anticipated that the numbers recruited would be lower there.

Recruitment Strategies (Poland)

The recruitment strategies were twofold: firstly, I have focused on recruiting current students – as predicted there were only a small number (sixteen) of individuals with refugee background enrolled in degree programmes in Poland at the time of data collection, I have relied on the contacts in the relevant institutions, that is the members of staff who responded to the FOI request, to forward the invitation to participate to their students. Both Polish and English versions of the invitation were included (see Appendix XI). All members of staff (in nine institutions) agreed to do this, however, only three students contacted me – all three from the same institution. Although such a small sample could be seen as a limitation, considering the size of the relevant population and the richness of data obtained, it has been determined to be appropriate for a meaningful analysis. It cannot, however, be considered in direct comparison to the English case.

Next, I have contacted twelve third sector organisations focused on supporting refugees and asylum seekers in Poland, to recruit non-students. A few organisations replied to say that the language skills of their clients are not sufficient (only those with communicative Polish or English language were targeted), others were unable/unwilling to help. Although two organisations offered their assistance (staff members from the same organisations agreed to participate in the expert interviews

too), the two interviews they have arranged have later been cancelled by the participants. I was unable to recruit any further participants during my short field trip to Poland. With more time and resources, it would have perhaps been possible to recruit non-students through the asylum reception centres. There is currently no widely available data on forced migrants' skills and educational qualifications in Poland, and no information at all on HE aspirations, which should be the starting point to plan and support integration measures for adult migrants. This is an area that I would like to return to, to investigate in the future.

Participant Profiles (Poland)

The three recruited participants were aged 23-37, were all male, studying at the same institution. They came from Afghanistan, Belarus, and Syria, and have all been granted refugee status in Poland. They have arrived in Poland as adults and reported a waiting time for asylum decision as between three and six months. Their period of displacement ranged between three and nine years.

One participant had a degree from his home country, one had unfinished university qualification, the last one was studying at a college before leaving his home country. Two were studying in Poland on undergraduate programmes, and one was studying for a master's degree. All participants had a good level of written/spoken English (and have chosen to be interviewed in English) but reported also speaking at least some Polish. Two were studying on an English (language of instruction) programme, one was studying in Polish.

As in England, participants in Poland came from diverse socio-economic backgrounds – they have also had the same high aspirations to join a university programme. Two of the participants reported wanting to stay in Poland long term, while one wanted to continue his education at a doctoral level in another European country (where his wife was residing at the time of the interview), and eventually return to his home country when it was safe to do so, to use his skills and experience to help rebuild it after years of war.

(ii) 'Expert' Interviews

Alongside the interviews with RBS, 'expert' interviews were carried out, to ascertain what are the institutional perceptions about the access barriers for RBS. The aim here was to ascertain why some of the barriers as identified by the RBS themselves are not addressed (or perhaps not addressed successfully) by universities and to identify good practice where possible. Markedly, this study does not claim to be a systematic evaluation of the programmes of outreach and support for RBS in English or Polish universities - a project that is urgently needed and one that I hope to undertake later on. Rather, it is a snapshot view of some of the initiatives in place at the time of the interviews, and perceptions of 'experts' involved in the running of these programmes of support, about the barriers to HE access for RBS, captured at the same time as the barriers were being experienced by RBS, as reported in their interviews.

'Experts' included representatives of the HE sector and third sector organisations – those offering generic support for refugee communities, and those focused in particular on supporting HE access. The specific gaps in the literature, and how this study attempts to fill them up by adopting this methodological approach have been discussed in ss. 3.7.4.

Structure and Design of the Interviews

For expert interviews, a semi-structured format was used. The interview schedule was created in the summer of 2017, with three versions - amended with a selection of questions appropriate for the institutional context and participant's role in the organisation. The three standing categories of questions included those about the participant and their organisation, their 'clients', that is RBS, and finally, questions about organisational needs (to be able to offer more/better support). Copies of the interview schedule - two third sector versions and a HEI version, including the Polish translation - can be found in Appendices XVIII and XIX. Each schedule included 15-18 questions, with prompts and follow up questions asked, based on participants' answers during the interview (here too the responsive interviewing model was adapted, in recognition of participants' diverse roles, views, and backgrounds).

Research Procedure: In-person vs Electronic Interviews

In total, twelve expert interviews were carried out in England, and two in Poland, between September 2017 and August 2018. Of those, nine were conducted face-to-face, two were via Skype (video call), and three were conducted via email. The benefits and disadvantages of using electronic interviews were already discussed above, thus, it suffices to say here that – on balance – considering the ability to interview experts in various locations, with busy schedules, without facing the financial and time-consuming implications of choosing only face-to-face interview, it was deemed an acceptable option.

The email interviews included two and three exchanges with participants, following the same interview protocol as in face-to-face interviews. Clarifications were sought where necessary and additional questions based on initial responses were asked. Notably, however, the resulting data was of a considerably smaller volume than most of the in-person interviews.

The face-to-face interviews lasted between 30 minutes and 1.5 hours and were conducted in locations convenient for the participants: at universities, NGO offices, or (on one occasion) in a quiet space in a public library.

Before starting their interview, participants were informed of the purpose of the study to establish rapport - I have in fact, since the interviews, remained in contact with four participants, sharing my preliminary findings with them, participating in joint events, and co-publishing a brief sector guidance document (Bowerman et al., 2019). Their informed consent was obtained in writing (see Appendix X), and it was made clear that they could refuse to answer any of the questions asked (for electronic interviews, the information sheet was emailed to participants with the questions, and consent forms were completed via SurveyMonkey). At the end of the interview, participants were offered a chance to review their answers, withdraw any statements made, or withdraw from the study entirely. This has not happened.

As with RBS interviews, I did not transcribe the interviews initially but instead listened to recordings multiple times to immerse myself in data. Once transcribed, I

examined the data as a group, sorting, balancing, and analysing what I have heard. This analysis process is further described in ss. 4.5.3.

Sampling and recruitment

In this section, the sampling approach and recruitment strategies in both countries (in turn), including issues encountered, are discussed, followed by an overview of the participants profiles.

Sampling (England)

Mixed purposeful sampling (Patton, 1987), that is a mix between maximum variation sampling, critical-case sampling, and opportunistic sampling was adopted for expert interviews in England, to capture a range of perspectives from a cross-section of the relevant population. The objective was to recruit HE professionals who are in some way involved in the support programmes for RBS in their institution (including both senior and junior staff where possible); next, to recruit staff or volunteers working with third sector organisations concerned with supporting refugees, including general support and organisations focused on supporting access to education for RBS (here too the aim was to recruit both senior and junior staff where possible to gain their varied perspectives).

Recruitment Strategies (England)

I have contacted individuals identified via a preliminary online search – some electronically, via email (five participants recruited), others I have approached at events (five participants recruited), to ask for an interview. On two occasions (once in HE context and once in third sector context) I have asked the interviewed junior member of staff to help me arrange an interview with a senior member of staff from the same institution, to gain a different perspective.

Participant Profiles (England)

The final sample consisted of 12 individuals, seven working in universities, and five working in the third sector (Appendix XII).

Sampling (Poland)

In Poland, the initial sampling approach was similar to England, although, considering the smaller number of universities supporting RBS access to HE, and a smaller number

of third sector organisations working with migrants (and none focused specifically on supporting HE access), it was anticipated that the numbers of recruited university and third sector staff would be lower there.

Recruitment Strategies (Poland)

I have approached (via email) personal assistants of HE staff members in institutions offering some support to RBS (as identified via the FOI request information) to request interviews. Two participants were recruited this way. I have further approached several third sector organisations, both to gain access to refugee participants, and to ask members of staff/volunteers to share their perspective. Two participants were recruited this way, however, the interviews scheduled while I was in Poland for data collection had to be cancelled due to unforeseen circumstances. For pragmatic reasons – limited time and funds – it was not possible to return to Poland at a later date to carry these out. The individuals in these two organisations were not willing to answer interview questions via email, citing limited time (third sector organisations supporting migrants in Poland have suffered from reduction or freezing of public funds to support their work under the current government; one of these two organisations was dismantled shortly after the interview was meant to happen, the other a few months later, due to lack of funds to continue their work).

Participant Profiles (Poland)

The two participants recruited held senior roles within their institutions (Appendix XII). As mentioned above, two third sector representatives were also recruited, but the interviews were later cancelled.

Supplementary Information

The interview data presented in Chapter Seven is supplemented with a brief analysis of answers to two open questions submitted to institutions in England and Poland as part of the request for information (FOI) procedure. These related to (1) the reason for not collecting data related to applicants'/students' migration status; (2) forms of support for RBS available at the university.

4.4 Ethical Considerations and other Methodological Reflections

In all research, ethical considerations are crucial. Particularly so, however, in social

research which involves collecting information from people that is *about* people (Punch, 2005). As this project explored not only perceptions of ‘expert’ participants, but also the experiences and perceptions of refugees – a population considered as ‘vulnerable’ in research (that is one that the researcher and research ethics committees must consider as requiring greater protection from the potential risks or harm or wrong from participating in research than other groups), the ethical integrity of this project was paramount and clear from the outset. I have taken great care in planning the research to be *conducted and analysed* in a sensitive and ethical way to ensure that no emotional or physical harm could come to the participants (Gray, 2009; Krause, 2017; Punch, 1998), following the Economic and Social Research Council framework for research ethics (n.d.) and Ethical Guidelines for Educational Research from the British Educational Research Association (2011). I have discussed my plans with my supervisors on several occasions. Ethical clearance for the full study was granted by the Education Ethics Committee, University of York.

The following ways of protecting research participants were considered and implemented:

Location for the Interviews

As much flexibility as possible was offered in organising the location (and timing) for the interviews. When researching with participants who have multiple reasons to mistrust others, it is important that they control where and when meetings take place so that they feel comfortable and empowered to participate in the research process on their own terms. The locations were mutually agreed with due consideration given to participants and my own safety. The places suggested for RBS interviews were chosen to avoid official-looking spaces that might replicate experience typified by power imbalance which the participants may have experienced, for example, during the Home Office interviews. All RBS participants have chosen to talk to me in a quiet, private space on university or third sector organisations’ premises. Expert interviews were conducted on university/NGO premises, or in a public space (public library).

Anonymity, Confidentiality, Informed Consent and Data Storage

As described above in the relevant research procedure sections, the participants were informed of the purpose of the study before agreeing to take part. The details of what their involvement will entail and what will happen with the findings were further discussed at the start of each interview (Gray, 2009). The offer of anonymity and the confidentiality of information provided were also explained clearly, and in the case of RBS interviews, I have also stressed the independence of the research from authority. Written consent forms (Appendices XV and XX) were provided and explained before the interviews, and copies were given to RBS participants at the end of the interviews once the interviewees knew and could reflect on what they shared. This option allowed for requests for any sensitive material to be redacted, but it also allowed for a 'closedown' of the emotional space of the interview, helping the interviewees to transition to normality after the research participation has concluded. Expert participants received a copy of their form submitted electronically prior to the interview. They too, however, were given an opportunity to reflect on information shared and retract any statements at the end of the interviews.

Information provided during the interviews was anonymised at the point of collection with pseudonyms being assigned to RBS participants (Barbour, 2008). These were chosen by the participants themselves or assigned by me, in agreement with the participant.

Expert interviewees were informed that their institution will not be named in any research outputs. All research participants were given an opportunity to express their will to be identified and not anonymised in research outputs on the consent form.

Participants were informed that some of their details may be changed in the dissemination of the study to protect their identity. I explained that the impact of this on the integrity of the data will be considered and that - if the measure of distortion into the data is unacceptably large - some (or all) of the information provided in the interview may have to be excluded from the study, or, if suitable, data may instead be grouped with that from other participants, to disguise identities.

Although interview records were anonymised at the point of collection, it is acknowledged that names and addresses are not the only ways of identifying individuals and the special circumstances of the type of participants chosen for this study could provide other kinds of information that could be used to identify individuals. Thus, all data was collected and has been stored, used, disclosed (and will eventually be destroyed) in compliance with the UK's Data Protection Act 1998, GDPR and the Common Law Duty of Confidence. All personal information collected is considered confidential information and is dealt with in such a manner, in order not to compromise the personal dignity of the participants or to infringe upon their right to privacy. The synchronous online interviews (via Skype) were protected by a password so no one could access the meeting. Recordings of these Skype and face-to-face interviews were destroyed after transcription was completed, and transcripts are kept on a password-protected computer. The asynchronous online interviews (via email) were protected by an email password and anonymised once completed (and then deleted from email). Consent forms completed via SurveyMonkey (for electronic interviews) were protected by a password. Once downloaded, these were deleted off the system. Participants' real names and contact details are kept as a separate document. Only I have access to both transcripts and the personal details documents - there will be no third-party access to this information. For RBS participants, this list of participants details, with scanned consent forms attached to each record, does not include the pseudonyms, so there is no way of linking the interview transcripts with the consent form which includes participants' real names. All participants were informed that their input will be kept for a minimum of 10 years.

Withdrawing Information

The participants were provided with clear routes to withdrawing from the study at any point until the data was collected, that is until the interview was completed, and debriefing was over in case on RBS participants, and for two weeks after the expert interview/last email exchange as part of the expert interview. Participants were informed at the start of the interview that they do not have to answer all of the questions and they can refuse to give an answer without providing any explanation. Further measures included asking participants if they are happy to continue between each 'section' of the interview. I went over the interview notes with the participants

during the debriefing stage, offering to withdraw any information from the interview. Although no transcripts were made available to participants (for reasons already discussed above), participants were given my contact details with an offer of obtaining a summary of my findings or a full copy of my thesis upon completion of the research.

Disclosure of Harm or Risk of Harm, and Emotional Support

In an event of disclosure of immediate and serious harm, a duty of care must be assumed by the research and where necessary it should be reported to an appropriate body and/or the participants should be directed to appropriate support services. The participants were informed about it before the start of the interview, stressing that the confidence will only be broken if I was really concerned with their health or welfare. This has not happened during any of the interviews.

Nevertheless, when dealing with topics that are considered sensitive, it is particularly important to debrief participants. Thus, I have prepared and provided participants with information and guidance on accessing support should this be required – this was in a form of an information leaflet with a list of organisations local to the participant, which can assist with trauma and stress. These included details of how to access counselling services at relevant university (for students) and external sources of support, such as appropriate charities and helplines (for non-students). I have not included any copies here as to not disclose participants' locations.

I also identified ways of accessing counselling services at my institution (and appropriate helplines for when I was collecting data in other locations), so that I could ask for support in dealing with the emotional distress which could be caused by the information I was to obtain during the interviews. While, admittedly, the interviews themselves and in particular transcribing of the RBS interviews have affected me emotionally, I sought support from friends and family, and did not require professional help.

Disclosure of Crime

According to the provisions of Art. 304 Section 1 of Poland's Code of Criminal Procedure, individuals who have learned about an offence which would be prosecuted

ex officio (that is serious crimes which will be pursued by the authorities irrespective of the wishes of the victim – this would include illegal entry to the country and human trafficking offences), has the social obligation to notify the prosecutor or the police. The term used implies that this is a *moral obligation* of every lawful person. Due to the fact that this is a moral obligation, there is no penalty for its violation (i.e., failure to report a suspected offense), except as expressly provided for by specific circumstances.

In the UK, researchers as private members of society have no general legal obligation to report illegal activity, although there may be *moral obligations* to report such activities (the definite obligations to disclose relate to child protection offences such as the physical or sexual abuse of minors, the physical abuse of vulnerable adults, money laundering and other crimes covered by prevention of terrorism legislation).

Notwithstanding the above lack of *legal duty* to report crime in both countries, I understand that research is not covered by any legal privilege - although there is no precedent in UK's law for a researcher becoming liable for prosecution based on their knowledge of illegal activity (nor is there a penalty for failure to report a crime in accordance with Art. 304 Section 1 of Poland's Code of Criminal Procedure) – in both countries the researcher may be liable to subpoena by a court to disclose knowledge of criminal activity (although most information that is garnered as research data would probably fall into the category of hearsay if tested in court).

To avoid becoming privy to information which may have had to be disclosed in court, breaching participant's confidentiality, potential RBS participants in England were given a Recruitment Letter (the same as the 'Call for Participants' document (Appendix XI)) asking only those with legal right to reside in England to take part in the study, thus excluding those without legal immigration permission from the 'opportunity' to disclose it to the researcher. In Poland, only current students, all with recognised refugee status were recruited so there was no need to share such document/information with them.

Nevertheless, I recognise that the process described above could not exclude the possibility of disclosure of other crimes. Thus, it was explained to the participants,

that in an event of disclosure of crime having been committed or about to be committed (including but not limited to the illegal presence in the country of current residence), a moral or legal duty may rest on me as the researcher to break confidentiality and report this to the proper authorities – following the University’s ethics code (Code of practice and principles for good ethical governance. The University of York, n.d.), giving the participant an opportunity to withdraw from the study without giving any reasons for doing so before the interview commenced. I have not been faced with this dilemma as no participants have disclosed any criminal activity to me.

Reciprocity, the Researcher-Participant Relationship, and Representation in Refugee-centered Research

While some of the standard ethical considerations have been described in this section, and throughout this chapter, there remain two key areas that have not yet been discussed, in particular, in relation to the research with refugee participants. These are firstly the reciprocity and the researcher-participant relationship in a project of this nature, and secondly, issues of representation. These will be briefly considered in turns below.

As discussed by Fox et al. (2020), one (perhaps main) injustice in research conducted with refugees, is the “imbalance between what researchers and the displaced will gain from the research” (p.5). While some authors argue simply against raising vulnerable participants’ hopes and expectations of improvement in their situation merely by participating in the research (e.g., Kane & O’Reilly-de Brún, 2001), others call for active consideration and pursuance of reciprocity, that is achieving of a “balance between what each side gains from the research relationship” (Harrison et al., 2001; Wax, 1982, 1986, as cited in Hammersley and Traianou, 2014, para.4.2). This must go beyond charitable gestures and binary frames of the researcher ‘gifting’ something to the participants ‘in return’ for data and must be based on trust and empathy “with each person seeking to understand the challenges and opportunities of the ‘other’” (Clark-Kazak, 2013, as cited in Krause, 2017, p.15). Such truly reciprocal relationships have been said to improve the quality of research and to “systematically support the agency and capacities of participants (...), and contribute to their empowerment” (Mackenzie et al., 2007; Van der Velde et al., 2009, as cited in Krause,

2017, p.16). The participants in this study were informed early on that the nature of the project is exploratory, and that the aim is to understand the current issues and to improve *future* policy and practice. I have acknowledged their important role in sharing their lived experiences and their true expertise about the subject of my study. I thanked them for helping me collect these experiences as evidence, to be used by organisations which have the power to influence the policymakers. I have also answered any question they had about the research, my position in- and motivation for conducting it. I have acknowledged the limited scope and power of this study to make any immediate changes that could benefit them directly in any way. However, I have also made it clear from the outset that if they required information or support to access/succeed in HE, I would signpost them towards relevant university, or third sector services and resources. I have given out my contact details to a few participants who asked for my advice and have corresponded with them via email to share the relevant details. Further, where participants have cited incorrect information in their interview, given to them by universities or other parties, I have corrected this during the debriefing stage. Having reflected on this both immediately after the interviews and again later, I believe that many participants in this study enjoyed being interviewed and valued the opportunity to share their views on this topic, so clearly important to them.

This RBS ‘voice’ was also critical during the analysis and writing-up stages of the study. I consider my research as an example of refugee-centered research (Doná, 2007). It was important to me not to speak ‘about’ or ‘for’ RBS, but ‘with’ them, depicting accurately their lived experiences, and conveying what matters to them. I used direct quotes extensively and built “a coherent story from the diverse narratives told by participants” (Doná, 2007, p. 218) which can help practitioners and policymakers begin to understand what it might be like to be a refugee background applicant or student in HE in England or Poland. I have, of course, researched the perceptions of third sector and HE workers too, but these groups were of interest indirectly, mainly to compare and contrast the views of other ‘interested’ parties to understand why the barriers to RBS access are present and persistent.

4.5 Data Analysis

4.5.1 Statistical Data and Supplementary Information

Data collected from universities in both countries was entered into SPSS and supplemented with data extracted from HESA and UCAS in England, and reports from the Centre for Education and Human Capital Statistics in Poland. Data (as reported on and discussed in Chapter Five) were analysed using descriptive statistics in the form of frequencies and percentages to interpret and draw comparisons between institutions, and applicant/student personal characteristics. Two open-ended questions were coded using NVivo and were analysed thematically following the framework approach as developed by Clarke and Braun (2013).

4.5.2 RBS Interviews

As stated above, I have listened to the recordings from interviews several times, before beginning the analysis process. The interviews were transcribed verbatim (as all them were conducted in English, a translation was not required) and checked more than once to ensure accuracy and avoid any misrepresentations, and to ensure that all identifying information was removed. The transcripts were coded in NVivo, following the framework approach to thematic analysis (Clarke & Braun, 2013) and using a coding manual developed by Saldaña (2009) for reference. I have first familiarised myself with all the transcripts (collectively) to gain a general sense of the meaning of the interview content. After the first round of coding, some patterns began to emerge. These key issues and themes later guided the coding process. Although I intended to use inhibiting/enabling factors terminology, many of the participants talked about barriers they have experienced. Following an exploration of the conceptual framework of barriers to access as developed by Patricia Cross (1981) and its use in HE and widening participation research, I decided to adopt this classification framework (as described in section 1.2.7 above). Searches, queries and retrievals and visualisation tools were used to explore codes (or nodes as they are referred to in NVivo), to look for overlap and redundant codes, and to check whether they could be collapsed under the four overarching categories of *institutional*, *situational*, *dispositional*, and *academic barriers*. Although these categories were predefined in literature, the grouping into themes, albeit under different names, was based on what I saw in the data.

Further, additional categories were reviewed and defined (including, for example, ‘Overcoming of Barriers’, ‘Motivations to Study’ or ‘Institution Choice’) and charts and concept maps were used to discover deeper meanings and organise the information into a final succinct matrix of themes. Two clean transcripts (one from each country) were coded again using the coding schedule at a later date to check for reliability. For both transcripts, high intra-rater reliability (over 90%) was achieved (Mackey & Gass, 2005). Use of NVivo eased finding of the associations between themes and aided the process of selection of detailed evidence to be used to support the conclusions derived from this part of the study.

4.5.3 ‘Expert’ Interviews

The same approach as with RBS interviews was adopted for the analysis of ‘expert’ interviews. Namely, a thematic analysis was carried out, to provide a rich and detailed, yet complex account of data. It was adopted as a useful method (as argued by Braun and Clarke (2006) and King (2004)) for examining the perspectives of different groups of research participants, that is ‘experts’ vs RBS, to highlight differences and similarities in the perception of barriers to HE access. The previously defined categories of *institutional*, *situational*, *dispositional*, and *academic barriers* were used as parent nodes (codes). Codes included those used for RBS data, with several additional ones created. Further codes were created for topics relating to issues with creating of support structures for RBS as faced by the expert participants, and for comments on what needs to change in policy, HE, and third sector before HE access can be made truly equal. Here too two transcripts were coded again after a few months to ensure consistency and cohesion of the derived codes and themes (with high, over 85% intra-rater reliability achieved).

4.6 Trustworthiness

All research, including that which involves mixed or qualitative approaches, requires rigorous and methodical methods to create reliable, useful results. In particular, as argued by Nowell et al. (2017) where researchers hope to put the knowledge created into practice (as in this study), it is crucial that such “research is recognized as familiar and understood as legitimate by researchers, practitioners, policymakers, and the public” (p.3). In qualitative studies, this can be achieved by establishing the ‘trustworthiness’ of research, a concept refined by Lincoln and Guba (1985), and

including criteria of ‘credibility’, ‘transferability’, ‘dependability’, and ‘confirmability’. These criteria are analogous to the conventional quantitative research assessment criteria of ‘validity’ and ‘reliability’ and are met by the pragmatic choices made by researchers.

4.6.1 Credibility

Lincoln and Guba (1985) explain that the ‘credibility’ of qualitative research is its ‘truth value’, indicating researcher’s confidence in the truth or accuracy of their representation of participants’ views (Ary et al., 2009; Tobin & Begley, 2004). As a researcher, I feel confident about the credibility of the findings presented in this study, as firstly:

- a rapport was established with the participants, with an explanation of the objectives of the study prior to the questioning,
- the research was voluntary and anonymous, and participants were made aware that they can refuse to answer any question,
- at the end of the interview participants were given the opportunity to revisit, clarify, and expand on their description of experiences and perception, or to remove part or all of their statements. This was done without playing the recording back to the participants to avoid forcing the participants to hear themselves relaying sometimes distressing experiences. Instead, I have asked the participants to think about our conversation, referring back to interview questions in the schedule, to decide whether there is anything they would like to add or remove from the interview record.

Consequently, it can be inferred, that the accounts made by participants were honest and sincere. Although Lincoln and Guba (1985) suggest member checking (that is sending of transcripts from the interview and/or preliminary analysis) to check the data and test the interpretations, this was not possible with RBS participants as the data collected (through recordings) was anonymised at the point of collection. For consistency (and upon consideration of drawbacks of member checking, as usefully summarised by Sandelowski (1993)), I have decided to not offer this to the expert participants either.

Secondly, the themes, subthemes, and codes were grounded in the data collected from the participants. As described above, although I have come to the analysis with some prior knowledge based on the review of the literature and my professional experience, I have intended to look at inhibiting and enabling (access) factors. However, having immersed myself in the data I have discovered the frequent use of the barriers term used by the participants. Following a further review of relevant literature, I have decided to use a pre-existing framework of barriers to (higher) education access. I have frequently reviewed the findings and checked that data association with codes, and later themes, was appropriate (Gray, 2009). This included coding of clean transcripts after a few months, using the existing coding schedule (for both expert and RBS data).

Finally, I have discussed my interpretations and analysis, including the use of the overarching themes of the *institutional*, *situational*, *dispositional* and *academic barriers*, in multiple meetings with my supervisors and advisors. Prior to the publication of part of the data as presented in Chapter Six of this thesis, I have presented my analysis (in writing) and discussed my interpretations in meetings, to ensure that these interpretations and analyses did not reach beyond the scope of what was evident within the data. This further enhanced the credibility of my findings.

4.6.2 Transferability

‘Transferability’ refers to the generalisability of findings to other contexts and/or time (Lincoln & Guba, 1985). In qualitative research, this can be achieved by providing thick descriptions of the findings, “so that those who seek to transfer the findings to their own site can judge transferability” (Lincoln and Guba (1985), as cited in Nowell et al. (2017), p.3). Detailed descriptions of the participants, their backgrounds and their experiences and perceptions have been provided in this study (either in the main body or in the form of appendices) to help the readers determine whether the findings can be transferred to other contexts (in relation to this research, for example, to other institutions, other national contexts, or other groups of participants).

4.6.3 Dependability

‘Dependability’ is the capacity of the research to be replicated (Lincoln & Guba, 1985). Although it must be acknowledged that the world and social phenomena within it change across time and thus, results cannot be necessarily reproduced, a certain degree of replicability (of research) can be reached by clearly documenting and describing the research process, to show that it has been carried out in a logical way, open to readers judgement (Tobin & Begley, 2004). The process, including decisions and choices made, and methodological issues faced are described throughout this current chapter. Further detail about decisions made in relation to data analysis is offered in Chapters 5-7. Copies of information requests and interview schedules are included as appendices, to further aid the dependability of this current study.

4.6.4 Confirmability

‘Confirmability’, according to Guba and Lincoln (1989), is attained when credibility, transferability, and dependability are all achieved. It is concerned with ascertaining that the interpretations and findings are derived from the data (how this was achieved in this study was described above in ss.4.6.1), rather than potential researcher biases. It can be established through the inclusion of clear descriptions of the reasons for theoretical, methodological, and analytical choices made throughout the study (Koch (1994), as cited in Nowell et al., (2017), p.3). These have been included, as already discussed, both in this chapter and throughout the other parts of this thesis. As a final point, however, it must be said here that this doctoral research thesis is essentially a call to action – albeit one accompanied by evidence – and as such, it is necessarily idealistic, and reflecting my own beliefs about both HE and the rights of refugees.

4.7 Chapter Summary

This chapter explained the different research methods used in this study and provided a rationale for their choice. It described in detail the three instruments used in collecting the data (FOI requests, expert and RBS interviews), highlighting briefly the advantages and disadvantages of each instrument used and its suitability for answering the research questions set. The importance of piloting the most important part of the

study was also explained. In addition, the ethical considerations and significance of ensuring the trustworthiness of the findings as presented in the remaining chapters.

The first of the findings and discussion chapters, Chapter Five focuses on examining the available data relating to the RBS access to universities, both in England and Poland. The purpose of this next chapter is to determine whether there is indeed (other than anecdotal) evidence RBS of underrepresentation in universities in either country.

Chapter 5. Are Refugee Background Students Under-represented in our Universities? Analysis and Discussion of Statistical Data on Refugee Background Students

The answer to the question set for this chapter is not straightforward. Firstly, the analysis is undercut by data quality issues - relevant data sets contain inconsistent data and a vast amount of missing data. Secondly, there is a considerable discrepancy between the numbers of participating RBS for both countries. Nevertheless, based on the (limited) data available as discussed below, it seems reasonable to conclude that in Poland, the system has completely failed RBS. The numbers in HE at the time of the study (2014-2018) were recorded at 30, while some 1.3-1.5 million other students were enrolled in Polish HEIs each year of that period. In England while *proportional representation* seems possible, in view of the considerable understanding of marginalisation of forced migrants (as discussed in some detail in Chapter 6), and in the context of expansion of widening participation programmes for other under-represented groups, current RBS participation rates cannot be considered as *fair*. In relative terms at least, considering general HE participation rates in both countries, RBS can be considered as under-represented in our universities.

5.1 Introduction

As discussed in Chapter Two, to achieve the UNHCR's ambitious target of 15% participation in HE by RBS by 2030, national governments and universities in host countries around the world will have to take on a more active approach both to enabling access and supporting participation. Although movements advocating on behalf of both those with settled, and those with uncertain statuses, have been growing around the world, policy level responses in Europe and elsewhere have been less than satisfactory. While, both in England and Poland, several universities have now joined the efforts to make 'refugees welcome' in the communities and on campuses, this is most often realised through a reduction of fees and scholarship awards for a small number of applicants only. Shortcomings of this current approach are discussed in the next chapter (6). Before making any recommendations for policymakers or the

universities themselves, however, it is imperative to first understand the scale of the issue at both local and national levels.

Indeed, when attempting to use data to inform institutional practice and national policy, it is paramount that relevant data is in fact *available* and *accurate*. Although some efforts have been made in various national contexts to map out the participation rates of RBS (e.g., Terry et al. (2016) on RBS in Australia), consistent data collection and recording on applicant/student migration status – in particular in the settlement country contexts – is generally absent. It has been confirmed during the course of this study, by both UCAS and HESA in relation to England, and the Office of the Ombudsman in Poland (Biuro Rzecznika Praw Obywatelskich), that there is currently no single data collection instrument for the measurement of data on the applicants or students with refugee/ asylum seeker/ humanitarian protection status or supplementary protection in either country, which would allow determination with any certainty whether RBS are underrepresented in universities there. This data deficit has also been previously noted by Stevenson and Baker, (2018), and before that by Stevenson and Willott, (2007), who expressed that such data would be welcomed. It is in fact generally accepted that evidence-based policy and practice in widening participation are of critical importance to England’s universities, and such evidence forms part of the criteria for access and participation agreements spending (OfS, 2018). Yet, despite the introduction of ‘refugees’ as a target group for WP activities in 2016, refugees (and other forced migrants) remain a ‘non-returnable’ group in England’s HE. That is, universities are under no duty to collect any information regarding RBS applicants and students for purposes of reporting to the UK HE regulatory bodies – HESA or OfS. Although the OfS (2018) guidance states that universities “could also consider how [their] activities may be targeted or tailored to improve access and participation for students with refugee status”, there is currently no evidence that any quantitative data has been used by universities to review their institutional WP priorities in relation to the RBS or to target support to RBS. Further – prior to this present effort – identifying, defining, obtaining, and using relevant data to paint a national picture has not been attempted.

In Poland, limited data relating to entrants, enrolled students and graduates from disadvantaged socio-economic backgrounds is collected. As noted in the European

Commission's report on Poland's HE system, lack of such data at institutional and national levels make it "difficult to evaluate the scope of the challenge and the need for student support" (2017, p.42). At the moment, the migration background of applicants and students is not monitored for purposes of targeting needs-based financial or other support.

The aim of this chapter, therefore, is twofold – firstly, to map out the availability of data relating to university applicants and newly enrolled students with refugee backgrounds, both in England and Poland. Secondly, to examine the (limited) data available, to determine the levels of representation of RBS in universities in both countries.

We now know relatively a lot about the participation rates for different disadvantaged groups in England and Poland – in England, the policy and institutional focus has been in particular on adults from lower-income groups and mature entrants, groups that are structurally discriminated like people with ethnic minority status, and groups considered vulnerable and therefore in need of special protection, including care leavers and disabled people. In Poland, the focus has been on students from lower-income backgrounds, and disabled students. There is also a considerable body of research examining whether the patterns of representation of particular groups can be considered unjust (see, for example, Wakeling (2009) on ethnic minorities at postgraduate level in the UK, or Garbat and Paszkowicz (2015) on disabled students in Poland). One can assume, that evaluation of any RBS data may be more problematic, in view of the limited availability of the wider data – both that relating to refugee demographics, including their educational biographies, and that relating to refugee access to labour market in both countries. Where relevant, secondary statistical data relating to refugees from national and European sources have been considered below to provide a context for meaningful analysis of data collected in the course of this study. Ultimately, any under- or overrepresentation found must be evaluated in the context of the structural disadvantages and inequalities experienced by those with refugee backgrounds living in England and Poland.

5.2 Chapter Five Research Questions

Specifically, this chapter addresses the following questions:

R.Q.1 What is the *accessibility* of (degree level) higher education opportunities for RBS in England and Poland?

1.1. Are RBS underrepresented in universities in either or both countries?

1.2. Are there any differences in access (i) in the two countries and (ii) between the different groups of RBS?

5.3 Method

5.3.1 Measures and Concepts

(i) Participation (students)

The standard measure for HE participation used in England is the Higher Education Initial Participation Rate (HEIPR). It is a measure of estimated participation of all (English domiciled) entrants by the age of 30, based on current participation rates of first-time entrants. The HEIPR (Table 2) has been steadily growing over the last decade, and it currently stands at 50.2 percent in the 2017/18 academic year, up from 49.9 percent in the previous year (Department for Education, 2019). Although this data is now disaggregated by the level of study, it refers to ‘initial’, that is first-time participation of English domiciled students in HE in the UK only (it is not a measure of first-time entry rate for each qualification). HEIPR focuses on those aged 17-30 (inclusive) only, as figures for 17 to 60-year-olds cannot be calculated to the same degree of accuracy because data required does not extend back far enough.

	2013/14	2014/15	2015/16	2016/17	2017/18
Specification	in %				
HEIPR (17-30)	46.5	47.9	49.2	49.9	50.2

Table 2. HEIPR (17-30) in England (Department for Education, 2019)

As RBS often experience long periods of displacement, with limited access to educational opportunities before arrival in the destination host country, data relating to enrolments extending beyond 30 years of age is preferable (for comparative purposes). Further, the precarious nature of life under the current immigration system (where even those granted refugee status are not automatically awarded indefinite leave to remain), means that estimations of projected participation are somewhat incongruous. Indeed, with transient and hard-to-measure populations like RBS, while we can measure the numerator, it is very difficult to establish the denominator. A more useful measure for this study, therefore, is the alternative measure of the absolute numbers of ‘*HE enrolments*’, and in particular, ‘*first-year higher education student enrolments*’, as available through HESA, and based on data collected from all publicly funded HE providers in the UK. This data is openly available through the HESA website (for academic years 2014/15-2017/18) and can be disaggregated by provider, sex, domicile, and by level of study. Inclusion of the first year marker allows for restriction of the data to only show students who were on the first year of their course - that is “who commenced their programme instance within the reporting period and is based on the HESA standard registration population” (HESA, n.d.-a). The same data can be accessed for earlier years of entry via the Heidi Plus data tool.

A five-year overview of the first year HE enrolment figures is presented below (Table 3):

Specification		2013/14	2014/15	2015/16	2016/17	2017/18
		in thousands				
UK-domiciled	students	613.9	614.2	622.2	635.0	630.2
only						

Table 3. First year HE enrolments (UG, PGT, or PGR) in England between 2013/14 and 2017/18 academic years (HESA, n.d.)

Calculating RBS participation in England

Using ‘*first-year HE enrolment data*’, and comparable data relating to RBS collected from universities, a simplistic and optimistic calculation for RBS HE representation

(as a proportion of the student body) for each year cohort and the five-year period is made below. The number of newly admitted/first-year RBS students is divided by number of UK-Domiciled Students (newly admitted/first year) in the same institutions during the same period (aggregated).

$$\text{RBS HE Representation in England: } \frac{\text{(Total number of first-year RBS HE enrolments in the 5-year period)} * 100}{\text{Total number of first-year UK-Domiciled HE enrolments in England in the 5-year period}}$$

This is again calculated for the 2017/2018 academic year specifically, and this figure is compared to the number of refugees and those with pending asylum cases (data from end-of-2018, from the UNHCR) in the UK, divided by the number of total UK population. This data is not disaggregated by country, but asylum seekers (and resettled refugees) make up a much higher share in England’s population than in the other regions (Migration Observatory, 2019). Although data relating to onward migration flows of refugees (after the grant of status) is extremely limited, research indicates that growing numbers of new refugees remain in the cities to which they were dispersed (Stewart & Shaffer, 2015). Estimated data from mid-2018 was acquired from the Office for National Statistics (2019).

Although it would be preferable, it is not currently possible to calculate the RBS as a proportion of the relevant-aged refugee population in England. The age group of new asylum applicants and those newly granted are known on a yearly basis, but it is not possible to establish the current age group of all those currently living in the UK having been granted the status in the past, or those still awaiting a decision a few years later. For comparative purposes only (as this is the calculation used for Poland), the number of all RBS in the 5-year period is divided by a total (known) number of refugees and asylum seekers in the UK. This is calculated as separate from the ‘Representation Rate’ for England. It also differs somewhat from the calculation made for Poland as RBS here are newly enrolled students only, whereas in Poland the figure includes students who may have enrolled before 2013/14 but who were still continuing on a course of study in 2017/18.

No attempt to compute a total national figure of RBS in English universities was made. Although such calculation is statistically possible, with a reasonable confidence interval, due to limited sample size – with many missing values (and where supplied, values often rounded to the nearest five), such a calculation would amount to no more than a biased estimate, potentially leading to invalid conclusions.

In *Poland*, there are two standard measures for HE participation:

- 1) the Gross enrolment rate (Współczynnik skolaryzacji brutto w szkolnictwie wyższym), that is the relation of the number (as of 31st of December) of HE students (regardless of age) to population (as of 31st of December) in the age group defined as corresponding to this level of education (19-24 years).
- 2) the Net enrolment rate (Współczynnik skolaryzacji netto w szkolnictwie wyższym), that is the relation of the number (as of 31st of December) of HE students (in the age group 19-24), to the population (as of 31st of December) in the age group defined as corresponding to this level of education (19-24 years) (Statistics Poland, 2019).

Both measures refer to Polish-domiciled students only (Table 4).

Specification	2013/14	2014/15	2015/16	2016/17	2017/18
	in %				
Gross enrolment rate	49.2	48.1	47.6	47.4	46.9
Net enrolment rate	38.6	37.8	37.3	36.8	36.2

Table 4. Enrolment rates in HE in Poland (Statistics Poland, 2019)

Notably, the enrolment rates used in Poland and HEIPR do not compare like with like. The World Bank and the OECD use different ways of calculating the gross enrolment rates from both the Polish approach and HEIPR. It is worth noting here, that HE participation rates are thought to be higher in Poland than in England overall, although

absolute student numbers are falling in Poland while they continue to rise year on year in England (OECD, n.d.; Roser & Ortiz-Ospina, 2019).

Here too, an alternative measure of ‘*newly admitted students*’ can be used, although this is available for first year of studies at the undergraduate level only. A five-year overview is presented below (Table 5):

Specification	2013/14	2014/15	2015/16	2016/17	2017/18
	in thousands				
Polish-domiciled students only	351,3	343,9	332,9	325,2	316,3

Table 5. Newly admitted students on the first year of (UG) studies in Poland between 2013/14 and 2017/18 academic years (Statistics Poland, 2019)

Calculating RBS participation in Poland

In the case of Poland, the number of RBS identified was extremely small (double figures only), with new-enrolment dates not always available. Hence, an even more simplistic calculation was conducted to estimate the participation rate. It is derived from the *Gross enrolment rate* model, with the number of RBS HE students (regardless of age), divided by the number of refugees and those with pending asylum cases in Poland (a figure based on the number of valid residence cards issued for holders of international protection, hence including those with statuses other than ‘refugee’ - data from the end of 2018 from the UNHCR). It differs from the standard model as the age group here is not limited to 19-24 years, but inclusive of all age groups. Of note, however, is the fact that almost half of all new asylum applications in Poland are made by children – mostly unaccompanied and separated children (UNHCR Poland, n.d.). The figure derived from the calculation made here is hence a very optimistic one.

$$\text{RBS HE Representation in Poland:} = \frac{(\text{Total number of RBS HE enrolments in the 5-year period}) * 100}{\text{Total number of refugees and asylum seekers in Poland}}$$

To put that figure into perspective, in the same 5-year period, between there were between 1,291,970 and 1,549,083 enrolled students in Polish universities and other HE institutions (see Table 6).

Specification	2013/14	2014/15	2015/16	2016/17	2017/18
	in thousands				
Total number of students in HE Institutions (including international students)	1149,9	1469,4	1405,1	1348,8	1291,9

Table 6. HE students (including international students) in Poland between 2013/14 and 2017/18 academic years (Statistics Poland, 2019)

(ii) Applicants

In England, comprehensive data on undergraduate applications, offers, and acceptances are collected and held by UCAS. This data is publicly available and searchable by provider and domicile. As the majority of postgraduate applications are made directly to institutions, no national data is collected.

Conversion rates for RBS applicants

A small number of institutions in England collect both the applicant and student numbers for all relevant immigration categories. For those few institutions, and where the number of applicants was higher than 0 ($n=5$) in the five-year period, data relating to applicants and students is compared to explore the conversion rates for RBS applicants against the wider population (UG only).

No similar exploration was possible for Poland, as all university applications are made directly to universities and no relevant data is publicly available.

5.3.2 Data

Data relating to RBS (and in England – general population PG applicants) was accessed and collected from universities in England and Poland, utilising the FOI process, under relevant national procedures (described in ss.3.3.2).

In addition, data relating to the general student population in England in the academic years 2013/14 to 2017/18 was accessed via the HESA website and the Heidi Plus system. Data for UG applicants was accessed using UCAS data explorer.

Corresponding data from Poland was extracted from annual reports (2014-2018) on Higher Education Institutions and their Finances, published by the CSO, Social Surveys and Living Conditions Department and SO Gdańsk, Centre for Education and Human Capital Statistics.

(i) England

In England, a two-step approach was used. Firstly, a short request (FOI 1) was submitted to obtain confirmation of whether a university holds the information specified in the request. In addition, a question about any provision of targeted support for RBS applicants and/or students was asked. Next, FOI 2 request was submitted to the universities which declared to possess the information, requesting specific data relating to RBS applicants and newly enrolled students, for academic years 2013/14 to 2017/18. Details of both requests and the number of responses received can be found in Chapter Three (see also Appendices IX and X).

Data therein collected, was entered into SPSS and supplemented with data extracted from HESA and UCAS prior to analysis.

(ii) Poland

In Poland, a single request was submitted, asking whether a university records information relating to the immigration status of applicants and students, and if so – requesting information relating to applicant and student numbers with listed statuses in the ‘last 5 years’ (that is between academic year 2013/14 and 2017/2018). In addition, a question about any provision of targeted support for RBS applicants and/or students was asked. Details of the request and number of responses received can be found in Chapter Three (see also Appendix VI).

Data collected from universities was entered into SPSS for analysis.

5.4 Results

5.4.1 England

(i) Missing Data

The key finding in this part of the study is, perhaps, the extent to which data is missing and the consequences of this, as discussed below. Of the 121 institutions in England which responded to the FOI 1 request, two-thirds (77 universities) were able to report on *some* RBS data for at least one academic year. Fifty-five institutions (45.4%) – reported collecting *some RBS student* data, and 29 institutions (24%) – reported collecting *some RBS applicant* data (Table 7). Only 19 universities (15.7%) reported collecting *all RBS applicant and student* data.

	APPLICANTS			STUDENTS		
	R	HP	AS	R	HP	AS
Number of universities collecting data	48	45	31	68	51	56
Missing data (in %)	60.3	62.8	74.4	43.8	57.9	53.7

Table 7. Missing data for applicants and students across FOI 1 respondents (n=121)

R-refugee status; HP – humanitarian protection status; AS – asylum seeker

Both RBS applicant, and student data was least likely to be present in Million Plus universities, and most likely to be present in former 1994 Group universities (not affiliated with other mission groups at the time of the analysis), otherwise, there was no apparent pattern to the institutions with a high proportion of missing data. Any such differences seem to be attributable to different administrative practices only, which vary at random, in the absence of duty to report. Indeed, many universities mentioned that they do not record this type for information because it is not part of their sponsor license (a permission granted by Home Office to institutions wishing to enrol non-EU students, allowing them to ‘sponsor’ a Tier 4 visa for study), nor part of HESA return (statutory requirement). There is an analogy here with other WP data, for example, that at postgraduate level – universities do not develop appropriate interventions, because they do not have the understanding/do not monitor the diversity of their PG (taught and research) applicants and student cohorts. They do not have this

understanding because they are not under obligation to collect relevant data (see, for example, Hancock and Wakeling (2019); Wakeling (2016)).

As refugees are assessed as ‘home’ fee payers (a lower-level tuition fee for British and EU students – non-EU students pay ‘international’, usually considerably higher fees), whilst universities would have to see evidence of their status, under a legal duty to do so, most do not record it separately on their system. Students claiming asylum or granted (other than refugee status) leave to remain are often recorded under the ‘other visa status’ category. Universities retain copies of their documentation in individual student records (often as a hard copy), but without checking through all non-EU students’ files, they are unable to confirm their particular migration status.

One institution failed to respond to FOI 2 request. Five universities that responded to FOI 2, refused data because of the low number of individuals involved (<5) and the consequent risk of specific individuals being identifiable. The information was withheld under Section 40(2) of the Freedom of Information Act 2000 (relating to the personal information of third parties). One university refused data under section 43(2) of the Act, as it considered releasing of this information would prejudice the university’s commercial interests. Another was unable to provide the data requested down due to the nature of the systems used and the inability to provide data broken down in the manner requested.

Applicants

In total, 44 universities (34.6%, $n=120$) supplied RBS applicant data (Table 8). Of these, 12 were able to report on undergraduate applicants only, and one was able to report only on postgraduate applicants (in addition to three institutions which offer postgraduate programmes only).

Notably, most universities were unable to report on numbers of asylum seeker applicants, as the UCAS form did not include this option in their list of residential categories until the 2020/21 application cycle (the new question introduced into UCAS Application Management System that year, and the limited role this current research has played in its introduction is discussed briefly further below). Any data collected

via UCAS forms in the past has been self-declared and not verified until the university needed to determine the fee status, at which point the university contacts the applicants to ask for passport information to verify residency declared. This is done for those who have accepted their offers only, and upon verification, a fee status is established. However, a note regarding the status confirmed is not always made (notably, it is not possible to request information relating to residency status via the EXACT Records Service from UCAS – data service that can deliver datasets to a particular specification). This applies also to postgraduate applications made directly to universities, although many universities do not have an option to declare such status during the application process at all.

	R	HP	AS
Number of universities collecting data (supplied)	41	39	25
Missing data (in %)	46.0	48.7	67.1

Table 8. Missing data for applicants across FOI 2 respondent institutions (n=76)

R-refugee status; HP – humanitarian protection status; AS – asylum seeker

Students

In total, 66 universities (52%, n=120) supplied student data (Table 9). One university (besides the PG only institutions) was able to supply student data for postgraduate students only. The institutions tended to have lower proportions of missing data relating to RBS students as all universities are under a duty to check permission to study of all newly enrolling students. Nevertheless, many institutions do not have a relevant category on their student record system – with some recording all refugees, asylum seekers, and students with HP status as ‘refugees’.

	R	HP	AS
Number of universities collecting data (supplied)	62	44	49
Missing data (in %)	18.4	42.1	35.5

Table 9. Missing data for students across FOI 2 respondent institutions (n=76)

R-refugee status; HP – humanitarian protection status; AS – asylum seeker

The extent to which data is missing reduced slightly over time, but only by one or two percentage points for each group (refugee/humanitarian protection/asylum seeker)

between 2013/14 and 2017/18. This seems to suggest that some institutions were recording relevant data for some time, but only a few more reacted to the ‘refugee crisis’ from 2015 by starting a systematic data collection. However, where institutions reported only just starting to collect relevant data, it was generally because they needed to promote/target newly set-up scholarships and solicit applications for these from the RBS (these scholarship programmes were created in response to the ‘crisis’). Two of the participant institutions have issued a statement as part of their FOI response, indicating that they have started collecting data for the 2017/18 academic year as a direct result of the request, recognising the future potential value of such records.

Indeed, gathering of such data is crucial for strategic and operational purposes: firstly, at a local (university) level - to inform institutional decision making by the planning and governance teams and to monitor and analyse intake over time; to target resources; and for the purposes of WP and Outreach teams, to aid targeting of RBS participants with appropriate activities. Secondly, for purposes of research – so that samples can be targeted, experiences of applicants and students compared to other groups, with outputs disseminated to influence (and inspire) both institutional and national policies (based on Stewart and Shaffer, 2015).

It must be acknowledged, however, that collecting sensitive data related to migration status is complicated and that certain difficult challenges exist. These must be carefully considered by universities. Firstly, there is a question of definition – universities must be clear about the different relevant migration statuses/residential categories, and the consequences of recording these inaccurately (e.g., wrong advice given about eligibility for student funding). Secondly, to date, the UCAS application included only two relevant ‘tick-box’ options for RBS to declare their residential status: ‘refugee’ and ‘humanitarian protection’. As the available options were accompanied by limited guidance, and as asylum seekers *are refugees* – in the colloquial sense of the word (and since no appropriate option was available for them to choose), it is conceivable that a wrong box was used by applicants. As information about eligibility for contextual admissions or additional support for RBS is not yet widely accessible (this is further discussed in Chapter Six), with the negative connotations to the ‘refugee/asylum seeker/migrant’ label in England (Bennett et al., 2015) and beyond (Lee & Nerghes, 2018), and subsequent fear of discrimination,

disclosure rates may be less than satisfactory as discussed in the Australian context in Naidoo et al. (2015). Indeed, as with other self-disclosed information, the accuracy of such data is inherently limited and must be treated with caution. In any case, however, many universities, as evidenced in this study, seem unaware of their ability to access this information via their annual reports, from the UCAS Provider EXACT Records Supply Service.

In 2018, following consultations with the third sector, to address this very issue, UCAS introduced new questions into the postgraduate Applicants Management System (AMS), allowing applicants to self-declare certain circumstances – including migration status – which HE providers can use to target support (rather than use it for fee assessment purposes). The same question and supporting text have been added to the 2021 cycle Undergraduate AMS. It is now a compulsory question (‘Do you have official refugee status in the UK or are you an asylum seeker?’) with three options for the applicants to choose from: ‘No’, ‘I’m a refugee or have been awarded humanitarian protection’, ‘I’m an asylum seeker or have limited or discretionary leave to remain’. The accompanying supporting text explains that the information will be treated in confidence and will be used by the university to provide support, dealing with some of the ethical considerations noted above. A link to dedicated UCAS web pages is also included. The new and improved page is now including information on student finance eligibility and links to various organisations which can offer further information and guidance. It can be argued, however, that it would be useful to disaggregate the refugee/humanitarian protection into two separate options, as applicants with these two statuses have very different entitlements (namely to student finance, as discussed further in Chapter Six, section 6.4.1 (iii)). Both universities and applicants need to be aware of these.

It is indeed imperative that universities consider not only issues of accuracy, but also confidentiality of the individually disclosed data. Although the potential benefits of collecting this information (as discussed above) are substantial, such data could be potentially accessed by the immigration enforcement and other government bodies and used for making life-changing decisions about (for example) eligibility for residence or access to public benefits. It seems possible for government agencies to access such data, under Schedule 2, Part 1, paragraph 4 of the UK’s Data Protection

Act 2018 – which includes a broad exemption from the GDPR provisions, for the ‘maintenance of effective immigration control’ or ‘the investigation or detection of activities that would undermine the maintenance of immigration control’. Further, both in the UK and elsewhere, there have been some worrying trends in the past, related to manipulation, selective use and misuse - and subsequent misunderstanding of migration data, both within the political debates and in the media reports, which has, for example, contributed to the development of current strong discourse around preventing the creation of ‘pull factors’ for migratory influx (Mouzourakis, 2014). Any such concerns must be weighed carefully before deciding on what data to collect, and how to record it. However, given the potential benefits – improvement of outreach and support at an institutional level, but also building a body of evidence to influence national policy – it seems that moves to introduce and improve data collection on RBS applicants and students are indeed desirable. Sharing of practice between institutions is advisable, at least until such time when ‘refugees’ as a target group become a returnable population under HESA, requiring full and quality-assured data, offering guidance on both data capture and collation, validation and quality checking.

(ii) RBS Participation Rates in Higher Education

The total number of RBS entrants (in 77 of 127 England’s universities), in the 5-year period between 2013/14 and 2017/18 academic years, estimated based on the data available, was 3,156. Sixty-six universities reported having RBS enrolling during that period. Eleven institutions reported to not have had any RBS.

This number is an optimistic one, based on the highest possible figures – most institutions with few records of RBS, have reported enrolments as:

- <5: if more than 0 but less than 5,
- <10: if more than 5 but less than 10.

Some institutions have also reported values of more than 10 but less than 15 as <15, and values of more than 15 but less than 20 as <20 for some categories, to comply with data protection regulations and Information Commissioner’s Office guidance. The number of instances of rounded figures (for both students and applicants) are presented in Table 10 overleaf.

Values reported as (for each year of entry between 2014-2018)		<5	>=5<10	>=10<15	>=15<20
Number of Instances	Applicants	19	20	7	2
	Students	76	44	25	6
	Total:	95	64	32	8

Table 10. Number of instances of values reported as <5, <10, <15, <20 (for each year of entry between 2014-2018) for applicants and students, grouped under refugees, asylum seekers and humanitarian protection categories (30 variables x n=76)

For the analysis, these values have been entered as 4, where <5 was reported, 9 where <10 was reported, 14 where <15 was reported, and 19 where <20 was reported. As there were 151 instances of the use of these rounded figures, the figure of 3,156 is conceivably an overestimate (although, of course, numbers from institutions which did not or could not respond are not included in this number). If the lowest possible values have been entered instead (1 where <5 was reported, 6 where <10 was reported, 11 where <15 was reported and 16 where <20 was reported) the final figure would be 2,703 - with 453 less students in total. However, the numbers of 'total' 5-year period figures were more often reported as definite numbers (number of instances for each rounded figure are presented in the Table 11 below) and the total highest figure (3,156) was higher by only 140, than the lowest figure (3,016).

Values reported as (as a total for the 5-year period)		<5	<10	<15	<20
Number of Instances	Applicants	6	5	-	-
	Students	17	7	3	3
	Total:	23	12	3	3

Table 11. Number of instances of values reported as <5, <10, <15, <20 (total number for the 5-year period) for applicants and students, grouped under refugees, asylum seekers and humanitarian protection categories (30 variables x n=76)

Some institutions have further applied the same rounding methodology as used for HESA returns, rounding all figures, even the large ones, to the nearest 5 (to prevent

multiple tables being used to identify small numbers). Consequently, the figures arrived at here, are somewhat overestimated. Even these most optimistic estimates, however, represent a small proportion of the total HE student cohort. Indeed, during the same 5-year period, some 1,452,245 UK-domiciled students have enrolled at the same institutions, including 258,905 in 2017/18 alone (NB where less than 5 years of RBS data was supplied by the university, the same academic years only have been included for aggregate general student population numbers). Using the simplistic formula as described above, the RBS HE representation figure for the 5-year period was $(3,156*100)/1,452,245 = 0.22\%$.

The year-on-year data, however, is encouraging. While enrolments of those with humanitarian protection remained at a relatively even level, enrolments of refugee status students have increased by 50% from 381 to 585 during this 5-year period (with a high of 784 new enrolments in 2016/17), and enrolments of asylum seekers have increased by 40% from 50 to 70 (Table 12).

Year of entry	Status	2013/14	2014/15	2015/16	2016/17	2017/18	5-year period ³⁰
Number of first-year enrolments	R	391	524	646	784	585	2725
	HP	73	57	66	56	68	168
	AS	50	68	80	63	70	253
Total					3156		
(calculated based on numbers reported for 'total enrolments in the 5-year period' for each group)							

Table 12. First year RBS HE enrolments by migration status (rounded up using the highest number where figures were reported as <x)

R-refugee status; HP – humanitarian protection status; AS – asylum seeker

In 2017/18, the aggregate across all levels of study RBS representation rate was $(723*100)/258,905 = 0.28\%$. These figures exclude six institutions reporting on refugee enrolments, and five institutions reporting on HP enrolments, as they were

³⁰ As the total figures for each category were rounded separately, the total will not always equal the sum of the row/column it represents.

unable to provide any data before the end of cycle (as some students begin their courses in the Spring term). This means that the figure is potentially slightly higher. This can perhaps be at least partially attributed to an increased awareness surrounding forced migration and targeted campaigning by students and third sector, focusing on HE access, leading to increased number of reduced tuition fees, and scholarships aimed at RBS.

To put this into context, the RBS representation rate can be compared to the number of refugees and those with pending asylum cases in the UK, divided by the number of total UK population. In 2018, according to UNHCR statistics, there were 126,072 refugees in the UK (data is available for the UK as a whole rather than for each home nation), and further 45,244 open asylum cases (UNHCR, 2018). A total number of people with humanitarian protection status is not currently available from the UNHCR, but data from the UK Home Office suggests that the number is very small – with only 564 cases across 18-49 age group, and only 136 in the 18-29 age group, ending with that outcome in a 5-year period (2013-2017) (Home Office, 2019). At the same time, the population of the UK reached an estimated 66.4 million (ONS, 2019). Thus, refugees and asylum seekers made up an estimated 0.25% of the UK population in 2018. This figure is very close to the estimated representation rate, indicating that RBS are, in fact, *proportionally represented* - or only slightly *under-represented* in England's HE. Further, as noted above, the formula used to calculate the representation rate in Poland is different – to match this approach for comparative purposes, the total number of newly enrolled RBS - 3156 can be divided by the total number of refugees and asylum seekers in the UK (in 2018). A figure arrived at in this way equates to 1.84%. Notably, however, the figures relating to refugees and asylum seekers include people living in all home nations, and people of all ages - including children and elderly, although a relatively large proportion of those applying for asylum in the UK – some 44% in 2017 (Home Office, 2018) – are young people aged 18-30. Presumably, any HE representation figure arrived at here is grossly overestimated. As noted above (5.2.1.(i)), no attempt to compute a total national figure of RBS in English universities was made, but even if it these highest estimated figures were crudely doubled (just over half of universities provided data for this study), the representation rate would be below that of any other recognised under-represented groups in England.

Indeed, when compared to other formal and informal HE equity groups, and in view of the *global rate of 3% – at the target of 15%* – it must be acknowledged that representation rate at 0.28% (2017/18) – or even 1.84% – is unjust. Furthermore, like for other marginalised groups, such figures do not equate to equitable forms of participation, hiding much underlying complexity. In particular, it seems that RBS HE experiences are shaped by socio-demographic factors such as age, gender, and nationality. All calculations that follow are based on the maximum estimated number of RBS – 3156.

Gender

When disaggregated, the data reveals the gendered experience of refugee participation – some 44% of first-year enrolled RBS students during the 5-year period under consideration were female. This is almost directly opposite from the general population of students in England, where during the same time 58% of first-year enrolled students were female (HESA, 2019). However, there are two caveats to consider here – firstly, the gender split in English universities varies by domicile, with male students accounting for a higher proportion of migrant EU (44.8% in 2016-17) and non-EU students (47.2%) (Universities UK, 2018a). Secondly, because these are not in-group percentages (i.e., it is the percentage of those enrolled who are female; not the percentage of females enrolled) these figures need to be considered in view of the gender differences in the population of asylum seekers and those with granted status in the UK more generally. Almost half (49.4%) of RBS classed as ‘asylum seekers’ were female (Table 13), but more than half of recent asylum applicants in the UK (2013-2018) were male – 54% if we look at the 18-29 age-group only, or 55.4% if we include those aged 30-49 (Home Office, 2018). While it is not possible to know the gender split of all who live in the UK with the status, when considering recent data (2013-2017), 74.3% of those granted asylum, humanitarian protection or other protection status were male, and only 25.7% were female (Home Office, 2018). Thus, much like for the other groups, it appears that females with refugee backgrounds are more likely to start a degree course in England than their male peers.

5-year period from 2013/14 to 2017/18	R	HP	AS	RBS
	In %			
Female	42.8	48.5	49.4	44.0
Male	57.2	51.5	50.6	56.0

Table 13. First year RBS HE enrolments (2013/14 - 2017/18) by gender

R-refugee status; HP – humanitarian protection status; AS – asylum seeker

There was only a marginal difference between the research-intensive, resource-rich ‘Old’ pre-1992 universities - which are less diverse and, on the other hand, the less well resourced, teaching-led ‘New’ post-1992 universities (Table 14):

5-year period from 2013/14 to 2017/18	New Universities	Old Universities
	in %	
Female	44.1	43.9
Male	55.9	56.1

Table 14. First year RBS HE enrolments (2013/14 - 2017/18) by gender and provider type (new vs. old universities)

Participation rates of females from refugee backgrounds were similar in the modern, technical and smaller universities, and larger, research focused ones (Table 15) (further institutional differences are discussed below).

5-year period from 2013/14 to 2017/18	Unaffiliated (37.4 % of all RBS)	Russell Group (13.6% of all RBS)	Million Plus (14.5 % of all RBS)	University Alliance (22.9 % of all RBS)	Former 1994 Group (11.5 % of all RBS)
	in %				
Female	49.7	43.8	44.4	39.4	37.9
Male	50.3	56.2	55.6	60.6	62.1

Table 15. First year RBS HE enrolments (2013/14 - 2017/18) by gender and provider group³¹

³¹ Recognised Bodies, i.e., institutions with degree-awarding powers that have not been formally granted university status, were excluded here as only 3 individuals -

The gender gap was less pronounced in institutions, although these figures can conceivably be affected by small numbers (37.4%, the largest proportion of all RBS were enrolled in universities). Surprising perhaps were the figures from Russell Group universities, as they generally have a more balanced intake of both female and male students. As for other institutions, gender make-up is largely a reflection of the types of subjects on offer, with those offering education and nursing, art and design as the most popular courses enrolling more female students than those with large intake on STEM subjects enrolling more male students. It was not possible to learn which subject areas are chosen by RBS (again due to small numbers), and hence impossible to confirm whether these gender patterns are reproduced for RBS. This should be explored in any future studies.

Nationality

Although it is not possible to establish the national background of all RBS, as such data was refused by most universities due to privacy concerns, or because domicile rather than country of birth/origin is recorded by the university, around a third of universities were able to single-out a ‘top nationality’ for first-year enrolled RBS. In several instances, there were multiple ‘top nationalities’ cited, with an equal number of students (usually ‘1’ or ‘<5’) – these have been reported as ‘multiple/all nationalities with the same number of students’. The most frequently cited ‘top nationalities’ in years 2013/14 to 2017/18 were Zimbabwean and Iranian (Appendix XIII), although 87 different nationalities were listed as RBS country of origin across all institutions.

This calls for further exploration since these are not top nationalities for asylum applications in the UK (which in 2018 were: Iran, Iraq, Eritrea, Pakistan, and Albania). Top nationalities of resettled refugees (arrivals between 2010 and 2019) were: Syria, Iraq, Somalia, Democratic Republic of Congo, and Sudan. Unfortunately, due to small sample size in the qualitative part of this research, it was not possible to establish what role does the national background play in HE journeys of RBS. This should be explored in any future research with a larger participant sample.

0.1% of all RBS were enrolled in two of eight institutions that responded to FOI request. One of them refused information on gender due to the small number of RBS.

Migration Status

The differences in access rates for different groups were very pronounced – almost 87% of all newly-admitted RBS in the 5-year period were classed as ‘refugees’, with only 8% of RBS classed as ‘asylum seekers’ and just over 5% under ‘humanitarian protection’ category (Table 16). The probable reasons for these differences are considered in Chapter Six below, but perhaps the most straightforward explanation is the fact that those with refugee status are treated as ‘home’ students – in terms of access to student funding and additional support. They are also likely to have been in the country for some time – possibly attending English schools and colleges, improving language skills, and gaining relevant cultural and social capital.

	Status	5-year period
Number of first-year enrolments (% of all RBS enrolments)	R	2725 (86.6%)
	HP	168 (5.4%)
	AS	253 (8%)

Table 16. First year RBS HE enrolments by migration status (2013/14-2017/18)

R-refugee status; HP – humanitarian protection status; AS – asylum seeker

Age

Some 80% of students in England are under 30 years of age. Almost two-thirds (68%) of students are under 24 years old, with 43% (in 2017/18) aged 20 or under (HESA, 2019). We know that in other national contexts, RBS are more likely to be older (see (Terry et al., 2016). Unfortunately, in this study, due to small numbers, most universities refused to provide the number of RBS within the 18-24 age group, so it is not possible to verify whether this is the case in English universities. However, it can be noted here that only nine of the 19 participants in the qualitative part of this research (including four of six current students, two of four offer holders, and one applicant) were aged 24 or under. Finding out whether this is replicated on a larger scale would be important as we know that mature students may encounter additional difficulties during their studies (e.g., Archer et al., 2003; Gorard et al., 2006; Yorke & Longden, 2008).

(iii) *RBS Patterns of Participation*

Institutions

Generally, in England there are large differences in the social mix (and academic selectivity which is often associated with the former) between the more research-intensive, resource-rich Old pre-1992 universities - which are less diverse and, on the other hand, the less well resourced, teaching-led New post-1992 universities - which enrol more students from minorities and lower socio-economic backgrounds, and other under-represented groups (Boliver, 2015). Interestingly, this pattern seems not to be replicated in the case of RBS, with close to an equal split of student enrolments in both types of institutions (with a similar number of institutions able to provide data).

Disaggregating data by mission group (see Appendix XIV), shows that a lot of the access work for RBS (much like for the other disadvantaged groups) is done by the University Alliance group institutions, with 722 RBS reportedly enrolled in five institutions (Table 18). Notably, the other seven institutions from this group that responded to the FOI request do not collect relevant data, and one university refused the request.

5-year period from 2013/14 to 2017/18	New Universities (68 HEIs)	Old Universities (52 HEIs)
Number of RBS (in no of institutions)	1639 (in 32 HEIs)	1517 (in 34 HEIs)
As a % of RBS enrolments	51.9	48.1

Table 17. First year RBS HE enrolments (2013/14 - 2017/18) by provider type (England)

See Appendix XIV for a full list of institutions.

5-year period from 2013/14 to 2017/18	Unaffiliated (52 HEIs)	Russell Group (19 HEIs)	Million Plus (16 HEIs)	University Alliance (13 HEIs)	Former 1994 Group (13 HEIs)	Recognised Bodies (8 HEIs)
Number of first- year RBS enrolments (in no of institutions)	1179 (in 28 HEIs)	430 (in 12 HEIs)	459 (in 10 HEIs)	722 (in 5 HEIs)	363 (in 9 HEIs)	3 (in 2 HEIs)
%	37.4	13.6	14.5	22.9	11.5	0.1

Table 18. First year RBS HE enrolments (2013/14 - 2017/18) by university group (n=120)

Universities with the highest rate of RBS representation during the 5-year period of study were the University of Westminster (1.14%), Birkbeck, University of London (1.05%), and the University of West London (1%). The largest share of RBS was enrolled at the University of Westminster (8.9%), Teesside University (7.8%) and Birkbeck, University of London (7.3%) (see also Appendix XV).

Geographical Location

Of note are the regional variations: firstly, in terms of the RBS enrolments (Appendix XVI), including when compared against the numbers of asylum seekers and resettled refugees in those regions. The institutions with the highest RBS representation are mainly London-based - some 34.7% of first-year RBS (across all levels of study) were studying in London in 2017/18. This can be contrasted with a much lower ‘all student’ figure – 20.9% of all first-year students in England began their studies in London the same year. The second-highest proportion of first-year RBS students (15.1%) were enrolled in the East of England universities (compared with 6.9% of ‘all students’). These enrolment rates are disproportionate to the asylum seekers and resettled refugees in those areas (with 13.4% and 3.5% hosted in these areas). However, although there is no data available on where refugees move to after the grant of status, according to an analysis of the 2017 Labour Force Survey completed by The Migration Observatory, more than half (53%) people who reportedly came to the UK to seek asylum, are now living in London (The Migration Observatory, 2018).

Level and Field of Study

Almost three-quarters of RBS were enrolled on the first year of an undergraduate programme in the 5-year period under study (Table 19). This is around the same ratio as for the general student population in the same institutions, which is a little higher than the national figure of 64% in 2017/18 academic year (HESA, 2019). Enrolments on postgraduate taught programmes were considerably lower for RBS than for mainstream students (19.4%, compared to 24.2% in the same institutions, with a national figure reported by HESA at 32% in 2017/18 (2019), which can perhaps be attributed to more limited funding opportunities, tougher admission criteria, and higher language competency requirements. Unexpectedly, these numbers were made up at postgraduate research level, with RBS seemingly being three times as likely to begin a PGR course compared to other students in the same institutions (7.8%, compared to 2.5%), and almost twice the national figure of 4% (HESA, 2019). This is of course again likely an overestimation, nevertheless, it is well worth exploring further, as such positive rates of RBS participation at the highest level of academic study would indicate an uttermost resilience, perseverance, and capabilities of RBS.

5-year period from 2013/14 to 2017/18	UG Programmes	PG Taught Programmes	PG Research Programmes
Number of students	2,297 (in 62 HEIs)	612 (in 58 HEIs)	247 (in 55 HEIs)
% total RBS first-year enrolments	72.8	19.4	7.8
% of general student body (in the same HEIs)	0.22	0.17	0.68

Table 19. RBS first-year enrolments by level of study (2013/14-2017/18)

One of HEIs which collects relevant data is a PG institution; one university collects relevant data only for PG courses, with a further two collecting relevant data for PGT programmes only. Two HEIs collect relevant data for UG programmes only.

A majority of RBS beginning PGR programmes were enrolled at research-led Russell Group universities (30% of all PGR RBS) and former 1994 Group (35%).

As already mentioned above, it was not possible to learn which subject areas are chosen by RBS. Evidence from other countries (Terry et al., 2016) suggests RBS are more likely to study on health-related courses (in particular nursing) than the students from non-equity backgrounds. It seems crucial to find out whether this is the case in England too, at the time when the National Health Service is suffering from severe staffing shortages. There is a potential for influencing policy on RBS access to HE and employment (as well as public perception about forced migrants) if it can be demonstrated how refugee background graduates can contribute to British society in instrumental ways.

Conversion rates

A small number of institutions in England collect both the applicant and student numbers for all relevant immigration categories. For those institutions, and where the number of applicants was higher than 0 in the five-year period ($n=5$), data relating to applicants and students are compared to explore the conversion rates for RBS applicants against the general student population (Table 20). Names of the institutions have been anonymised as some of the data has been released with a confidentiality clause. Due to data availability, this was only possible for undergraduate level programmes.

HEI	RBS app	RBS stu	%	R app	R stu	%	HP app	HP stu	%	AS app	AS stu	%
1.	130	10	7.7	99	7	7.1	31	0	0	0	0	0
2.	72	20	27.8	46	15	32.6	22	5	22.7	4	4	100
3.	5	0	0	5	0	0	0	0	0	0	0	0
4.	97	60	61.9	73	67	91.8	1	0	0	9	7	77.8
5.	9	8	88.9	9	8	88.9	0	0	0	0	0	0
Total	313	98	31.3	232	97	41.8	54	5	9.3	13	11	84.6

Table 20. Conversion rates from applicant to student (RBS) 5-year aggregated data (UG).

RBS – refugee background students (R, AS and HP combined); R-refugee status; HP – humanitarian protection status; AS – asylum seeker; app – applicant; stu – student

In the same period, conversion rates for the general student population (see Appendix XVII) in these five institutions were as an average comparatively higher, however, as the numbers of RBS are very small, the conversion rates may be affected by the

courses they apply for. If they are applying for veterinary science or medicine, for example, the rejection rate will be high; much lower for other subjects.

Conversion rates were the lowest for those with HP status. This may be because applicants with this status are unaware of restrictions on access to funding and are forced to defer or withdraw their applications once eligibility assessment is carried out by Student Finance England. On the other hand, although there are only a few applications from asylum seekers to these five institutions, the conversion rates for this group are relatively high. This is perhaps due to applications made there specifically because of the availability of dedicated funding in those institutions. While the general lack of availability of information about learning and funding opportunities is explored in Chapter Six, it can be said here that participants in this study reported to only be applying to institutions that offer financial support. These opportunities are competitive, but the numbers of potentially eligible applicants who learn about them are also conceivably still quite small.

5.4.2 Poland

This section is disproportionately short when compared with that on England. It is simply because the numbers of RBS here seem to be so low. As noted in Chapter Four, however, as first study of this kind in Polish context, it is vital that findings – however limited, are reported here alongside the English study. While participation rates of RBS in England are low, the situation in Poland is nothing less than deplorable. Not only, as noted above, the success rates of asylum applications in Poland are much lower, but the rate of HE participation compared with known numbers of young asylum seekers and refugees is *extremely* low.

(i) *Missing Data*

As of the end of May 2018, 104 (of 125) public institutions have responded to the FOI request. One of the public institutions refused the request under section 13 (1 and 2) of the Law on Access to Public Information, relating to requests for processed information and quoting a lack of clear public interest in releasing of this information. Only 15 private HEIs (of the 67 which were contacted) responded to the request, despite numerous reminders (Table 21).

Institutions in Poland do not collect information about migration status during the application process until their offer of a place is formally accepted. At this stage, as in England, universities are under a legal duty to check identity documentation, to correctly determine the recruitment path. That is to determine whether a candidate should be enrolled under the same rules as Polish citizens – which applies to those with refugee status – or as a non-citizen.³² Any relevant documentation and information about candidates who do not enrol on the course are kept for six months only (in accordance with the current regulations)³³, therefore no data is available for previous academic years.

Of the public institutions which have replied to the request, relatively few - 23 (22%) – stated that they are unable to report on the immigration status of their (current application cycle) applicants or students. Forty-one reported collecting relevant data on their system, with further 40 not addressing the question directly, but supplying data (and thus presumably collecting the information). Of the 15 responding private institutions, eight reportedly collect data relating to RBS, and seven do not (Table 21). The ability to report on such information seems to be attributable to different administrative practices only – where some universities interpret the law as placing them under a duty to be able to show the basis for admission if requested, others accept responsibility to verify migration status upon enrolment, but do not record it on their systems and thus are unable to report on it. The immigration status is currently not a returnable category in Poland (in a manner similar to England, HEIs in Poland send yearly reports to the Ministry of Education and Higher Education and Central Statistical Office).

	Public HEIs (n=104)	Private HEIs (n=15)
Number of universities collecting data	81	8
Missing data (in %)	22.1	46.7

Table 21. Missing data for applicants and students across FOI respondents

R-refugee status; HP – humanitarian protection status; AS – asylum seeker

³² Art. 43(2) of the Act of 27 July 2005 - Law on Higher Education (Consolidated text: Journal of Laws 2016, item 1842).

³³ Regulation of the Minister of Science and Higher Education of 27 September 2018 regarding documentation of the course of studies (Journal of Laws 2018, item 1861).

Of the 89 institutions which were able to access this information, 14 public institutions (11.5%) reported having students with refugee status, subsidiary or temporary protection status, or applying for asylum in the 5-year period between the 2013/14 and 2017/18. None of the private institutions reported having any such applicants or students. Forty-four public HE institutions (42.4%) in Poland reported not having any applicants or students recognised as refugees, granted a complementary or temporary form of protection or awaiting a decision, in the last five years. A further 21 institutions (20.2%) stated that they have *never* had applicants or students with either of these statuses (five of the private institutions stated the same).

(ii) Overall Patterns of Participation

The total number of RBS (in 81 of 125 public universities) in the 5-year period until 2017/18 was 30. In the 2017/18 academic year, there were 19 RBS in these institutions. To put that figure into perspective, in the same 5-year period, between there were between 1,3 and 1,5 million students in Polish universities and other HE institutions. In 2017/18 alone, there were almost 160 thousand students across the same 14 public institutions (Statistics Poland, 2019) and 1,291,970 in all HEIs (including international students). The 19 RBS equate to about 0.0015% of the total student body in 2017/18.

But the situation in Poland is radically different from that of England. As discussed previously, Poland has historically been no more than a transit country for those seeking protection in Europe (arguably it still is with some 1.9 thousand cases closed in 2018 alone – this is usually done when the applicant leaves the country before the decision is made). Further, in recent years, in particular, since 2014 and a change in national policies and practices at the borders (where asylum seekers are methodically unlawfully denied access to Poland (Aida. Asylum Information Database, 2020, pp.16-17)), numbers of applications for international protection have dropped substantially. According to UNHCR Poland, at the end of December 2018, there were 3,350 refugees residing in Poland (based on the number of valid residence cards issued for holders of international protection. This number is thus presumably including those with subsidiary and temporary protection statuses). There were only 4,132 new applications submitted that year, with some 3,065 cases still pending at the end of

2018 (UNHCR Poland, n.d.). Refugees and asylum seekers represent about 0.01% of Poland's population (currently at almost 38 million according to Eurostat (2019)).

To calculate the RBS representation rate in Poland then, a simplified calculation as explained above (ss.5.3.1.i) can be made (this is different from the calculation used for England as the students here are not 'newly-admitted' but rather include all individuals who have been enrolled on a course of study at a HEI in Poland at some point during the 5-year period).

$$\text{RBS HE Representation in Poland: } \frac{(\text{Total number of RBS HE enrolments in the 5-year period}) * 100}{\text{Total number of refugees and asylum seekers in Poland}}$$

Using this formula, the RBS HE representation rate for the 5-year period was $30 * 100 / (3,350 + 3,065) = 0.47\%$. It is however much lower – 0.29% – when calculated for 2017/18 alone (and we know that the number of refugees and asylum seekers in Poland has decreased in recent years, so it is perhaps more fitting to calculate this for the most recent period). Notably, as mentioned before, almost half of the asylum applicants in Poland (48.72% in 2018) are children. Although it is not possible to know the age of those granted protection status in the past, or indeed that of pending applicants, the representation rate calculated using the number above is most definitely a gross overestimation.

Gender, Nationality, Migration Status and Age

Due to low numbers involved and data protection rules in Poland, it was not possible to learn gender, age, or nationality of students with refugee background (although Belarus and Ukraine were mentioned by a few institutions). It was possible however to gather information on the migration status (Table 22). Like in England, the differences in access rates for different groups were very pronounced – almost 66.7% of all RBS in the 5-year period were classed as 'refugees' and as such accessing HE under rules applying to citizens (that is tuition-free for full-time programmes and with access to scholarships and stipends), with only 16.7% of RBS classed as 'asylum seekers' and the same number in the 'subsidiary or temporary protection' category. This can perhaps be explained by the insecure status of those applying for protection

in Poland (more so even than in England), where rejection rate of applications of protection status at first instance in 2018 was 85.56% - second highest (after the Czech Republic) in the EU. Only 2.54% of appeals in Poland were successful that year (Eurostat, 2019). Further, almost half of asylum seekers in Poland reside in state-funded reception centres, many of which are located in the countryside (e.g., in Dębak, close to Warsaw, residents have to walk about 3km through woodland to access public transport) or in industrial areas of the cities (e.g., in Warsaw, where the centre for single women with children is situated near factories and a construction company). This spatial exclusion can perhaps be blamed at least partially for lack of asylum seekers in Polish universities.

		2017/18	5- year period
Number of RBS enrolments	R	15	20
	SP/TP	3	5
	AS	1	5
Total:		19	30

Table 22. RBS HE enrolments by migration status (Poland)

R-refugee status; SP – subsidiary protection; TP – temporary protection; AS – asylum seeker

(iii) Institution and Level of Study

In Poland, there are substantially more HE institutions than in England, although a restructuring process, which will result in substantially fewer institutions in the future, is currently on the way (European Commission, 2017). The 14 public institutions with RBS in the 5-year period under study are listed in Appendix XVIII. Two of these – the AGH University of Science and Technology in Cracow and the University of Warsaw – were recently awarded additional funding and highest status of a ‘Research University’ (Siwinski & Bilanow, 2019), in the newly developed HE trinary system, which will eventually include 10 research universities, 80 research and teaching universities, and some 35 teaching institutions (public) and a substantially reduced number of around 30 research and 100 teaching non-public institutions (European Commission, 2017). They were the two first institutions which at the peak of the ‘European refugee crisis’ in 2015 publicly announced holistic programmes of support for RBS in Poland (Kontowski & Leitsberger, 2018). The other institutions vary in size and type, from small specialist music conservatoire to some of the biggest comprehensive (in terms of subject choice) institutions in the country. Notably, as is

further discussed in Chapter Seven, the offers made initially by some forty HEIs back in 2015 went largely unfulfilled due to a change in Poland's government and its subsequent refusal to accept any refugees through the European relocation programme. Interviews with rectors from two institutions which offered such support, form a data source in Chapter Seven.

It can be noted that ten of these institutions are based in Poland's largest cities, with the other three based in smaller cities (Łomża being the smallest on this list, with some 63 thousand residents). Six are based in the same voivodeships as asylum reception centres (although as noted above very few asylum seekers enrolled in Polish universities – two of the five studied in an institution close to a reception centre, although it is not possible to confirm whether they have lived there and thus, whether the geographical location had any influence on their choice of the institution). Once more, because of limited numbers, it was not possible to find out the level of study for all RBS in Poland.

5.5 Critical Chapter Summary

There is currently no single data collection instrument for the measurement of data on RBS in either country, which would allow determination with any certainty whether RBS are underrepresented in universities there. Although this is the perception of the organisations working with young people with refugee background (Elwyn et al., 2012; Save the Children, 2001), and it has been recognised by the OfS who include refugees as a target group of students from 'under-represented and disadvantaged groups' (2018), there have been no reported attempts of measuring the current scale of this issue, before this study.

To summarise the findings presented here, the analysis suggests that in the absence of duty to report such numbers, in England data is largely missing or patchy, with two-thirds (77 universities) able to report on *some* RBS data, for at least one academic year, but only 19 universities (15.7%) reportedly collecting *all RBS applicant and student* data. A handful of institutions were able to supply data for all academic years under study and for all levels of study (with applicant data mostly present at UG level and student data available more often at PG level). There were some 3156 'new' RBS in

the 5-year period between 2013/14 and 2017/18, studying in 66 institutions. Some 44% of these were females. The differences in access rates for different migration status groups were very pronounced – almost 87% of all newly-admitted RBS in the 5-year period were classed as ‘refugees’, with only 8% classed as ‘asylum seekers’ and just over 5% under ‘humanitarian protection’ category. It was not possible to determine age group or nationality of all RBS, although universities have indicated that Zimbabwean and Iranian were most often a ‘top-nationality’ of RBS. The split of RBS between ‘new’ and ‘old’ universities was fairly even, with more noticeable differences between university mission groups - University Alliance institutions seemingly doing a large proportion of access work. Almost three-quarters of RBS were enrolled on a first year of an undergraduate programme. This is around the same ratio as for the general student population in the same institutions, which is a little higher than the national figure of 64% in 2017/18 academic year. Conversion rates for the general student population in five institutions (chosen as a sample) were as an average comparatively higher than those of RBS, however, as the numbers of RBS are very small, the conversion rates may be affected by the courses they apply for (and impossible to determine based on data available). In 2017/18, there were 723 new RBS entrants, with the aggregate across all levels of study RBS representation rate standing at 0.28%.

In Poland, a smaller number of (public) institutions have responded to queries made, with a similar proportion of those which did being able to report on RBS numbers (77.9%). Notably, only 15 private institutions responded to the FOI request, with eight recording relevant data. There were only 30 students with refugee background in the 5-year period between 2013/14 and 2017/18, studying in 14 (public) institutions. It was not possible to learn gender, age or nationality of RBS (although Belarus and Ukraine were mentioned by a few institutions), but differences in access rates for different migration status groups were - similarly to England - highly pronounced. Almost 66.7% of all RBS in Poland the 5-year period were classed as ‘refugees’ and only 16.7% of RBS classed as ‘asylum seekers’ and the same number in the ‘subsidiary or temporary protection’ category. The institutions reporting to have RBS varied in type, size and location (although most were based in large cities). It was not possible to find out the level of study or choice of course/field of study. In 2017/18, there were 19 RBS in Poland, with the representation rate standing at 0.29%.

Although calculated differently, the representation rate in both countries appears to be at a similar level (although the RBS numbers are obviously not). In both countries, in relative terms at least, considering the general HE participation rates, *students with refugee backgrounds appear to be underrepresented* (R.Q.1.1). Further, as examined above, *there are differences in access not just between the two countries* (R.Q.1.2.i), but *between different groups of RBS* (R.Q.1.2.ii). The key implication of these findings is that although further research is required to explore these, this will only be possible if universities begin to collect relevant data and record it in reportable format. This is somewhat unlikely to commence across the sector in either country, until RBS become a reportable category for yearly returns under statutory obligations placed on the HEIs in both Poland and England.

Having established the underrepresentation for RBS with some new certainty here, Chapter Six focuses on examining the barriers to access (and to a lesser extent – participation) as perceived and experienced by RBS in England and Poland (as opposed to perceptions and assumptions about the barriers held by staff in the HE institutions, explored in Chapter Seven).

Chapter 6. The Barriers to Access and Participation as Experienced and Perceived by Refugee Background Students

The barriers to access and success for RBS in England and Poland, are diverse and multiple. This chapter explores RBS' own perceptions and experiences of such barriers to HE, building on previous research by including participants of varied ages, genders, nationalities, locations and study statuses – namely, those aspiring to enrol, or currently enrolled in a degree programme. By speaking to those who have not yet found their way into HE, this study has allowed their voices to be heard and presented a perspective not widely reported on in the research literature. The analytical focus in this chapter concerns how these different barriers to access (and participation) not only accumulate but also inter-relate and exacerbate each other.³⁴

6.1 Introduction

At the heart of this study, which presents RBS access to HE opportunities as a human rights issue, is the exploration of what factors inhibit such access (and participation) as experienced and perceived by those with refugee background themselves. The language used by participants in the interviews has led to a decision to adopt a metaphor of barriers – a ubiquitous concept in widening participation policy and research discourses in the UK and elsewhere (Gorard et al., 2006). Much research, in particular on adult lifelong education but also HE, focuses on what are the barriers to access and participation, albeit, there are different ways of conceptualising these. Barriers may be seen as factors that lower the extent of participation, but do not prevent participation completely, or as obstacles which prevent certain groups from participating (Saar et al., 2014). Both conceptualisations are used in this study, with the associated assumptions, that if the barriers are removed, RBS access and participation in HE would be effectively enabled (Gorard et al., 2007, 2006; Rubenson, 2011), and that continued support would allow for successful completion.

³⁴ **Some of the findings and discussion included in this chapter have been published in a peer-reviewed article (Lambrechts, 2020). This has been referenced throughout.**

Although the metaphor of barriers is used in several studies on RBS, the classification of barriers developed by Cross (1981) and updated by Alderman and Potter (1992), as outlined in Chapter Two, has not yet been adopted. As already mentioned, it appears, however, that this four-way classification of institutional, structural, academic, and dispositional barriers can be very useful indeed. It allows the different actors – policymakers, universities and third sector organisations, to develop hierarchies of effort to be involved in the elimination of the different issues. In particular (some) universities, as is further discussed in Chapter Seven, appear to perceive the needs of RBS as similar to those of other disadvantaged groups. This present chapter examines the barriers from the perspectives of those who have overcome them, and those who have so far been unable to do so, to ascertain whether RBS are just facing the ‘usual’ obstacles or something else entirely. It is argued that while some of the barriers are indeed shared with other disadvantaged groups, these may be particularly pronounced because of the unique conditions of RBS, with further barriers being specific to RBS circumstances only. These findings are discussed in relation to previous research, as outlined in Chapter Three. Although the previous studies provide concise accounts of the barriers identified, these have been in the past presented as separate issues, where in reality, these factors rarely occur in isolation. Without considering how the barriers relate to one another and aggregate, there can be no real understanding of RBS’ marginalisation in HE. Without such an understanding, there can be no hope of overcoming it. To this end, clear signposting is incorporated throughout this chapter, to explicitly identify and indicate how the barriers discussed in the separate sections are connected to, affected, and exacerbated by those discussed in other areas. I argue that the multitude, complexity and compound nature of disadvantage faced by RBS resulting from the independent effect of their migration experiences, status and socio-economic realities of living as a refugee, affected by the existing policy structures in England (UK) and Poland as host states, and further by the complex nature of HE systems in both countries, *must be considered as a whole*. While no stories of individual participants can be shared here in the interest of protecting their identities, the wide-ranging barriers cited here were identified by only 22 RBS participants (across two countries). This in itself illustrates how common is the cumulative and interrelated nature of the barriers. The comprehensive overview and analysis presented in this chapter can be used by practitioners and researchers who wish to develop appropriate research frameworks and practices that aim to tackle these

interlinked issues - applying the Fairness Based Meritocratic Equality of Opportunity model.

6.2 Chapter Six Research Questions

Specifically, this chapter addresses the following research question:

R.Q.1 What is the *accessibility* of (degree level) higher education opportunities for RBS in England and Poland?

1.3 What are the inhibiting factors (*barriers*) to equal access to- and participation in HE as experienced and perceived by both participants and non-participants with refugee background in both countries?

6.3 Findings: Barriers to Access and Participation in England

The accounts of participants demonstrated that there were several factors that affected their HE journeys, some related to pre-migration histories, others to perceptions of the system, or their own abilities, and many related to the realities of post-migration status as a refugee (or an asylum seeker) in England. The main focus of this study was on HE access. The factors which affect the ability to continue studies, participate in compulsory and extracurricular activities, the enjoyment of the university experience, and the attainment, are only somewhere on a periphery of interest here. Nevertheless, a few of these are reported on, to acknowledge and illustrate that for those who have – often with help – managed to secure a place at university, difficulties do not by any means end at the point of receiving university offer. Indeed, many participants reported issues not only pre-arrival, but both during the period of transition and throughout their degree, as is presented below.

The factors hindering access (and to lesser extend participation) as discussed in this section, are categorised into four groups, as explained above: *institutional*, *situational*, *dispositional* and *academic barriers*. Where relevant, references to the influence of the existing – or missing – national policies are made, reflecting on how these not only create specific structural barriers but also how they affect RBS ability to overcome other barriers (*bounded agency*).

It is important to remind the reader here that data collection was conducted in 2017-2018. While the structural conditions have not changed a lot since then, assessment of the (in particular institutional) barriers has to be considered as a snapshot in time. There have indeed been many positive developments in some universities in the two years since the completion of data collection (I like to think this is not least because I have been sharing my preliminary findings with both academic and practitioner communities from the very beginning). An example of such changes/improvements is much better webpages with information aimed at RBS, created by some institutions. This is not yet, however, by any means standard practice and many other issues persist in most places. As such, the findings as presented in this study are still relevant today.

6.3.1 Institutional Barriers

Although no quantitative analysis of the qualitative data was conducted, a quick check of coding coverage confirmed that a highest proportion – over 40% of the coded interview data extracts – were labelled as referring to ‘institutional’ barriers. Out of 19 participants, 16 have noticeably focused their accounts on these.

While some of the identified issues result from the national policies imposed on universities, others are a consequence of processes and systems put in place by the institutions themselves. It appears, that universities are overlooking the socio-economic realities of refugee background candidates and students, ignorant of the exclusionary constraints these rigid, inflexible processes and systems result in (Lambrechts, 2020).

Within this first top-level category of barriers, three sub-categories have been identified: *informational*, *procedural*, and *financial factors*. These are considered in turn, but clear signposting is incorporated throughout this and following sections, to foreground how the many factors/ barriers not only accumulate but also inter-relate and exacerbate each other.

(i) *Informational Factors*

Pre-application stage

A central finding emerging from participants' accounts was the lack of timely, coordinated, accessible, quality information available to them. While lack of information is a factor common with other under-represented groups (see, for example, Sanderson (2001), for a discussion about barriers to access, including the informational ones, faced by disabled students), RBS are arguably more vulnerable to this. They are new to the country (see also *Newcomer Factors* below) and lack the network of relationships with people familiar with the UK HE system and thus, able to advise them accordingly. Thus, as explained by the participants, they rely on the government, NGOs, and other official bodies, to provide them with all the necessary information. They have, however, *no control* over what these state and non-state bodies decide is the information they need (Lambrechts, 2020).

This lack of information permeates every stage of RBS experience, as evidenced also in previous studies, both in the UK and in other national contexts (Elwyn et al., 2012; Houghton & Morrice, 2008; Roque et al., 2018; Shakya et al., 2010; Stevenson & Baker, 2018). As explained by participants in this study, asylum-seekers and refugees are never told what their legal rights in relation to HE participation are. These are not communicated to them as part of the immigration process, nor is the information included in the information packs asylum seekers receive in National Asylum Support Servicer (NASS) accommodation, or in the council provided housing for refugees arriving in England under the resettlement programme³⁵, something that several participants noted would be helpful:

(...) when you are in a NASS home or that situation, you are given [information like] 'this is your local post-office, this is the bus that you take, this is your GP'. Why not 'this is your college, this is your university?' So, the companies that actually run the housing of people (...) they could also have within their information pack - in different languages - that service, to say (...) 'this is your

³⁵ These packs generally include local information – how to register with the doctor, how to enrol children in a local school, where to catch a bus from to get to a job centre etc.

university' you know, sometimes just a website, and saying 'go on this website if you want to learn about educational opportunities'.

(Zachary, 34 years old, asylum seeker, current student)

RBS are also unfamiliar with English HE system and relevant application processes (see also *Procedural Factors* below).

I didn't know that when you're still an asylum [seeker] you can actually study.

(Zoe, 35 years old, asylum seeker, non-applicant)

This too was noted previously in the UK by Stevenson and Willott (2007), and in other national contexts, for example, by Ferede (2010) reporting on Canada. RBS also do not understand the fee structure or their entitlements to financial support (see also: *Financial Factors* below) as more recently also noted by Morrice and Sandri (2018).

Notably, as was the case in Germany (Schneider, 2018), the participants in this study articulated their criticisms tacitly and apologetically, stressing their gratitude for the protection granted by the state and wary of framing needs as demands or entitlements – yet, their disenchantment with the system was undeniable:

Because we don't know how to access [higher] education, we are not really free here you know. Imagine, if you come to this building for protection and I say it's ok, you can stay, but I lock you in a small cage – you are 'safe', but you are not truly free. In England, we are 'safe' - but we are not free.

(Charlie, 23 years old, refugee, non-applicant)

There was also a definite feeling of a lost time experienced particularly by older students:

I only knew that you could study if you are on asylum, you can only study English lessons if you like (...) But that's just about it. I did not know that you can do anything else after that. I wish I had known this last year. I would have studied last year.

(Zoe)

As discussed by several participants, third sector organisations working with forced migrants focus their efforts on providing for basic needs including legal advice, help with benefits and housing, and they often lack the capacity and/or expertise to offer information and advice on HE (although some other participants were able to get such advice from voluntary organisations supporting them in other areas) (Lambrechts, 2020). This has been particularly affected by changes to funding for NGOs working with migrants – Gateley (2015) discussed in some detail the invaluable role a charitable organisation played in the past in helping individuals navigate the complex admissions procedures, paying the application fees, etc. This was possible thanks to the now-defunct (since 2011) Refugee Integration and Employment Service – a funding stream for local councils and non-governmental actors that supported vital work in getting refugees into education and employment.

These conditions are arguably out of institutional (HEIs) control and can be explained better through the bounded agency model – it is the government’s failure to create conditions in which RBS have expectations to participate in HE learning and thus actively search for information, and it (the government, through its agencies) further fails to apply targeted measures of support to help RBS overcome the barriers faced – here, the informational ones. However, it can also be argued that universities and other educational providers must make themselves aware of such structural conditions faced by RBS, to ensure their equal access to learning activities they are tasked with providing.

Indeed, the information seems to also be rarely available through colleges, where many of the adult migrants turn to for English language training. More importunate perhaps is the fact that some RBS still today face *misinformation* – this was previously noted in the UK context by Stevenson and Willott (2007), and Elwyn et al. (2012), and found in other European national contexts in recent studies too (see Berg (2018) for discussion on the German context; Marcu (2018), for an overview of issues in Spain). College (and university) staff, third sector workers and family members, have been reported as telling the asylum seekers in particular, that they cannot attend a university or access funding (Lambrechts, 2020), as described by one participant who spoke first with a college tutor, then enquired with a national charity:

(...) I went online and asked some of the people at the Red Cross who we've worked with us as asylum seekers (...) 'have you heard?' And none of them heard. Everybody kept saying, no you are not allowed to [study], we don't know...

(Zachary)

Universities themselves were said to only infrequently communicate the information about learning opportunities available to RBS. Participants found the information about requirements for holders of foreign qualifications to be missing or inconsistent, reported that most institutions neglect to provide information aimed at RBS specifically, and lamented the fact that many fail to effectively communicate even about the specific opportunities created by them: those who have applied for the funded places have very often found out about it by chance and last minute, subsequently failing to complete the application forms and gather necessary documentation in time (Lambrechts, 2020). A regrettable consequence of this has been some institutions' struggle to fill the places offered on funded basis (Murray, 2019).

(...) last year I applied to just one of them because it was so late. I didn't know about these scholarships. (...) They didn't have much information about my status and what rights I would have.

(Freya, 23 years old, asylum seeker, current student)

(...) if more people know about them, the more the awareness they have, the more people who know that there are opportunities they have to go to university. As I've seen there are some people that don't know they can go to university, they don't have to pay for university - so the problem is that not many people know about this opportunity. About the scholarships.

(Peter, 21 years old, asylum seeker, current student)

Institutions which do attempt to provide information were said to do so through poorly designed webpages – tricky to navigate for anyone but in particular for those unfamiliar with English HE system – or communicated via social media, which are not always used by those unfamiliar with, or unable to afford access to technology:

90% [of] people who come here, are coming here with no knowledge of this country, or anything that's happening. So, everything that they are learning is through the information that they receive. But not everybody is on Twitter, not everybody is on Facebook.

(Zachary)

Lack of communication between universities and third sector, to disseminate information about these opportunities, was repeatedly criticised by the participants (not only in this study but also in the past – see: Stevenson and Willott, 2007), many suggesting that such communication would be the best form of targeted outreach:

(...) it is great that it [the scholarship programmes] exists, but it's not great that nobody else knows about it. Like none of my friends (...) or people I know, who are asylum seekers, know about it. (...) it is a shame that not every single asylum seeker in the country knows about it. Because if every single asylum seeker knew that it would free people. It would literally free people. (...) Asylum seekers are the easiest people to track down (...) Just [be] specific - there is a group that meets at Newcastle, there is a group that meets at Middlesbrough, there is a group...wherever. (...) Go and say 'hi, we're from [X university] and we have this fantastic opportunity, here is our paperwork, if you are interested just look it up'. That's it.

(Zachary)

Participants suggested collaborations not only with NGOs, but also with adult/community centres (these are often run by the local councils), hostels where asylum seekers are first placed upon arrival, and schools and colleges:

*And universities as well, they should get in touch with the **charities** and the **community centres**, get in touch with them and see if you can advise about higher education.*

(Mark, 26 years old, refugee, offer holder) Emphasis added

*I lived in a **hostel** for six weeks with my son before they actually gave me a house here. (...) This is one of the biggest hostels in the UK where they keep asylum seekers. (...) it's a very good place to start. Because they have*

noticeboards and a lot of people actually like reading what they see. So, if you put posters on there, people will be interested to know what it is, and they can actually come because there are some organisations like churches and people teach English. They will come to the hostels and you know just announce at dinnertime that you know we've got this group coming on this day if you want to attend, to know in here what we have to say. If they can actually do that probably once every two months or once a month, then they can afford to do that. That'll get, you know, the word out there. And one thing I know about people. Any type of people in a group when you hear about something, they'll go talk about it somewhere else. So, you hear news about it here and then you share them, share the news to someone else and it will go like that, just word of mouth.

(Zoe) Emphasis added

Such direct contact with potential RBS would help avoid the previously cited misinformation:

*They could contact **colleges and schools** and ask them to go and tell people who are in this situation that there is an opportunity, that there is a scholarship that [they] offer, that is for those people (...) we have an expectation to go to university, you have the hope to go to university. As I would think when people say - yes, I can't go to university - their hope kind of gets away and they are not able to achieve the things that they want to do, whatever the course they want to do in the future. So, I would say the universities should contact the schools and colleges and tell them to contact those people and tell them that there is an opportunity for them.*

(Peter) Emphasis added

Pre-entry Stage

When RBS secure a place at a university and obtain financial resources to support their studies, they oftentimes continue to face a lack of appropriate, tailored *pre-arrival* information and guidance. A few participants (current students) have raised the issue of universities (including those which offered them a scholarship) not talking to them about effects of moving to a different city (to study) may have on their accommodation and benefit entitlements, about details of their scholarship, opening a

bank account - required for their scholarship payments but difficult to open with limited documentation; or the academic expectations they should prepare themselves for (Lambrechts, 2020):

I did not have a first point of contact as a refugee student to ask about information regarding my scholarship, accommodation, banking etc. I could email the philanthropic office but did not know of any specific person who could help me through my specific issues as an asylum-seeking student.

(Ella, 20 years old, humanitarian protection, current student)

The academic unpreparedness and lack of familiarity with teaching, learning and assessment styles used in university are not unique to RBS, or indeed non-domestic students alone, but RBS are once more arguably more vulnerable as they rarely have current students and graduates from British universities who could offer information and advice, amongst their local networks. For other national contexts see Berg (2018); Joyce et al. (2010); Lenette & Ingamells (2013); Naidoo et al. (2015b) .

Post-enrolment Stage

Most universities now run orientation weeks and *induction* activities for all new students, including both school/programme induction (with information events about academic expectations, type of teaching delivered, reading lists etc.) and general welcome events – these are usually ‘optional but highly recommended’ for students to attend. These general events include information sessions on finding the way around the campus and local area, taster sessions in language courses, societies and clubs fairs, and many student services sessions where students can learn about different support available during their time at a university – sessions may include careers, money management, and academic skills. These events, however, appear to rarely be designed with RBS in mind, with universities operating on an assumption that all students will be able to participate in these activities. Participation may not be possible for those who live in significant distance from the campus and cannot afford the travel costs, or those who have conflicting responsibilities. This can result in limited or indeed no-knowledge about institutional supports available to RBS as part of the student body, as discussed in the literature (for UK examples see Gateley, 2015;

Stevenson & Willott, 2007). While a few of the participants in this study were offered a comprehensive induction programme, this was on all occasions due to their mature student status – rather than their migration background. All interviewed asylum-seeking participants currently studying at a university were doing so through a funded place, which meant that their status was changed from ‘international’ to ‘home’ (this is a matter of routine assessment for refugee students who are classed as ‘home’ after presenting documentation which proves their refugee status during enrolment). As such, they were not invited to any international students’ events, missing out on the opportunities to find out about structures of support in place for those without the experience of English education system or using English as a second language and to meet other students with whom they may share cultural and national identities. This includes, for example, language support available to ‘international’ students (this coincides with the findings in Bowen, 2014; Harris & Marlowe, 2011; Hirano, 2014; Houghton & Morrice, 2008; Naidoo et al., 2015b; Olliff, 2010; Stevenson & Baker, 2018; Stevenson & Willott, 2009; Watkins et al., 2012).

In addition, several participants commented further on the previously mentioned lack of appropriately trained member of staff – a *single point of contact* – at the university, whom they would like to have welcomed them on campus, and whom they see as necessary to provide them with essential information, to help them navigate the unfamiliar structures and to direct them to the support services they may need – but not know about (for example, because of missed induction events):

I would have benefited from additional support upon arriving at university in regard to explaining more about my scholarship, how it works and referring me to a point of contact if I needed any support or had any questions as an asylum-seeking student.

(Ella)

Some participants expressed that they would like such individual to represent them in communications with other staff in the university, both in the professional services, e.g., finance, housing, and in their academic department, both early on the course, and later, for example, when their coursework may be delayed due to having to attend a

police station or exam performance may be affected because of an upcoming interview at the Home Office:

(...) when you are going through legal process, you find out maybe one day your paperwork is in court and the next day they say oh, we've lost your paperwork. Or the next day they say you are refused and... and then you have to start from the very beginning. It's like writing like an important essay, to complete all this paperwork to submit it again. So, juggling both would be really stressful for an individual. (...) For example, I've had a hearing in December, and I was so stressed about it, I didn't have time to revise for my exams.

(Freya)

One participant also noted that he would value a member of staff helping to facilitate interactions/activities with other students with similar background:

(...) we've had our own meeting where we've discovered that actually, you know, we haven't had much time to sit down amongst ourselves and talk and share our experiences and you know, cry together or whatever. (...) I mean, we haven't had that, and we haven't been able to form it... if someone could facilitate that.

(Zachary)

Before they are able to join any such activities, of course, the participants had to first navigate through the complicated admissions process and rigid enrolment procedures. This was perhaps the most cited set of issues faced both by those who have tried (and succeeded), and those who are yet to begin their studies.

(ii) Procedural Factors

As anticipated (and frequently discussed in the literature as cited below), the *level and type of credentials* required for admission constitute the biggest challenge, with most participants finding the procedures to be generally inflexible and bureaucratic (Lambrechts, 2020). Today, many universities in England recognise prior learning and disadvantage by reducing or eliminating formal entry requirements for mature

students (but also for other groups), in particular in relation to undergraduate admission decisions (Boliver et al., 2017; Fair Education Alliance, 2018). However, although the majority of participants in this study (15/19) were classed as ‘mature’ at the point of application, only two have mentioned flexibility on the university’s part - in both cases only upon intervention from a senior member of staff involved in their admission. This finding relates largely to the lack of reliable data about refugee background of applicants as discussed in the previous chapter (5), one that will be hopefully addressed by the recent changes to UCAS applications. Sometimes, however, it can be affected by a lack of specialist knowledge amongst admissions and other university staff, as discussed in some detail further below.

The participants have discussed the *non-recognition of their prior learning*. Some (younger) participants have accepted this spectrum of academic recognition set by English universities very matter-of-factly:

I took part [in A-level exams] because I wanted to go to university and my [national] qualifications [high school diploma] weren't enough.

(Oscar, 20 years old, refugee, offer holder)

For others, whose foreign qualifications were not considered as sufficient by English universities (as previously discussed to be affecting both refugee and other migrants, for example by Clayton, 2005; Stevenson and Willott, 2007; Roque et al., 2018), this equated to invalidation of their previous educational experiences and caused some distress (an issue examined previously by Morrice, 2009):

It was quite stressful. Because first of all, my qualifications from [home country] are not really recognised everywhere.

(Freya)

Then they asked what sort of qualification you have. I said I haven't. I studied in English. But I haven't qualification. Then I started doing functional skills. I finished level 1. And now nearly finished level 2, and after I need to get GCSE in English. Imagine that. Mad to be honest after PhD to start again.

(Elizabeth, 50 years old, refugee, non-applicant)

Freya completed most of her degree in her home country before being forced to drop out and leave the country. Elizabeth completed a master's degree and a Ph.D. in the UK six years prior to the interview.

The issue of academic recognition links back to the *Informational Factors* discussed above – because it is not always easy for the applicant to find out whether an institution will accept their qualifications (Lambrechts, 2020).

Indeed, applicants may have to scan through many (as already mentioned sometimes tricky to navigate) webpages to find contact details and approach institutions individually, as explained by Freya, who contacted 40 institutions, with various results:

I basically contacted forty universities who did the scholarships - but I wanted to find out if they would accept me with my qualifications. It was even harder because I didn't have A-levels from here which would be straight away [accepted]. And then I found out how so many different universities have different ways of contacting so some of them didn't even reply, some replied straight away, some of them took a while.

While some applicants with refugee background have the necessary prior qualifications – they are unable to produce *documentation confirming formal qualifications*, lost during their migration journey, or not available because of the situation in their home country. This was noted in the past research in the UK (Alberts & Atherton, 2017; Gateley, 2015; Morrice, 2009; Universities UK, 2016) and other countries (Berg, 2018; Felix, 2016; Marcu, 2018; Webb et al., 2018), and was recounted by several participants here:

I went to university but unfortunately, I stopped at second year. I cannot attest anything that I was a student.

(George, 35 years old, asylum seeker, non-applicant)

(...) because of the way I've left I have no certificates to prove that I've even done primary school maths, because I've left everything, I left it and I don't know where it is. So, I've had no proof (...).

(Zachary)

I threw my bags to save three people. All my qualifications were in my bag. At the time it was a big decision for me - I protect my future or save three children's lives. Of course, life [is more] important. Piece of paper is a piece of paper... I survived... but that's why I was struggling (...).

(Harry, 26 years old, asylum seeker, offer holder)

Although some applicants are able to get copies of their certificates, the *cost* and *formalities* involved make it impossible for others (see also Roque et al., 2018). Restrictions around work permissions and somewhat inadequate statutory financial support (see also *Financial Factors* below) mean that asylum seekers and those recently granted refugee status are in particular unable to meet these costs (Lambrechts, 2020):

(...) now we have the place, but it's not confirmed because they need your GCSE certificates. Which I couldn't [get]- I've tried, but you have to be in-country, in-person to apply, and pay like £250 and wait for eight weeks... that was not going to happen (...).

(Zachary)

Again, it can be argued, through the application of the bounded agency model, that it is the government that is to blame – its policy measures create conditions that create these barriers. However, universities have a way of supporting RBS in overcoming these issues, but they apparently fail to do so – generally, no alternative in-house forms of skills/knowledge assessment are offered by universities, and candidates are forced to (re)take lower-level examinations/qualifications. This exemplifies failure to apply human rights-based approaches to both policy and practice – as explained in chapter two, international human rights instruments call explicitly for assessment of capacity to participate in HE learning through ‘all appropriate means’. Inability to present certification documenting prior learning achievements does not equate to lack of

capacity to learn, yet institutions fail to act flexibly even in those most extreme of circumstances.

This causes unnecessarily prolonged journeys into HE for RBS. The apparent lack of understanding and/or alternative assessments in universities is somewhat disappointing, considering that it was first identified as an issue in the UK context almost a decade prior to this current study (Morrice, 2009). More recently, it was also found to be a persistent problem in other countries in Europe and beyond (Berg, 2018; Felix, 2016; Marcu, 2018; Webb et al., 2018).

A related issue is the *inability to produce standard identity documentation* – some RBS will not have brought their birth certificates or passports with them to England, others have sent their paperwork off for asylum application processing, and the Home Office is not always able to send their ARC - asylum registration card proving their identity and allowing access to services including education, immediately. Although again, arguably this can be ‘blamed’ on a governmental agency, the above issues can be exacerbated by *admissions and registry staff* at universities, if they are *not trained* to ensure appropriate and sensitive management of applications and registration of forced migrants. Staff at some universities were reportedly unfamiliar with documentation available to asylum-seekers and refugees (this was first discussed in Elwyn et al., 2012), and with the difficulties they may encounter if trying to get qualification documentation re-issued.

Some of the participants also discussed the perceived *negative attitudes* or *bias* of university staff, who were said to be “*putting a lot of obstacles*” and implementing policies which “*are against migrants and refugees*” (Charlie). In providing a more explicit explanation of how this has affected his ability to join a university programme, one participant said:

The silly questions they were asking me... unbelievable! ‘You have to show us your birth certificate from [home country]. I’ve said ‘yeah, you give me British citizenship, I go to [home country], I’ll come back with the certificate. But if I go back, they want to kill me.’ What a silly question to ask me... (...) they’ve said ‘sorry, this is the policy, you have to show me you are [X nationality]’. I’ve said

*to him - this is your government [confirming I am X – pointing to ARC] (...)
some people, some people are in wrong places. They are!*

(Harry)

Mishandling of applications from RBS have been previously noticed and discussed in Doyle (2009).

Another commonly emphasised factor is the *formal language requirement*. Participants have generally agreed that language competence is necessary for effective participation in HE learning, and as such a valid part of the admissions process (it was indeed reported to sometimes put the RBS off applying to university if they do not feel fluent enough – see *Dispositional Barriers* below):

You cannot go to a university if you don't even have the capacity to listen. That is the most important thing - listening and writing. If you don't have these skills how can you even go to the lectures? You would be missing out.

(Jack, 42 years old, refugee, current student)

This coincides with findings in other national contexts (see, for example, Schneider (2018) for discussion about language requirements in Germany). However, many potential applicants struggle to obtain the certification required. This is partly owing to the inadequate language training provision offered to asylum seekers and refugees in England, discussed further in the *Situational Barriers* section below. Sometimes, however, the reasons are more prosaic (Lambrechts, 2020). Institutions are asking applicants – as non-native speakers – to obtain an IELTS CAE, PTE, or CP³⁶ certificates – all of which involve very costly examinations, hardly affordable for those on a low income (see also Stevenson and Willott, 2007; Houghton and Morrice, 2008; Elwyn et al., 2012; Doyle and O’Toole, 2013; Stevenson and Barker, 2018). These examinations can only be completed in designated testing centres, usually located in larger cities which again requires financial resources for travel – a clear link to

³⁶ The IELTS - International English Language Testing System, CAE - Cambridge Certificate in Advanced English, CPE – Cambridge Proficiency, and PTE – Pearson Test of English, are all international standardised tests of English language proficiency for non-native English language speakers. Test fees in 2018 varied between £140 and £200.

Financial Factors can be seen here. Again, as with academic qualifications, generally, no alternative in-house examinations are offered by universities.

On the other hand, some institutions do not/cannot accept IELTS or other above-mentioned certifications, or alternative evidence of ability to communicate effectively in English (such as completion of previous HE level qualifications in the UK), for some courses. This has been reported in this study in relation to the Postgraduate Certificate in Education (PGCE) – a teacher training qualification. UK GCSE was instead required from Elizabeth:

When I did my PhD [in the UK], they've asked for IELTS. And last year, when I talked with the university, I told them I can apply for IELTS. They said no we don't accept that. (...) they've asked for GCSE. I've got my GCSE from [home country]. (...) And they've said it's equivalent to a GCSE in England except English language, because I studied English language as a second language. It's not a first language.

Although for PGCE, it is, in fact, a Department for Education requirement, some institutions around the country do offer alternative in-house assessments. Most are not as flexible – two of the participants in this study, holding previous UK HE qualifications, have been told that they need to undertake a GCSE in English. Although asylum-seekers and refugees in receipt of certain benefits qualify for free courses leading to GCSEs, these are generally 9-months-long and as the exams are in the summer assessment period, if they miss September college enrolment dates, they will have to wait for another year to get the qualification. Alternatively, they can sit examinations externally, this, however, generally requires payment of fees. While the fees are usually set at affordable levels, they are not insignificant to those with low income – again, restrictions around work and minimum statutory support - as discussed below in *Situational Barriers* section – mean that asylum seekers and newly granted refugees may be more vulnerable in this situation.

The final procedural factor related to admissions is the *mode of application* itself and the (related to *Informational Factors*) *insufficient academic advice* in selecting learning opportunities and making applications (Lambrechts, 2020; Stevenson & Willott, 2007; Roque et al., 2018; Morrice & Sandri, 2018). In England, all

undergraduate (and some postgraduate) university applications are made via UCAS. Applications are made online, but where other applicants may receive at least some help in navigating the website from their school or college, RBS are often left to work it out by themselves.

Neither universities (generally speaking), nor UCAS (at the time of the interview) offered tailored guidance on how to complete the online application form or how to write a personal statement based on the RBS' often unusual educational background, without access to documentation and experiences similar to those of 'regular' applicants. Once more, other applicants – both domestic and international - may receive personalised help and feedback on these statements, either from their educational provider (teacher or careers adviser) or an agent (Lambrechts, 2020). This gives them advantage over RBS. As part of the applications process, potential students are also required to submit an academic reference from a professional who can comment about their suitability for HE. Through its website, UCAS advises applicants to ask their tutor, teacher, principal or headteacher from current or recent school or college, or an employer or volunteering supervisor. For RBS who have not participated in any learning in the UK, and who have been in England for a relatively short amount of time and have perhaps moved multiple times across the country at the Home Office's order, mostly likely have not worked and perhaps have not had a chance to volunteer, it can prove difficult to find a suitable referee.

Finally, there is an application fee to pay - between £18 and £24 in 2018. While it is a relatively small amount for most applicants, for RBS, often living in destitution, making the application payment means they must make cutbacks elsewhere as explained by Freya:

(...) there is like £20 or £30 [fee]. I paid it myself. (...) When you are on £5 a day you basically have to not eat for certain amount of days to pay that!

This last quotation is one that I use time and time again in my presentations and discussions about the findings from my research. This is not just to shock my audience – as much as it has shocked me, despite some prior understanding of the realities of

refugee living conditions in Europe. It is to encourage reflection on how the university admission processes, when applying equal conditions to all applicants, can lead to *de facto* inequality when designed and administered disregarding the unequal socio-economic conditions of RBS (discussed further in the *Situational Barriers* section) (Lambrechts, 2020). The targeted policy measures from the government, aimed to help individuals overcome these barriers are non-existent (and indeed many of these are issues are caused by government policies *against* forced migrants), leading to limited feasible options available to RBS and thus, the bounded agency. Universities are in a position to address this – for example, by introducing in-house assessments, allowing direct applications from RBS (a process many institutions make available for international applicants anyway), or by lobbying UCAS to waive the fees for RBS.

Relevantly, the financial issues related directly to study costs (post-application) and statutory and institutional funding options - as institutional barriers - are discussed next.

(iii) Financial Factors

Financial barriers are consistently cited in research in all national contexts (e.g., Anselme & Hands, 2010; Berg, 2018; Marcu, 2018; O'Connor et al., 2013; Parker, 2017; Shakya et al., 2010; Steinhardt & Eckhardt, 2017). This has been confirmed in this and other recent studies in England (Alberts & Atherton, 2017; Morrice & Sandri, 2018).

It was already mentioned above (*Informational Barriers*) that there seems to be a general *lack of understanding of the fee structure and financial support entitlements* amongst RBS. The student loans system in England is rather complex, and participants have noted that easily accessible, clear information online about the eligibility of applicants with different migration statuses and/or residency requirements is scarce (Lambrechts, 2020). The ‘experts’ to whom RBS may turn for advice seem also often not to be trained appropriately, turning them away without any advice, or worse still, having delivered misinformation – also already mentioned above.

Applicants still awaiting a decision on their asylum application (which can take a

decade or longer in some cases) are not eligible to access statutory funding in England. During that time, they also often face *unfavourable fee assessment* – most universities, following the national guidelines, treat them as ‘international students’, and as such require them to pay a higher level of the tuition fee. This is not always clearly communicated, as reported by Thomas (24):

I was accepted to study (...), unfortunately, the university considered me as an overseas student which meant I had to pay £13,000 (...). I did not know that I was going to be charged £13,000 in the beginning. I raised £3,500 on GoFundMe and got a charity contribution to make £6,500 (...) but this was just enough to get enrolled...”

Notably, however, thanks largely to campaigning by the Student Action for Refugees – a national network of student groups working to improve the lives of refugees in the UK – several English universities now classify those seeking asylum as ‘home’ students, and as such are charging them a lower fee for tuition.

In the summer of 2019 (thus not impacting data collection in this study but noteworthy nevertheless), this unfavourable fee assessment has been extended to those with Humanitarian Protection status. In the past, although those with HP status would have had to be a resident in the UK for three years before the start of their degree in order to access student loans, they could at least access university and be automatically considered as a ‘home’ student for fee assessment purposes. From 1 August 2019, following changes in the fee regulations by the Department for Education (England) new students have to meet the three years residence criteria first before qualifying for the home fee status, placing yet another barrier to access for those who may be otherwise able to begin their course (using own or fundraised funds). This had the potential to further increase the competition for the very limited number of scholarships available for RBS, which, for those who prefer not to wait for another three years to continue their education, would become the only route into HE (Lambrechts, 2020). However, in late March 2020, following a legal challenge to this recent regulatory change, the Department for Education has released a statement (via the UK Council for International Student Affairs - UKCISA website), saying that “the DfE considers that there should be no difference in the period of ordinary residence

required prior to the start of a course, as between those immigration statuses. The Department is considering how best to amend the 2017 regulations to remove any potentially discriminatory impact arising from the current rules.” (UKCISA, 2020).

In 2018/19 academic year, 48 universities in England offered fee waivers to a small number of RBS, 18 also offered partial maintenance costs, and 18 offered what they called ‘full’ maintenance support. These scholarships (still growing in numbers, in particular since 2015) are a positive action on the part of universities of course, but it must be noted that only those who have met all the entry criteria and were able to join the programme were necessarily benefiting from this support. As discussed in the *Procedural and Informational Factors* subsections above, costs *associated with the application and meeting of formal requirements* – replacement and translation of certificates from the country of origin and obtaining language qualification), and the *costs of moving out of publicly funded housing* and into university halls or privately rented housing, are unaffordable for many. The issues related to housing are further explored in the *Situational Barriers* section below (namely in the *Environmental and Geographical Factors* subsections). It must be noted here, that the costs of moving to a university town, coupled with (lack of) the availability of funded places effectively limit the choice of institutions available to RBS to those which offer scholarships and/or are in locations commutable from their place of residence (this last factor is shared with other low-income students who geographically restrict their applications to those institutions within commutable distance, as discussed in Mangan et al. (2010)). It indicates a lack of equality of choices – these choices are made on the ability to finance learning opportunities, instead of on academic ability, interests, institutional reputation, etc. as is the case for other applicants.

It was quite stressful to be honest, and also like not all of them covered the living expenses, so I would not be able to for example go to [location] if I got the scholarship because I would not be able to cover my living expenses so that one was - another thing I've had to think about.

(Freya)

Where scholarships were in place, there were certain aspects that the participants would like the institutions to consider. Here perhaps, it should be mentioned that most

of the participants (scholarship recipients) were very clear that they have never before shared these thoughts with their host institution. Aware of their relative privilege, when compared to those unable to get a scholarship, and mindful of not wanting to sound ungrateful, they reported not feeling comfortable to voice any concerns even when invited to provide ‘feedback’ by their institution. This highlights the need for including external bodies – and refugee community members themselves during the planning period, and external evaluation of any such programmes of support.

Firstly, and perhaps most importantly, participants strongly advised that universities engage in targeted outreach activities and improve advertisement of the opportunities created. This *lack of* widely available clear *information* has been already discussed above, in the *Informational Factors* subsection.

Secondly, it was raised that the *level of funding* made available needs to be carefully deliberated by universities. In 2018/19, only five of the 18 institutions offering ‘full’ maintenance support made this equivalent or slightly higher than the maximum maintenance loan amount available in England (for which domestic students with very low household income are eligible). Even this maximum loan amount has been reported to leave (home) students struggling financially. Many domestic students thus either work alongside their studies or rely on regular financial support from their parents (Antonucci, 2016; West et al., 2014). Neither of these options (for reasons discussed further below) is possible for majority of RBS (Lambrechts, 2020).

Other extra costs at university were sometimes difficult to manage such as the college fee on top of on-campus rent which is very expensive. Rent consumed most of the payment I was receiving and what I had left was just about enough for my living expenses.

(Ella)

The cost of course materials and living costs was a particularly salient barrier for those with dependants:

So, you live on £5 a day and that's just not working in any way. So, I think for a single person with no responsibilities it would work, which means there

would be student-poor(...) But once you add in children and a wife and everything else that comes with that, then it is a completely different case (...) when they [children] are going to theatre with the school and I have to find £8, £10, £15 for pantos, and ice-skating and all that - they are not asylum-seekers, they are children - so I have to do that, for them to go. But having to do that and travel and buy books and buy a computer (...) for my circumstances it would have made it really difficult. I would have had to be coming to university at 6 in the morning and go back at 10 at night, to catch the cheapest trains, just as an example.

(Zachary)

This must of course be carefully weight when considering the *number of funded places*. A majority of universities still do not have any specific scholarships for RBS, a fact of which the participants here were clearly very aware. This increases competition as – unlike for many domestic students applying for limited-availability scholarships to fund/support their studies, for many RBS it is *the only way* to access HE, which so many of them see as the only route into a better future:

While applying for scholarships I was aware I might not be accepted and competition is extremely high, I would have had to apply for the following academic year. As an asylum seeker I would not have been able to work, I was also 19 and therefore would not be able to access any other Level 3 courses without having to pay (...) My only option would have been to take up volunteering for a whole year and try to utilise and use my time well, but the application process and expecting the result is very daunting as it decides whether you can join university with the rest of students in your year group or not.

(Ella)

The third most discussed aspect, where the issue of high competitiveness of the funded places was mentioned again, was the application process itself. Participants noted that in absence of a broader scheme available, each institution they wanted to apply to had its individual process, forms and supporting documents required, and – as with other

information for RBS – that on *criteria for scholarship selection* were often reportedly “*unclear and not transparent*” (Freya) (Lambrechts, 2020):

This lack of information from the universities' side was quite daunting especially knowing how competitive the opportunity is. Most universities had scholarships for about 2-3 students each academic year and it wasn't very obvious what they were looking for aside from grades and personal statement.

(Ella)

Here too, unfortunately, lack of understanding of realities of the legal process and the life in the UK as an asylum seeker or a refugee amongst the university staff were clear:

I have applied for the actual scholarship. I wrote it down and I've sent it in. However, now they are asking me to go through the fee process that everyone else does. But I don't have like bank account, I don't have NI number because my passport is at the Home Office because I've applied for asylum and I have a lot of things with the Home Office. So, I don't have the details to provide them with. So, I'm at the dilemma with... they can't wait around on me, I can't ask them [the Home Office] for my stuff back. So, it's like just I'm stuck in the middle, what do I do you know...

(Laura, 20 years old, asylum seeker, applicant)

RBS applicants are unaware of how many others they may be up against to get the scholarship, something they have said they would value:

You can say – last year we've had these many applications for these many scholarships. So, everyone could think like how many chances they've got. So, I think it would be helpful to tell how many people have applied for you know the scholarships. When it comes to funding there will always be competition, but you kind of want to know where you stand.

(Freya)

They have also not received any *feedback on their unsuccessful scholarship applications*:

I was rejected by 3 universities for the scholarship but admitted onto the courses as an overseas student. One of the universities did not respond to my scholarship application and [location] accepted me.

(Ella)

I've had the bad result last year when I didn't get the scholarship and I didn't get any feedback at all. They've just said, 'you were unsuccessful', and you know, that's it, so I was just so disappointed. So, I couldn't like to find the reason in myself. OK, I could improve myself for next year maybe, so they didn't give me that kind of space to [know what to] do for next year.

(Freya)

Even though she became eventually successful, Freya felt unable to advise others on the application process, as she never received advice or feedback on her successful scholarship application either.

Finally, somewhat disturbingly, it transpired that universities in fact put roadblocks in a way of RBS access to HE, by *requiring the applicants* (for scholarships) *to make decisions regarding their institution choice* – which ultimately limit their chances to go to a university (Lambrechts, 2020):

(...) when you had to apply for the bursaries, the main condition was that you should have that university as your firm choice. So, [university 1] wanted me to have [university 1] as a firm choice, [university 2] wanted the same and [university 3] wanted the same. So, I basically had to weigh my chances out and go for a firm choice and apply for the scholarship to the one I was thinking I would [get].

(Freya)

Before turning to situational barriers, with which the financial factors and other institutional barriers are strongly connected, it must be once more pointed out, that there are still relatively few scholarships available to RBS in England, and thus, these can support access for a small number of individuals each year. As long as the

statutory funding remains restricted, in particular for asylum seekers and those with ‘less than refugee’ statuses, RBS capacity to access and participate in HE will remain bounded.

6.3.2 Situational Barriers

I have made several references to the *situational barriers* while describing those which can be classed as institutional ones above. In this section, these barriers which can be defined as those relating to broad circumstantial conditions the individuals find themselves in (Cross, 1981) are discussed in some further detail. It is crucial, that universities in particular move away from the traditional view of these issues as residing with the individual and placing the responsibility to overcome these ‘deficits’ upon them (Dench & Regan, 2000). Such a stance dismisses the impact of structural issues and the fact that these difficulties can be augmented by the lack of support and flexibility on the part of the HEI.

Within this second top-level category of barriers, several sub-categories have been identified: *newcomer*, *environmental*, *geographical*, *educational* and *uncertainty factors*. These are considered in turn, again with clear signposting incorporated throughout this section, to foreground how these issues interrelate and impact each other, and those discussed in other categories.

(i) *Newcomer Factors*

The first sub-category is that of newcomer factors. Notably, although labelled as such, these apply to many refugees living in England long term, not only the new arrivals. Regrettably, due to limited opportunities for integration, many long-term residents experience the same issues as refugees who have arrived more recently.

It was noted above (*Informational Factors*), that lack of timely, accessible information about the right to access HE and financial support are a major issue for RBS. HEIs may not see this as sitting within their remit, thus placing the responsibility on the RBS to exert agency and seek the information for themselves. However, developing an understanding of reasons behind these low levels of certainty about rights and entitlements, if followed by a relatively small time and financial investment in work

necessary to produce and disseminate dedicated online (and/or offline) information and guidance resources aimed at RBS, can have great returns in terms of improving equal access to HE opportunities for those with refugee background (and thus somewhat ‘unbounding’ RBS’ agency).

Generally, RBS *lack networks of supportive social relationships* upon their arrival in the UK – they do not get a choice of where to live and are usually moved around the country at least twice – first to a hostel, immediately after making their claim, and again after a few weeks, when they are ‘dispersed’ until such time when their claim is assessed (see also *Environmental Factors*). A majority of asylum seekers are dispersed to the poorest parts of the country – according to the analysis conducted by The Guardian (Lyons & Duncan, 2017), 57% of asylums seekers are accommodated in the poorest third of the UK:

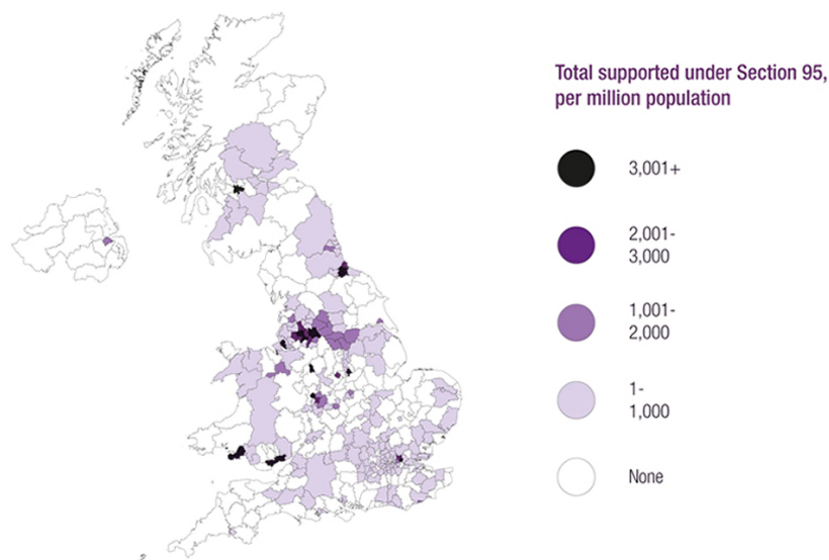


Figure 3. Asylum seekers in receipt of Section 95 support, by local authority, per million population, as at the end of 2016 (reproduced from: Home Office, 2017a)

Incidentally, these are also areas where even citizens are less likely to go on to HE (see Figure 4 overleaf).

Participants in this study reported that they live with other asylum seekers/refugees, they are unable to take up employment and even if they are able to volunteer locally, this is usually with other migrant communities. Thus, they *lack opportunities to integrate with citizens* – people who live, study, and work here and are somewhat more

familiar with the system, and who could provide guidance and support RBS' aspirations (Lambrechts, 2020).

The 'newcomer' effect can also be seen as impacting on, or inter-relating with *procedural factors* as discussed before – in particular the type of academic credentials and level of English language fluency required for admission (Lambrechts, 2020). Participants prior educational experiences were either deemed as insufficient in the English context, or not recognised in the absence of acceptable documentation. RBS, unlike other newcomers migrating to England to study, work or join family members, are unable to research the HE system and institutions, prepare financially, learn the language and obtain necessary qualifications prior to migration (Lambrechts, 2020).

POLAR3 map

POLAR3 is measured at the level of Census Area Statistics (CAS) ward for UK-domiciled students

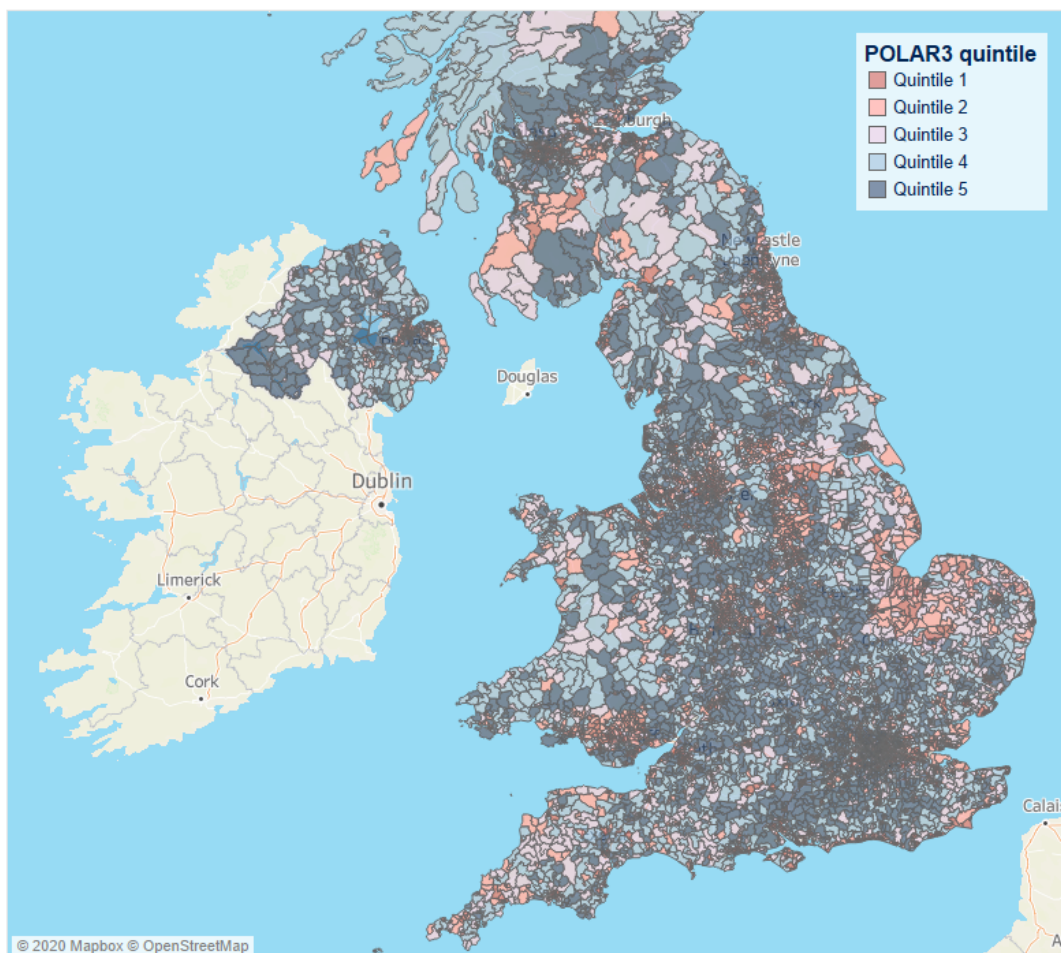


Figure 4. POLAR 3 map – UK-domiciled students' participation in HE by area (reproduced from: OfS, 2020). Red quintiles – 1 to 3 have the lowest participation rates

Even where they may have the necessary qualifications and skills, the reasons and ways in which they have had to leave their homes and countries have often prevented them from bringing relevant documentation, now required by universities in the host country. This was explained in clear terms by Zoe, who ran away from an abusive relationship, just to fall a victim of modern slavery, before eventually escaping almost two years later:

You know when you're running away from someone you don't actually have time to pack anything...

(ii) Environmental Factors

Financial concerns and difficulties - including the ability to pay for application fees (see *Procedural Factors* above), purchasing books, a laptop and other equipment, moving to a new location to attend the university or covering the costs of commuting (see also: *Financial Factors*) - are a factor common with many other groups in England (Universities UK, 2018b). However, some additional costs faced by RBS as discussed above (e.g., paying for replacement certificates, obtaining language qualifications), and their particular economic stance, mean that the financial problems they face are particularly pronounced (Lambrechts, 2020).

As explained in Chapter Three above (see ss. 3.4.2.i), the relative levels of *poverty* experienced by asylum seekers and refugees in England often exceed those experienced by other marginalised groups. This is a direct consequence of negative anti-migrant policies implemented by successive governments since 1999, but in particular since 2010. Removal from the mainstream welfare system and placing of asylum seekers on NASS support - providing accommodation and weekly personal allowance of only £5.39 per day (Gov.uk, n.d.) means that majority of RBS will face difficulties in fulfilling their most basic needs, as reported by several participants in this study too. For many, the levels of disposable income are further affected by the responsibility for supporting families back home and/or looking after dependents in England.

As in another recent study (Bowen, 2014), several participants here have also described their frustration with the current *restrictions on employment* faced by asylum seekers in particular. They are not permitted to work while waiting for a decision on their asylum application unless they have not received an initial decision on their application for more than 12 months and have been granted a special permit to work. Such permits can only be obtained if the job is included on the list of occupations with a shortage of workers (Home Office, 2016), including roles in teaching, science, healthcare, IT, and engineering – a majority of which generally require a degree level qualification. Although those with recognised status have a *prima facie* permission to work, *unemployment* rates amongst refugees are much higher when compared to the UK-born population (49% vs 27% in 2017, as reported by Kone et al. (2019)).

One participant explained that he cannot find a job despite receiving help from the local services, and he will need to rely completely on the student loan to cover his costs of living, as his parents too currently remain unemployed:

We live with our parents and they both did civil engineering back in Syria and used to run their private consulting firm with few other engineers. My mum is fluent in English and my dad is at upper intermediate level. They're both currently jobseekers, trying to get back to work through internships and training schemes.

(Oscar)

Not being able to work alongside their studies, or prior to starting the degree, to build up savings, means that in the absence of access to statutory funding asylum seekers in particular, have to rely exclusively on the limited opportunities created by universities and third sector organisations offering scholarships. Such scholarships, however, rarely cover *accommodation costs* specifically and in full.

For those who manage to secure a place at a university, finding suitable accommodation might be an additional issue. Indeed, for RBS and all other students in England who cannot commute from their home address (see also *Geographical Factors* below), the cost of housing is the second-highest expense after that of tuition

fees. Students with refugee status, accessing university under the same rights as citizens, will have to leave their social housing as full-time students are generally not eligible to receive Housing Benefits unless they have a disability or are responsible for children. Asylum seekers face yet another layer of difficulty: accommodation provided under NASS in England is offered under an overriding principle of allocation on a 'no-choice basis', mostly in areas of lower housing demand and low housing costs (see also *Newcomer Factors* above). Although they can request transfers to accommodation in a different location, according to Home Office regulations, such requests are only likely to be considered in exceptional circumstances and requests due to moving to university would normally be refused under the current guidance (2017). Thus, just like those with refugee status (and some other students who live in social housing), asylum seekers will have to move out of their publicly funded accommodation and move to a private sector or into campus housing (Lambrechts, 2020). This is yet another example of where targeted, restrictive policy measures from the government lead to a bounded agency of RBS who cannot continue to rely on statutory support if they wish to study away from their current place of residence (as arranged by the Home Office). This limits opportunities and options available to RBS, in ways unequal to most other applicants/ students.

Under current regulations (Immigration Act 2014 which was amended by the Immigration Act 2016, and the Immigration (Residential Accommodation) (Prescribed Requirements and Codes of Practice) Order 2014), however, asylum seekers in England *do not have an automatic 'right to rent'*. Ella recounted:

As an asylum-seeking student, I could not rent or live in a private student accommodation outside campus. All agencies and landlords are legally required to ask for passport/visa information from students to ensure they are legally eligible to rent. I was not eligible and therefore had no choice but to live on campus (...).

Actually, asylum seekers like Ella can rent a property if landlords obtain a Positive Right to Rent Certificate by contacting the Landlord Checking Service, but because of this burden the scheme places on the landlords, finding one who is willing to take them on as tenants can prove difficult. This appears to not be a common knowledge

amongst asylum seekers, and it does not appear to be something that universities provide information about, even to their scholarship holders – presumably, because they are also unaware of this specific issue affecting RBS (see also *Information Factors* above) (Lambrechts, 2020).

Campus accommodation is usually relatively easy to secure, in particular in the first year of undergraduate study, although students often are only ‘guaranteed’ a room on campus in that first year, with limited availability of rooms for returning students – an issue that must be reconsidered for RBS given the restrictions on access to private sector accommodation. Unfortunately, the *cost of rent on campus* is generally above those in the local area, and can account for as much as 73% of the maximum student loan amount (NUS and Unipol, 2018). Thus, RBS’ reliance on university accommodation may result in them potentially becoming destitute, whether they receive a student loan or a scholarship because of the abovementioned restrictions on employment.

(iii) Geographical Factors

As noted by White and Lee (2019), distance as a barrier to HE access is an issue disregarded until now by WP policies in England and the universities themselves. In their study, which controls for SES and population density, the authors have found that distance from HEI does indeed have a negative association with enrolment in England. This complements similar previous findings in Australia, Canada, Germany, and the US (Frenette, 2004; Parker et al., 2016; Spiess & Wrohlich, 2010; Turley, 2009). The physical location of the university in relation to their current place of residence was also an issue for RBS participants in this study. As with other groups of students, the *financial transactional costs* and *social costs* are key to explaining this association.

Financial transactional costs relate to the *cost of relocation and travel* back to see family or use facilities such as washing machines etc. for students who choose to study away from home – a choice which is harder to make for students from lower SES backgrounds (Frenette, 2004; Parker et al., 2016, as cited in White and Lee, 2019), including RBS, who will face difficulties in covering these necessary costs. For those who remain at home while they complete their studies, the *commuting costs* – higher,

the further the university is located away from their home - are a major consideration, influencing both the decision to apply to a university at all and choosing which HEIs to apply to. The difficulties in funding accommodation and travel faced by RBS participants in this study have been already explored in some detail both in the *Environmental Factors* and *Financial Factors* subsections above. Before turning to discuss the social costs which were particularly important here, however, it is worth noting that in countries where all students are entitled to free rail travel (e.g., the Netherlands) or where financial support includes support for relocation costs (e.g., Germany), the association between distance and HE attendance is not observed at all (Sá et al., 2006), or the connexion between household income and distance is less prominent (Spiess & Wrohlich, 2010). This suggests that support of relocation costs, housing and/or travel costs should perhaps be considered by universities offering funded places for RBS, as means of further equalising access.

Second to consider are the *social costs*. White and Lee (2019) discuss previous research which indicate that some students in the UK choose to stay home because they value parental support and wish to avoid homesickness (Christie, 2005, cited in White and Lee, 2019), and further, that those from lower SES background (in England) in particular, are more likely to remain at home for the duration of their studies, because of their positive connection with their local area and stronger regional identity (Brooks, 2002, cited in White and Lee, 2019). For RBS taking part in this study, the social costs to consider were substantial, although rather different.

For some, the key factor was just *not wanting to move yet again*, after being forced to relocate multiple times since arriving in England:

I haven't been long enough in [city] to say I want to change it. Because really, it has only been about two years. I got my status somewhere else, other than [city], different city. I moved to [city] so I've been here for about two years, and another three years it is going to be five years, I think it's going to be fine.

(Mark)

We arrived; we were living in [city A] (...). We moved from there, we've moved to [city B]. From [city B] we were moved by the Home Office now to [city C] hostel, and then from there we were moved to a town called [city D], then we

moved from [city D] to [city E], so... You start thinking - I don't want, this is too much.

(Zachary)

For Zachary, this was also related to *availability of networks of support* in his current location for himself and his family:

(...) my wife is getting excellent support with her own development and education, she has a set of friends there, which is important for me because I can't develop if she doesn't have her own friends and networks (...).

And perceived *difficulties in re-establishing these networks* in the new location.

I was concerned about (...) getting to know people (...) in a new area.

(Mark)

Three participants who lived with their parents before starting their course also had to consider their *ability to continue supporting their parents* while studying:

I'm still (...) linked to them [my parents] and I need to go and help them (...) with like general stuff that they can't do because of their limited English.

(Freya)

While these issues mostly transpired before enrolment, influencing application decisions, geographical factors were cited again in relation to continuation of study and compliance with immigration rules, and enjoyment of student life. Ella spoke about others she knows who were in the same situation as her “*but had to report to the nearest reporting centre regularly as part of their asylum claim and were not sure how to go about it as the centre is far away from university*”. She further noted that issues like this, and non-participation or lack of engagement in university life by RBS “*due to language barriers*” but also due to “*living off campus*”, “*may limit or reduce the quality of their time as students at the university*”. Her suggestion for supporting students in such circumstances was to ensure that “*a personal mentor/point of contact*” is available and known to all RBS (see also *Informational Barriers* above).

(iv) *Educational Factors*

As discussed above in the *Procedural Factors* subsection, the level and type of credentials required for enrolment pose a key challenge for RBS. While some are unable to present documents to confirm prior qualifications, others, despite having the qualifications, are forced to re-do them due to *gaps in their educational histories* (experienced by almost all of the participants in this study):

So, when I asked what the qualification that I'll need they told me that even though I've done GCSE and I've done university I still have [to retake GCSEs] because it's like I'm starting over. It's been years and I still have to do my GCSE again because I don't have any paperwork.

(Zoe)

These qualifications unfortunately, are rarely free. Those with recognised refugee status can, like citizens, access training with concessionary rates if they are unemployed and in receipt of income-based benefits, or if they are employed but aged 19-23, studying for first full level 2 or 3 qualifications, or aged 24 and over and studying for GCSE Maths or English. However, although colleges should also offer fee remissions or at least concessionary rates for asylum seekers under NASS, there is a delay of 6 months before they can access this (see also *Time Factors* below). Participants in this study (both those with and without refugee status) reported that colleges are not always clear about their eligibility for concessions. It should be noted that the even the concessionary rates (where fees are not fully remitted) can be too high in view of the low-income support available to RBS (Lambrechts, 2020) – yet another example of limited policy measure, only in theory put in place to help RBS overcome the barriers to learning. Jack (42) for example, was able to pay for his ESOL classes for year and a half, but explained how the fees and lack of access to financial support prohibited him from undertaking further study, until he was granted the refugee status:

[B]efore, I think, all these courses were free for asylum seekers, but when I've moved here, they've changed the system, now you need to pay. So, without money,

without loans and with the little financial support given to me to survive a week I was not able to [take any other courses].

More difficult still, besides the academic qualifications, can be meeting of university *language proficiency conditions*. Most universities in England require minimum (IELTS) scores between 5.5 and 7.0 (or equivalent scores for the other examinations accepted), equivalent to level B2 – C1 under the Common European Framework of Reference (see also *Procedural Factors* above). Although asylum seekers and unemployed refugees can attend funded English language courses in England – ESOL, their access to these opportunities is often delayed. Asylum seekers become eligible only six months after submitting the immigration application, and places are not always readily available in colleges which are main providers of these lessons. A 2014 survey of ESOL providers carried out by the National Association for Teaching English and other Community Languages to Adults, revealed that 80% of providers have waiting lists of up to 1,000 students. Some 66% of providers blamed reduced government funding (NATECLA, 2014). The insufficient ESOL provision was already mentioned by Houghton and Morrice, back in 2008. Since then, the ESOL provision in England has been further defunded, with budgets more than halved from £203 million in the year following their study (2009/10 academic year) to £105 million in 2016/17 (Bolton, 2018). The *delays and shortages of provision* are a source of frustration for participants stuck in a limbo, unable to work, study, or even learn the language for six months or longer (Lambrechts, 2020):

I went to [college] and they told me just to wait [for] six months. That was the first time. And the second time when I went to them (...) they said [to wait] 20 days and after that you come for assessment and we will know what level are you. And after that we will tell you when your studies will start. And they said that probably it will start in September. And this is a long time to spend, like one year, without any studies in the country.

(James)

In any case, although the ESOL courses can, in theory, take learners to the required level of proficiency, the provision *actually* available is that at lower, entry level, as described by Freya: “*They are only concerned about [teaching] the minimum*

[language skills], *like going to the shops or meeting a GP, these kinds of thing*". A survey by Refugee Action in 2017 found that two thirds of ESOL providers felt not just the amount but also quality of the classes they could offer was now inadequate (Refugee Action, 2017). Indeed, participants in this study reported only very limited ESOL training available to develop higher level language skills, necessary to pass IELTS (or other accepted) examinations. Those who were able to take part in such training, either paid for it themselves (like Jack cited above) or accessed it via third sector organisations - several participants reported to have attended IELTS preparation courses either run by community organisations or privately-run specialist language courses funded on a case-by-case basis by the charity:

(...) it is so sad when you hear oh, you can't go to college because there is no funding. I've heard this when I was in the first year when I went. It was like – how can I pay for my course when I get £5 per day. I literally was trying to fight against this. Luckily, there was a charity which was helping, and I've asked them, can you please pay for my [course]. And they've said, yes, we can pay for it. But it was just me who got paid because there was no funding.

(Freya)

The extent of the support indicates that there is a demand for such high-level language courses, and points to failures in state provision in this area, despite its claims to the contrary (Lambrechts, 2020).

(v) Uncertainty Factors

All of the above-discussed issues were further linked to what I have labelled – for a lack of a better term – the ‘uncertainty factors’. The lives of refugees, and in particular those without a recognised status are filled with insecurities and (entirely founded) feelings of lack of control of their own lives. These are caused by hostile government policies, some of which have been discussed above, and by the process of making an asylum application itself. Some such uncertainties discussed by participants in this study related to *housing* (for an overview of how these are connected to *Informational, Financial, Environmental and Geographical Factors* see above):

Accommodation wise, I live in my friend's house and I do not know how long he can support me until.

(Thomas)

Others related directly to *RBS' right to access higher education*:

And now the rules have changed again (...). And a lot of people are getting suspended - who are asylum-seekers - or learn that they are being let go. Because the laws from the Home Office have been updated so they don't fall in the criteria anymore. So, even though you may fall under the criteria [to be able to access HE and get a scholarship] one year, next year you may not (...). It's not your fault, they just keep updating [the law].

(Laura)

Laura commented here on the restrictions on many asylum seekers' right to study brought about by the Immigration Act 2016, which created a new regime of 'immigration bail', giving powers to the Home Office to impose various restrictions on asylum seekers. The imposition of study restrictions became widespread from January 2018, when the relevant provisions came into force, affecting 12,642 individuals by the end of May 2018 (Baron, 2019). Fortunately, following a series of successful legal challenges, media attention, and lobbying by various organisations, including STAR, the Home Office altered its policy in May 2018, leading to an investigation and subsequent removal of the condition where it had been applied erroneously. In the meantime, however, many asylum-seeking students, including those on full scholarships, were forced to suspend their studies – yet another delay in getting their education.

This “battle over study restrictions” as noted by Baron, “shows how statutory powers, granted for a specific and restricted purpose, can be misused by a government whose policies make life very difficult” for those seeking refuge in England (2019). She suggests that third sector organisations, politicians, and the media have an important role in monitoring the ways in which executive powers are used to prevent unjustified limitations on asylum seekers' rights and freedoms. I would argue that this duty should be extended to universities which have a relative degree of

freedom, in particular in cases like this, where such misuse of statutory powers leads to a bounded agency of RBS, to exercise their right to access or continue learning in HE.

The biggest uncertainty, however, is of course that related to the *immigration status* itself and the consequent permission to remain in England. This was previously noted by Stevenson and Willott (2007), in their study with 16-20-year-olds, who feared that they may not be able to complete a university course if their asylum application is rejected half-way through the course. Although this uncertainty does not go away for those enrolled (and in fact affects RBS ability to fully participate in all the parts of university life), participants in this study reported that being at university affords them at least some stability:

This kind of pressure all the time - you don't know what's going to happen, you know, each day. So, you are kind of still somehow in a limbo. It's not as uncertain as before because you are doing something full-time, but still you haven't got that security and that peace in yourself, so you can't enjoy it 100%, the whole thing.

(Freya)

Unfortunately, those uncertainties can affect some RBS belief in their ability to access and complete a degree, which is further discussed alongside other factors in the next section below.

6.3.3 Dispositional Barriers

Dispositional barriers are generally not discussed in the existing literature, most likely because most studies focus on the experiences of current HE students. The participants in this research have either been already enrolled on a course or have self-identified as wanting to study at HE level and thus the dispositional barriers – that is those relating to the attitudes, perceptions, and expectations of RBS as potential learners (Cross, 1981) – are less pronounced in their accounts than the institutional and situational ones. Nevertheless, they are present, and they are, in fact, very clearly associated with the institutional barriers in particular. They affect some individuals'

decisions to delay application to university (indeed, dispositional barriers have been cited here only by those not yet at a university), and as such should be considered by institutions wishing to offer equal access to HE opportunities.

Within this third top-level category of barriers, two sub-categories have been identified: *time factors* and *mindset factors*. These are again considered in turn, with clear signposting incorporated throughout, to foreground how these issues interrelate and impact each other, and those discussed in previous sections.

(i) *Time Factors*

Besides the issues discussed already in the previous sections, a central finding emerging from accounts of those participants who have not been enrolled and have not yet applied to a university at the time of the interview was the lack of time.

RBS have already experienced gaps in educational histories (see *Educational Factors* above) caused by circumstances in their home countries, lack of opportunities in the first country of asylum or other residence (as some participants have lived in a third country before coming to England), and the delay of a migration journey itself. Thus, several participants expressed their utter frustration at *further delays* they are experiencing now. The waiting times to access English language provision were examined above (*Educational Factors*). These delays, however, apply also to other qualifications required for entry, where applicants are not able to produce documentation confirming prior study, or where their prior qualifications are deemed as insufficient (see also *Procedural Factors*). This was firstly discussed in relation to the waiting times experienced by those who arrive or receive status mid-academic year (confirming previous findings in Gateley, 2015). Secondly, it was mentioned in relation to the half-a-year delay as prescribed by law, with asylum seekers treated as home students in further education only after they have been waiting for a Home Office decision for more than six months:

(...) we need to have six months in this country before we have a chance to get the place in the college so, it's difficult for people who would like to go and are rushing to get no lost time.

(George)

Indeed, this notion of not wanting to ‘waste more time’ on redoing qualifications (which can take from a few months to a few years) was put forward by several participants, in particular, those who would be considered as ‘mature’ entrants, who said they are ‘too old’ to be starting from scratch:

(...) I don't want to waste one year again just for an entry level like a GCSE that I got since... I know these things for long, so I don't want to waste this time to go to college, just to go... and [I] just [want to] improve my qualification and gain a lot of time.

(George)

Yes, we did talk with [support worker] here and still they've just said that I would have to go back to [college]... Like to study English and math from entry. Which is... I've already completed that - I was in high school back in [home country]. I did complete that. (...) I cannot go down [that route], I'll get stuck for three years before I get into level one.

(Charlie)

Some of the participants suggested that universities should employ contextual admissions, adjusting entry requirements of RBS to help them recover some of the time lost:

I think they [the universities] need to understand what it is that asylum seekers have and can provide and (...) change their ways to help them (...) take an individual approach. Firstly, educate themselves about the different legal statuses and paperwork, but also make these decisions individually and not just as a tick box - oh, you don't meet this requirement so...

(Laura)

For people also that they have a different background, maybe they went to university in their country they should be more easily accepted to attend (...)

(George)

Others admitted that they are perhaps not ready to start a degree straight away but seemed much more positive about taking the access course or the foundation year route (where they could take part for free or could get funding from a charity or the provider if they did not qualify for the free space or the student loan), as it takes only a year of intense study, at a level similar to that of a degree programme.

Two participants suggested that they “*would definitely benefit from [a specialist preparatory] programme*” (Thomas) (discussed in some further detail in section 6.6. below), which they believed would also equip them with skills necessary to succeed at a university – “*I would like to first learn how to study and then go to university. That’s what I would like to do*” (Freddie).

Other time-related issues discussed were related to conflicting demands – work, managing the asylum application process, or caring responsibilities. Caring for children can be linked to other previously discussed issues, namely the *financial* and *newcomer factors* – one participant was not able to access HE at the time of the interview because she was caring for a small child as a lone parent. Having only recently been moved to a new city she lacked a network of support, which paired with limited finances meant she could not access any formal or informal form of childcare. She decided to delay her entry until her child was able to start school the following year.

(ii) *Mindset Factors*

In some cases, the decision to delay application was also related to participants’ *lack of confidence and self-belief*, for example, in their ability to find the necessary information to gain admission. This is linked to the *informational factors* cited above, and the *newcomer factors*. Participants feared that because they do not know the system, they need someone with that knowledge to advise them, so they do not miss opportunities or waste any more precious time by taking the wrong pathway in:

(...) they don't have any courses about it. No one has given me any information about this. I don't know the system. The education system. And also, the financial system. And I need somebody to give me like advice. If I got course - it's better for me to know what are my steps from beginning up to the end.

(James)

This lack of confidence was sometimes attributable to prior experiences of trying to get advice and guidance and facing either lack of relevant expertise (for example in college) or misinformation. For one participant, this could be traced back to his experience in a local college, where he believed his abilities were misjudged by admissions tutor who he felt was biased. Charlie believed he was advised to start ESOL classes from an entry-level because of his appearance (as a Black African man), despite speaking English as his first language. This experience caused him upset, which he wanted to avoid when seeking admission to a university:

I don't know how to get to uni[versity] because of what I've already experienced in [city]. I mean [getting into] college it's a little, it's a little bit of pressure [difficulty] already. So, what about when you try to go to uni[versity] meaning that the pressure would be more than getting into college. That's what I have, what I've been thinking. And it has brought me to... I just dropped my dream. My dream of going back to school is broken and I don't know how to get back on with it...

(Charlie)

Lack of encouragement – or indeed discouragement can further affect the confidence of RBS and deter them from applying to university, as noted by one participant:

Some of it might be that they stopped to believe that they can do something, that they can learn because of lack of encouragement and all those things.

(George)

Discouragement can come from many directions. Stevenson and Willott (2007) cited low expectations in schools and lack of outreach from universities themselves. In this study, one participant reported discouragement from a family member – he said that his mother thinks he should “*work rather than study*” so that he can support his family financially:

And the reason why she is asking me - she asked me to bring my wife here [to the UK]. And I've said I'm studying. She said alright, so there is a relation between your studying and not being able to bring your wife [t]here.

(Mark)

Other participants noted that the discouragement sometimes comes from the government, through the Department of Work and Pensions, which operates Jobcentres:

(...) when they [refugees] go there [to the Jobcentre], they sent you to work, say first to find work.

(Jack)

(...) every two weeks I should take you to a Jobcentre to sign. But (...) they try to push me or as I heard from other others - to find any job. Doesn't matter if in my field or not but they try to push me to find any job. (...) I think - in my opinion - that is to stop them to continue their education. Because if they push them, they try to find a job and they will stop going to the university or to get high level of education.

(Elizabeth)

This particular participant holds a UK doctorate degree in engineering yet was encouraged to take on a cleaning job rather than try to pursue her ambition to work in the industry or earn a teaching qualification.

Finally, the confidence in being able to join a course at all was affected where participants experienced delays (see also *Time Factors* above) and disappointment before. Laura who spent most of her school years in England, unaware of her asylum seeker status until the last year of school, recalled:

(...) when I've learned that I can't even go to university my grades started to drop and it affected my confidence - like, this is not even [going to] work, what's the point kind of a thing. So that affected me in a way. At that point no university - I didn't know anyone who did scholarships - so I think that's when I've realised that I'm not 'normal' and my ideas were broken (...)

She did not hear about scholarships for RBS until two years after completing her A-levels. At that point, however, her confidence was shaken:

I've had dreams before, I think I have been sitting around for too long and they kind of faded away, I guess...

(Laura)

Yet, despite the adversity, she declared that she is “*not giving up, (...) [and] still applying*”.

It is clear, that if any interventions aimed at engaging RBS in HE learning are to succeed, dispositional barriers – some created by past institutional practices, need to be addressed by universities, colleges, and NGOs working with the potential learners, alongside the wider institutional and situational barriers.

6.3.4 Academic Barriers

The last group of barriers reported by participants in this study can be labelled as *academic barriers*, that is those which relate to skills essential to successfully participate in learning at HE level (Potter & Alderman, 1992). Issues identified in this study can be broadly divided into *language competency* and *academic literacy factors* – although there is some overlap between the two.

While self-confidence in these competencies can affect individual’s decision to delay entry into HE (see *Dispositional Barriers* above), lack of familiarity with writing conventions can make preparing of the personal statement to support university application harder (see also *Procedural Factors*), and low language proficiency may prevent access altogether (see *Procedural* and *Educational Factors*), even if individuals manage to overcome these hurdles, they may struggle with their studies once they begin their degree. While this is not an issue unique to RBS, the reasons why they may be less likely to access any existing institutional support are described below.

(i) *Language Competence Factors*

Insufficient language skills and *lack of institutional support* available have been widely reported both in the UK and in other national contexts (Bowen, 2014; Harris & Marlowe, 2011; Hirano, 2014; Houghton & Morrice, 2008; Naidoo et al., 2015b; Olliff, 2010; Stevenson & Baker, 2018; Stevenson & Willott, 2009; Watkins et al., 2012). In England, particularly problematic are the accepted forms of proof of English language proficiency, necessary for entry, which require applicants to spend significant amounts of time and money (see *Procedural Factors* above). Asylum seeker applicants have to meet the same language competency requirements as international students. International applicants, however, would generally be offered to join a pre-sessional English language course which provides them with the level of English needed to meet the conditions of their university offer, should they miss their main programme overall entry requirements test scores (instead of having to re-sit the test). These courses are however rather costly – for example, in my own institution, at the University of York, the shortest qualifying 10-week course in the summer of 2020 has a tuition fee of £3,120. Such rates are beyond reach for most asylum seekers (see *Environmental Factors* above for an explanation of the financial circumstances of those under NASS). Those with refugee status, treated as ‘home’ applicants can avoid the costs of IELTS (or equivalent), but may be required to obtain a GSCE in English instead. Courses leading to GSCE take around nine months and generally begin in September only. Further, these courses, or examination which can be taken without following the course, are not always free to refugees, as described in the *Procedural Factors* subsection above.

Crucially, however, language problems do not end on enrolment. As discussed by Stevenson and Baker (2018), universities erroneously conflate language and literacy. While RBS may develop general proficiency in English as required for entry, some – in particular those with under-developed literacy proficiency in their home language – may take longer to develop the formal patterns of language use necessary for both reading and writing in academic contexts. Several participants in this study believed that they do (or will) need additional language *and* writing support whilst on the course:

I think the help I may need when I get to the university is language. Anybody may be able to help me when I go to university - like offering a one-to-one tuition (...), they may be able to offer it to you, because, you know, a native speaker can spend an hour to read an essay. I may need two - three hours to read and write again. He may need or she may need another hour, and I may need three - four hours to write it. So yeah, this kind of support can help me to develop, or to catch-up with them.

(Mark)

Although most universities now offer some language support and writing support services, these are typically promoted predominantly to international students. As asylum-seeking students on scholarships and those with refugee status are commonly regarded as domestic/home students, their language needs (shared more with other international students than domestic students) are not considered by host institutions:

I don't know how best to [improve access to the writing centre], but that's more for international students' issue, as opposed to asylum seeker issue if you get me. Because not only am I an asylum-seeker, I'm an international student. So, there are international student issues that need to be sorted out.

(Zachary)

Even where such services are promoted to all students, not all RBS are aware of these, for example, because they have not attended induction sessions (see *Informational Factors* above), or they may struggle to book a session with an overrun service.

On one occasion a participant (current student) mentioned another RBS scholarship recipient who, despite meeting the university entry criteria, “*had some setbacks with English language as it wasn't his main language, and he didn't understand it very much*” (Peter). That student ended up accessing language support in another local university, rather than in his home institution. As noted by Potter (2016) in relation to mature adult learners (many RBS can also be classified as such), pointing to resources is not always enough – specially designed induction, preparatory programmes, and guidance from a knowledgeable ‘guide’ (the previously mentioned point of contact) are necessary to ensure that RBS are not left on their own, learning

from mistakes and jeopardizing their chances of success. If this other institution did not step in to support the said student, he might have struggled for longer or failed completely in this endeavour to complete his degree. This can be seen as a particularly regrettable outcome, where a university has supported someone to access HE but did not do enough to ensure they can effectively participate and eventually succeed in their studies.

(ii) *Academic Literacy Factors*

Developing academic literacies, necessary to become a part of an academic community (Brown & Shank, 2013) is affected not only by language issues as discussed above. Learning how to take notes and complete exam papers, how to find reliable sources of knowledge, how to read and assess research evidence critically and write in a discipline-specific academic context, is an issue faced by many students in transition to HE, including the domestic/home students. The difficulties faced by RBS may be related to their educational background, as noted by Ella:

(...) adjusting to the academic level required at university in first year was a bit difficult especially coming from a vocational course background.

This is common with other students from low SES backgrounds and racial/ethnic minorities – Black young people and those from white working-class backgrounds are more likely to access university in England with vocational (Btec) qualifications rather than traditional academic (A-levels) qualifications (Gicheva & Petrie, 2018). Conversely, as noted by Porter (2018), academic literacy is specific to academic discipline, and as such cannot be acquired outside of the community in which it is used (suggesting that it cannot be learnt in any school/college where teachers are not members of that particular discursive community, and thus, it must be learnt in a university).

For some participants, who may have acquired the necessary skills through their prior HE experiences, significant time laps appeared to diminish their value (gaps in educational history were discussed in the *Educational Factors* subsection above – these gaps are also an issue for mature students):

It's alright. I mean first term wasn't really intensive. This term is getting more intensive. But I'm kind of getting back on track because I've had like a five years gap now, no, three years since my university. So, I now need to get back to the reality of being a full-time student.

(Freya)

For others, the variances in pedagogies, academic delivery styles and academic writing conventions in different parts of the world (a potential problem for other migrant students too) reduced the usefulness of previously acquired skills in the current context:

I come from a different way of writing, which is project based and forecasting and graphs and all that (...) articles and reports are different from you know, assignments.

(Zachary)

Indeed, this academic unpreparedness and lack of familiarity with teaching, learning and assessment styles used in host country universities were discussed as a major issue impacting effective participation of RBS in a number of national (Western) contexts (Berg, 2018; Houghton & Morrice, 2008; Joyce et al., 2010; Lenette & Ingamells, 2013; Morrice, 2013; Naidoo et al., 2015b; Stevenson & Willott, 2009). While these issues are troublesome for many other students, as noted above, it can be argued that they are particularly pronounced for RBS, unfamiliar with our educational system and academic conventions, and unable to prepare/learn about these in advance as going to a university in England (or another destination state) is usually not a part of some greater plan when they leave their homes and countries due to persecution.

Today many HE institutions in England offer a blend of centralised provision (writing centres as mentioned above) and curriculum-integrated, context-relevant development of academic literacy (Calvo et al., 2020; Purser et al., 2008) to support all of their students. Additional strategies, however, have been suggested to support RBS specifically, in two studies in America (Hirano, 2014; Hoff, 2020):

Firstly, the role of faculty staff was acknowledged – one-to-one opportunities to clarify the course or assignment expectations, and opportunities to submit drafts and use feedback to improve coursework before final submission – or an opportunity to resubmit a failed paper after feedback, were used by RBS in both studies. In this current research, participants noted that their lecturers do not always know of their circumstances or understand how these may affect their studies. Some participants were wary of asking for “*special treatment*”, believing that if other students “*cannot access [it] because they're not asylum [seekers] and they are not refugees (...) it might start dividing the students (...)*” (Laura) or indeed, they worried about discrimination from the teaching staff themselves. Others, however, said that they would appreciate if someone explained their situation to their lecturers, who would possibly then be opened to meet them individually to explain the assessment requirements in perhaps more accessible ways, or would offer them additional time for submission where necessary.

Secondly, in both studies cited above, an academic coach/writing tutor was employed by the university, to support the RBS specifically. While Hirano (2014) reported limited benefits of this arrangement, she attributed this to the relative lack of experience of the tutor (a first year UG student) when compared with the writing centre tutors to which RBS ended up using more often, and tutor’s occasional lack of availability associated with own study commitments. Hoff (2020) on the other hand, noted that in the institution she worked with, the coach was also responsible for the enrolment of refugee students, and so he was also the first point of contact for them. He had a refugee background himself, which strengthened his relationship with the students, and shared linguistic background with some of the participants, and thus was able to help translate for them when needed. He was thus able to support RBS in both non-academic and academic ways. No specialist individual support was cited by participants in this study, although as noted in the previous subsection (*Language Factors*), one prospective student suggested that he would benefit from one-to-one tutor support with his written work.

Finally, the role of social networks, both with the other RBS in the institution and with peers on the same courses were acknowledged. Participants in both studies were said they ‘strategically lean’ on these social networks to help interpret expectations and

proofread pieces of work before submission (Hirano, 2014; Hoff, 2020). Although participants in this study (current students) were usually aware of other RBS scholarship holders in their institution, they did not always know each other. They did, however, generally reported to have made friends who support them – including in their studies.

6.4.5 Summary

The findings discussed here were important to the study because they explain why, from the perspective of those affected, RBS remain an underrepresented group in universities in England. Uniquely, this included exploration of the perceptions and lived experiences of those who are of university age, express ambitions to study at HE level, but have so far been unable to overcome the many barriers to access. The study was able to identify and present both aspects related to structural factors and those which can be regarded as relating to or residing within the individual. It was depicted, how these factors relate to each other, and how, from the perspective of RBS, they cannot be effectively addressed in a way which will allow for a systematic change, without the understanding of these relations.

Indeed, the key implication from this part of the study is that, in the absence of policy-level action, universities in England must better consider what they can do to better promote HE opportunities to refugee communities, and how to amend or adapt their admissions processes, and build suitable programmes of (financial and other) support to ensure *equitable* access for RBS. To this end, they must commit to working with the third sector and community organisations, further education colleges and schools, but arguably, they must also take an active role in lobbying the government for improved HE opportunities for RBS. Another implication also recognises the importance of ongoing support of RBS, both those who enter on scholarship programmes and those who access universities via different routes – both before entry, during transition, and throughout their studies. This is particularly important as RBS may not *seek* additional support as they are acutely aware of how the label of refugee or asylum seeker still carries a significant stigma in England.

The next section of this chapter discusses, for comparative purposes, the barriers to HE access and participation as experienced by RBS in Poland.

6.4 Findings: Barriers to Access and Participation in Poland

As has been acknowledged already, the two datasets are not strictly speaking comparable – due to much smaller sample size (with only three participants) and more limited participant profile (male participants only, all already studying – and all at the same institution) in Poland. The small number of RBS enrolled in Poland (there were only 30 RBS in 81/125 public institutions in a 5-year period before the study – see Chapter Five above) make the sample size of RBS *in HE somewhat* representative, and thus, *adequate* for our comparative purposes. However, without exploring the perspectives of those who found the barriers to HE access so far insurmountable, we cannot speak with any certainty about the *absence* of barriers. As noted above, in England, some barriers were exclusively discussed by non-participants only. Indeed, as investigated in Chapter Five, RBS seem underrepresented in Polish HE, and thus by logic, there must be some explanation of this apparent underrepresentation. It can be argued that either there exist some barriers which most of RBS find impossible to overcome, or there are some wider structural conditions which make those with refugee background in Poland not value participation in HE, and/or not have expectations to participate – divergent from so many other national contexts as examined in other studies. The inability to collect any such data as part of this study (for reasons explained in Chapter Four) was most disappointing and is the *key limitation* of this study. However, although it does make this thesis feel somewhat unbalanced, the value of *any* data in the absence of previous studies in this area, is that of an important building block on which future analysis can build on.

The Polish HE system is complex, the application - separate to each institution - requires presentation of multiple documents and most public institutions (where majority of student do not have to pay tuition fees) are based in bigger cities, with smaller, private (tuition fee-charging) institutions more likely to cater to those living in smaller towns. Any future research must explore the perceptions of non-participants too, to ascertain the extent to which these factors affect RBS participation in Polish HE.

Notwithstanding, the accounts of the three participants in Poland demonstrated that, like in England, several factors affected their HE journeys. While all of the participants were able to overcome most of the barriers cited, it appears that they have all been particularly ‘lucky’, their circumstances exceptional when compared to the majority of those seeking protection in Poland. Firstly, all had their asylum applications processed speedily (in three to six months) and as such gained the right to access HE under the same rules as citizens and the permission to work. They all also resided outside of the reception centres and lived in one of the country’s largest cities since arrival – with access to multiple local universities, and relatively healthy job market, with unemployment rates below the national average. Two of the three men were working for international companies (using their language skills), and one had skills necessary to produce a product he could sell to buyers in Europe, to support himself. None of them, therefore, had to rely on the minimal maintenance allowance from the government beyond the time of approval of their asylum applications (the relevant information about financial assistance available to asylum seekers has been mentioned above – see ss. 3.4.2(ii); information about support for refugees is noted below in relation to the institutional barriers only). They have all also secured accommodation in student dormitories (two of them - for free³⁷). As such, they have not mentioned any *situational barriers* at all (other than to say that unlike perhaps some other forced migrants in Poland, they are doing “quite ok” financially. Although there is no separate section to discuss these barriers, references are made below in relation to some environmental factors which may be reasonably assumed to be affecting other potential students with refugee background). While some language issues were discussed (see below), these related to participation rather than entry, as two of the participants were able to enrol on a course with English as the language of delivery, while the other developed Polish language proficiency in the years after his arrival, but before beginning his course.

No barriers which could be classified as *dispositional* were discussed either, by any of the participants – despite the circumstances, which led them to leave their countries of

³⁷ Monthly rent in a student accommodation in Poland is generally lower than that in private sector making in an attractive option, especially for students from lower SES. In most cities there are not enough spaces for all students who want a place, and students with dependants and/or married usually have a priority over single students.

origin, all were determined to begin studies in Poland as soon as possible after arrival, wanting to quickly pick up where they have left in terms of their education and career progression, albeit in a new national context. This was explained by the participants in relation to their strong prior academic background – two were studying at a higher level prior to their departure from their home country – one at a specialist college, another has just completed the first year of a UG degree. The third participant completed a bachelor’s degree, worked as a science teacher, and has made plans to begin a master’s degree in his home country before being forced to migrate. Further, unlike some participants in England, none of the RBS here reported discouragement, in fact, two participants mentioned family supporting their decision - for Adam, this included consulting him on his university choice:

Because I came from a (...) family, they always been persuasive, and they always encouraged me to finish my education and to finish up my university. (...) I was doing my research about different types of universities in Poland and all of my family are against private universities because they think that it is only about the money. And then I did some research about [name] University, and then I talked to my dad and I started studying at [name] University

(Adam, refugee, 23, current student)

The factors hindering access and participation as discussed by participants, fall into the other two groups, as defined above: *institutional* and *academic barriers*. These are considered in turn next.

6.4.1. Institutional Barriers

Unlike in England, *informational factors* did not feature as problematic in the accounts of participants in Poland. The information about HE and assistance in obtaining access is not available through the official channels of support (see, for example, the ‘First steps in Poland. Handbook for foreigners’ (Office for Foreigners, n.d) which refers to education for children under 18) and there are no third sector organisations dedicated to supporting HE participation of RBS. However, the participants here have all reported being able to find the necessary information about entry requirements online,

alongside the contact details for the admissions offices, from which they were able to seek clarifications in relation to their special status. For one of the participants, local friends played an important role in providing him with information about the entry criteria (and institutional reputation) for the universities he was interested in. Notably, this participant was granted his status only three months after applying and he was able to find work shortly after that. At work, he quickly made friends, many of whom studied in the institution he eventually enrolled in.

(i) Procedural Factors

International applicants in Poland are generally required to submit the following documents with their online application (made directly to each university):

- a copy of their high school diploma (and their undergraduate degree certificate for postgraduate applicants),
- sworn translation and an apostille or legalisation document confirming its authenticity [these cost between €6 and up to €35 if obtained in Poland];
- a document stating that the diploma/certificate entitles the holder to undertake or continue university-level study in the country in which the documents were issued (with sworn translation),
- and for holders of high school diploma from a country which is not a member of the EU, OECT or EFTA, a document confirming recognition (nostrification) of the high school diploma issued by the province education superintendent (kurator oświaty),
- and documentation confirming proficiency in the Polish language (for studies conducted in Polish) or proficiency in the English language (for studies conducted in English).

Those with refugee or supplementary protection status, and those who “suffered a loss as a result of armed conflict, natural disaster or other humanitarian crisis, whether of human or natural origin” (which should include asylum seekers although a decision about this would be made by the education superintendent), who have “significant difficulty with the provision or an original (or duplicate) or a certificate” (Ministerstwo Edukacji Narodowej - Portal Gov.pl, 2019), can make an application to the education superintendent in Warsaw (only), who may confirm by way of an administrative decision any qualifications up to upper secondary level, and the entitlement to

continue education in Poland. It appears from the information available online that there may be a cost attached to this procedure, but I was not able to confirm the amount payable.

All of the participants in this study were, fortunately, able to present their original high school diplomas (and UG degree certificate in one case) and received advice on where to translate, and how to authenticate them. As all of them had stable, if not high income, at the time of submission of the documents, they were able to cover the necessary costs using their own funds (NB this would not necessarily be the case for all RBS in Poland, in particular, asylum seekers who reside in reception centres, with a minimal financial allowance from the state).

One participant reported that he would have liked to enrol in the second year of the degree, but because he had to leave his country quickly and was only able to bring with him the documents he already had at home, he had to start from the first year:

I had all the certification and diploma from school but couldn't take any certification or any kind of letter that I was studying [at university]. Actually, I've finished my first year there [at an American university in home country]. I couldn't find the opportunity to go there to ask them for the letter [before being forced to leave the country]. (...) so that's why its problematic.

(Adam)

While in Poland, he, like the other participants in this study, was unable from the distance to obtain *documentation* from his old school to confirm that his high school diploma entitles him to undertake university-level study in his home country. This requirement was apparently waived for all the participants (or the university obtained this on the applicants' behalf – please see Chapter Seven below), alongside the requirement to present *language certification*. As the costs of acceptable language certification in Poland are high (e.g., cost of IELTS and TOFEL exams equated to about €170-€180 in 2018), all participants asked for alternative arrangements – which were agreed by the university on each occasion. Adam took entry exams, which included language competency test and general knowledge /social sciences exam, and Daniel attended an interview after which he was made an offer without any further

conditions. Robert was invited to attend a university-led preparatory course to learn the Polish language for 12 months before commencement of his degree course (this course ends with an examination), with tuition fees waived as part of a scholarship from the university Daniel also attended this course – for six months only – to improve his Polish language but decided to study in English which he was more familiar with instead.

Waiving of the need to supply some documentation (where not required by law) and offering alternative arrangements for proving language proficiency was applied at the discretion of university officials, upon request from the applicants themselves. It must be noted here, however, that the institution in which all the participants were enrolled is one of very few officially committed to supporting HE access for RBS in Poland (see Chapter Seven for further discussion). It is unlikely that the same discretion would be used as a matter of course in other institutions, which are perhaps less accustomed to non-standard applicants. Further, the information about the possibility of waiving of the usual entry criteria (e.g., in relation to language) or help that the university can offer in relation to obtaining replacement certificates or completing the nostrification process of the documentation, is *not published online*. The participants here asked and were successful. Arguably, however, this should not be left to chance, with only those either brave, determined or desperate enough to ask for ‘special treatment’ to be supported in this way.

(ii) Financial Factors

Although all participants had their refugee status recognised before enrolment, and as such could attend university according to the rules applicable to citizen (tuition for full-time courses in public universities is free), Adam had to pay fees as he was attending a degree taught in English. This would not be possible if he was to use social assistance programme, which provides beneficiaries of international protection in Poland with €317 a month (for a single person) for the first six months after obtaining of the protection status, and further €288 in months 7 to 12 of the ‘integration programme’ only (in any case, as noted on the Asylum Information Database funded by the European Council on Refugees and Exiles, most potential beneficiaries of the programme are unaware of their rights and never access this funding). After the initial

12 months, refugees can apply for social assistance under the same rules as Polish citizens, but this is temporary for most applicants (without disabilities) and, for a single person, equates to only about €90 a month. Adam was able to pay fees (at the domestic rate) and his housing fees, as he was able to find a good position in an international company shortly after his asylum application was approved. Indeed, as he was treated as a ‘home’ student he also benefited from additional support from the university:

(...) good thing about this university is that they are treating me as a local here. They don't see any difference between me and Polish people. (...) For example, they are issuing me health insurance.

Although Daniel was also studying on an English programme, his tuition fees and housing fees (for student dormitory) were waived at the discretion of a senior member of staff. Again, he was confident enough to arrange for the meeting himself and asked for support – the waiver was not part of any wider scholarship programme and he worked (producing a product to sell) alongside his studies to pay for all of his other expenses. He was not advised by the university about any additional funding he may have been eligible for based on his status and/or low income (for example the Rector’s scholarship which is explicitly advertised in his university’s recruitment literature as available to students with refugee status). This is in contrast to Robert who also worked alongside his studies, but this was to supplement a stipend the administrative office advised him to apply for based on his circumstances (a special programme of support for young people from his country of origin). Robert also benefited from a student housing fee waiver applied by the university and, as he participated in a Polish study programme there was no tuition fee to pay. This exemplifies, that even in the same institution, RBS with similar circumstances may be treated differently, in the absence of specific financial support and precise guidance on how they can/should be supported.

6.4.2 Academic Barriers

Reflecting on their studies in Poland, two of the participants (studying within social sciences) discussed the occasional early struggles with the “*general knowledge*” content in their lectures, in relation to the context which they were not yet familiar

with. This can be, however, be perhaps attributed more to their foreign background, rather than their status. Beyond this, language competence was an issue for all of the participants to some extent. While this was overcome in relation to admission, all participants struggled with either Polish or English language during their studies. Because their problems were quite different, the three participants' issues are discussed in turn in the next section.

(i) Language Competence Factors

As Adam wanted to enrol at university as soon as possible after arriving in Poland (he applied even before his asylum application was assessed), and he did not speak any Polish then, he decided to study on a degree taught in English. As he did previously study in an American university in his home country for a year, he was both comfortable in studying in English and accustomed to western academic writing conventions. Although he could speak Polish very well by the time of the interview (held almost four years after he arrived in Poland), he still struggled with writing and felt that he would not do as well in a Polish programme even then. He wanted to continue his education at a master's level after completion of his degree the following year and decided to continue studying in English, despite the cost involved.

Unlike Adam, Robert applied to university three and a half years after arriving in Poland. Although his asylum application too was processed relatively quickly, within six months, as he struggled with English, he decided to study in Polish instead. He spent a few years developing language proficiency before applying to university to study on a Polish degree. Before starting his course, he enrolled on a 12 months long intensive pre-sessional course to improve his writing skills, which he found useful (the fees for the course which normally costs almost €400 were waived by the university). Nevertheless, he struggled with his written assignments throughout his degree, and in particular with his dissertation, which he handed in just a few weeks before our interview. In the absence of support from the university (Robert was not aware of any form of support and I was not able to find any information on-line either), he turned to his Polish friends for help with proofreading. He reported that this has actually helped him develop friendships, as he was forced to make connections with other university students, outside of his usual circle of friends he met at work.

Daniel attended a six months Polish language for academic purposes course as part of his scholarship to attend university (fee waiver), but has decided to study in English instead, a language he learned during his previous degree in his home country. He said that he would have liked to attend an intensive pre-sessional course for English for academic purposes, similar to the Polish course he took, as without it he struggled occasionally early on in the programme. He reported, however, that his English has improved a lot during the two years on the course and he was due to graduate from his programme with good grades. He felt he could have done relatively well regardless, as his was a science degree where *“knowing how to use numbers is more important than words”*. Despite his English proficiency, he reported feeling isolated and struggling to make friends with the local students – which he blamed on his poor skills in the Polish language. After the initial course at the university, he wanted to continue learning Polish in a formal setting but was unable to afford private fees on his low income. He had to approach organisations which promised free tuition but was disappointed to find that these organisations failed to deliver the courses, despite taking his details. He felt that these organisations deceive the state, receiving funding for lessons for refugees based on the signatures and details they gather from the applicants – but never actually delivering any training.

6.4.3 Summary

Although it is clear that issues discussed by the participants in the Polish part of this study are much fewer than those identified in England, the sample here was much smaller, and thus, arguably, saturation has not been reached at the time when no more participants could be recruited. Further, as considered in the introduction to this section, lack of non-participants in this (and some other studies in different national contexts), very likely skews the findings, as those who have overcome the barriers may have benefited from support or have had experiences which do not reflect those of non-participants. For example, although the limit set in law for the Head of the Office for Foreigners to make a decision on asylum application in Poland is six months, if the case is considered complicated (there are no official guidelines on what is considered a complicated case) the period can be prolonged to 15 months. Although asylum applicants can in those circumstances apply for a work permit, in practice employers do not understand that this certificate gives asylum seekers a right to work,

rendering those certificates/permissions insignificant. Secondly, most asylum seekers do not live in big cities, but instead in reception centres located in rural areas with high unemployment and more negative attitudes towards foreigners in general. In the reception centres, they receive only a very limited provision of tuition in the Polish language, without which it is very difficult to get work outside of the big cities (Aida. Asylum Information Database, n.d.; Lukaszewicz, 2017).

Despite this, findings presented here are important to the study because they provide the first insight into experiences and perceptions of barriers (but also enablers) to HE access in Poland, acknowledging the significance of the RBS' voices and what matters to them. These findings can be used as a building block and a starting point for any future investigations (recognition of the need for further research is an important implication here). The key implication for universities in Poland is that they need to consider how they can best support RBS as a group, standardising their practices, while remaining flexible in responding to individual applicants' and students' specific needs.

6.5 Critical Chapter Summary

This chapter examined *what are the inhibiting factors (barriers) to equal access to and participation in higher education as experienced and perceived by both participants and non-participants with refugee background in England and Poland* (R.Q. 1.3) building on previous research by including those currently in HE, and those aspiring to enrol (in England), and including participants of varied ages, locations (this being the first study of this kind in Poland), genders and nationalities. It utilised the classification of barriers as developed by Cross (1981) and updated by Alderman and Potter (1992), to clearly distinguish between barriers which can and should be addressed first by the universities themselves. In addition, the bounded agency model (Rubenson & Desjardins, 2009) was adopted to discuss the impact of existing (and missing) migration and higher education policies on RBS' capacity to overcome barriers encountered – neither of these frameworks/models have been used in previous research with RBS.

Although participants' experiences were not homogenous, several themes were identified as common both for several participants in England and when compared

with Poland. In England a large number of contemporary barriers were identified, falling within all four groups of barriers: institutional, situational, dispositional, and academic. Several of those have not yet been considered in the literature. In Poland, there were two key areas of concern, relating to institutional and academic barriers. While some of the issues identified within each group of barriers were common to the general student populations or shared with other marginalised groups, many of these were *especially pronounced* because of the unique conditions of refugees, with others isolated as *specific to RBS' circumstances*.

Although no differences were observed in relation to experiences based on gender, age or nationality (information about ethnicity and religious beliefs data were not collected as part of demographics), this may be due to the relatively small yet extremely varied sample in this study. It is advisable, that future research with larger participant numbers considers the issues faced by RBS through the lens of intersectionality, with migration history and status considered alongside other markers of disadvantage.

It is fitting to come back here to the discussion from Chapter Two, where it was proposed that a human rights-based approach, and in particular the model of '*Fairness Based Meritocratic Equality of Opportunity*' should be adopted in both academic and policy discussions about access and participation for RBS. This model acknowledges the existence of a qualifying element – merit – of the right to participate in HE, as enshrined in international human rights instruments. To reiterate, 'merit' is understood here as a 'capacity to learn' – a sum of aptitude and the willingness to work hard (the motivation or effort). Majority of universities in both England and Poland currently judge RBS 'merit' through assessment of fluency in the host state language, and preparedness to study, generally assessed by review of prior (document) educational experiences and qualifications. It was argued here that RBS in both countries do not lack ambitions or motivation, as evidenced, for example, by their willingness to sacrifice other basic needs in order to save money for university application fees. They do, however, struggle without clear information and step by step guidance on how to operationalise their aspirations. It is noted that their prior educational qualifications are often not regarded as sufficient, or they are unable to evidence these, and they struggle with achieving the necessary language skills (in the

absence of generally available free training at the right level), and/or struggle to prove their language proficiency. This is where, I argue, the ‘Fairness Based’ approach should be applied. It refers here to the need for the imposition of measures necessary to compensate for the particular obstacles or barriers to access faced by RBS, resulting from their status and associated circumstances. These barriers as well as RBS’ ability to overcome them must be considered (in particular by universities) through assessment of *structural conditions* associated with the legal and social position of refugees and asylum seekers, and (lack of) targeted policy measures (bounded agency). By explaining the socio-economic and legal realities of the lives of forced migrants in both countries here, it was highlighted that current university admission processes, by applying equal conditions to all applicants, lead to *de facto* (unfair) inequality of access for RBS. It was suggested that the assessment of ‘merit’ – the capacity to learn, should be done by all appropriate means and in reference to *all relevant expertise and experience* of RBS, as indeed required by the international human rights instruments. In the absence of statutory guidance, it is for now up to institutions working individually or together with others within the sector, to ensure that appropriate measures are in place. Examples of good practice are discussed in the next chapter, with suggestions/recommendations including those made by the RBS in this study included in Chapter Eight below.

The key scholarly contribution of this part of the study was the distinctive analytical focus adopted – although previous studies acknowledge that disadvantage experienced by RBS is often multi-layered and accumulative from several distinct barriers, this study provides a clear overview of how exactly the discrete issues not only *accumulate* but also *inter-relate* and *exacerbate each other*. The implications for policy and practice are manifold – specific recommendations based on the analysis of data and explicit suggestions from the RBS (and ‘experts’) who participated in this study are incorporated in Chapter Eight.

First, however, Chapter Seven focuses on the perceptions of the barriers to access and participation as held in the HE institutions. It further explores the perceptions of both university and third sector staff in relation to their own role in supporting RBS on their way into, and in HE, and briefly examines some of the issues faced by both university and third sector when establishing programmes of support. Some of the suggestions

from participants, in relation to what they would like to see changing in policy, and across the HE and third sectors, are combined with the suggestions from RBS themselves, in the final chapter where several recommendations are made, to ensure further improvements to HE accessibility for RBS.

Chapter 7. Perceptions of Barriers and Understandings of the Role Universities and Third Sector Organisations Play in Facilitating Access and Supporting Participation of Refugee Background Students

As seen from the discussion in the previous chapter, the barriers to access and success for RBS in England and Poland are diverse and multiple. Many of them transpire as a direct result of institutional practices that reinforce the patterns of exclusion and inequality – for many different disadvantaged groups, but, as I argued - for RBS in particular. This chapter explores institutional perceptions of such barriers to help ascertain why these remain persistent despite the recent (since 2015) amplified interest in refugee issues, including those around the access to HE. It provides an updated picture of these, reflecting on what has – or has not changed, since the early studies on this topic, completed from the early 2000s – arguing that many institutions remain seemingly oblivious to the problems faced by RBS. Notably, the discussion here is based on both survey-like data, collected through the FOI requests, but also interviews with both third sector and HE staff, whereas previous studies reported on interviews with third sector staff, but on survey data only in relation to FE/HE institutions. The barriers identified by the expert participants in the interviews are further reviewed in relation to what the experts perceive as HE institutions’ and third sector’s role in enabling access and supporting the participation of RBS. This chapter concludes with a brief examination of some issues encountered when trying to implement support initiatives so that lessons can be learned for the future.

7.1 Introduction

While at the heart of this research lie the experiences and perceptions of the RBS themselves – the ‘true ‘experts’ on this issue – to fully understand why they remain underrepresented in our universities, the perceptions of those in position to alleviate or remove some of the barriers must also be considered. This is particularly so since the RBS have identified a multitude of institutional barriers – barriers that remain insurmountable to many, despite their clear aspirations and motivations to enter HE.

These barriers and underrepresentation appear to persist, despite some early initiatives in England in existence since at least the early 2000s, and the accompanying research, published as far back as 2005. They persist in both England and Poland, despite the increased interest in refugee issues and an increased number of scholarships following the onset of the current so-called ‘refugee crisis’ in 2014/2015. As is argued in this chapter, this can be at least partially explained by the increasingly unwelcoming political narratives in both countries (as described in Chapter Three) – narratives which some universities, however, in tandem with third sector organisations, try to resist. It is further discussed, that despite the growing willingness to help widen access to HE opportunities for RBS, both university and NGO staff must battle many other external and internal issues. Some of the difficulties encountered while planning, setting up, and implementing structures of support include securing of academic and student support, lack of evidence base, limited time and funds available, and the difficulties with- and the need to embed the support programmes within the universities’ wider structures.

University and third sector staff focus on a smaller number of ‘key’ issues, whereas the RBS have highlighted the vast array of issues they face both before enrolment and during their studies, with the different barriers not only accumulating but also interrelating and exacerbating each other. Many of these issues appear to not be understood or considered by universities or to not be viewed by them as sitting within their remit. It is argued that, while institutional barriers are the easiest for universities to remove to enable enrolment on a larger scale, provision of pre-entry programmes can help alleviate the dispositional and academic barriers. Further, supporting individual RBS through transition, throughout their studies and beyond can safeguard their future success which just may in the future persuade public opinion and policymakers to extend this opportunity to others, by removing some of the situational barriers - eventually, affording equality, parity, and social justice.

7.2 Chapter Seven Research Questions

Specifically, this chapter answers the following research question:

R.Q.2. What are the barriers to RBS access to higher education as perceived by universities and third sector staff, and what do they consider as their role in enabling

access and supporting participation of refugee background students; what recommendations for improvements can be made?

7.3 Findings: Institutional Perspectives on Barriers to Access and Participation in England and Poland, and their Role in Supporting Refugee Background Students

7.3.1 HEI Perspectives

(i) *Collecting Relevant Data*

As part of the FOI requests, universities in England and Poland which reported not collecting data on applicants and/or students with refugee background, were asked to explain why they do not collect such information. Although not a barrier to access per se, as argued in Chapter Five, universities do not develop appropriate interventions – e.g., outreach or financial support – because they do not have the understanding/do not monitor the numbers of applicants and students with refugee background within their cohorts. Without this understanding, the scale of the issue remains invisible in many institutions.

The most cited reason for not recording data on RBS (in both countries) was that *there is no requirement to record it* – universities are only obligated by law to *check* an applicant’s immigration status (to ensure that they do not require Tier 4 visa in England, and in Poland to check that they have the right to free tuition). There is no statutory requirement to collect this information – HESA, the regulatory body responsible for the collection of quantitative information about HE in the UK, does not require its submission. The same applies to Poland, where universities are not required to report on RBS enrolments in their yearly returns to the Ministry of Education and Higher Education and Central Statistical Office (see further discussion in Chapter Five).

In England, the information has further been reported to not be recorded separately as it is not required as part of sponsor licence – although HEIs hold the information on individual students’ records (the electronic copies of their immigration documents) data is not collected in a reportable field, and thus it cannot be searched for and aggregated/reported on.

Only two universities (in England) reported through their answers, that they are using the residential category information from UCAS for the purposes of contextual admissions but said that *“this data would not necessarily be recorded accurately on SITS, our student database”*. Other universities, although aware of the UCAS residential status question do not record this information because there, on the contrary, *“it would not impact on the decision to assess an applicant”*. Thus, several institutions can report on refugee background (current or past) *student numbers only*, because they do not create immigration records on student records database until students are enrolled. However, even then their status may be recorded as ‘longer-term entry’ or ‘other’ in relation to immigration status.

As students with refugee status are assessed as home fee payers, whilst the institutions would have seen the evidence of this, they would not need to record it separately because they are treated the same as any other home students. For asylum seekers - one institution reported having a special residential category for these applicants and students specifically on their system, as they are home for fee purposes – as a matter of institutional policy – but overseas for the purposes of statutory returns (thus, the university can determine the number of these students). Most institutions, however, have data on (undergraduate) applicants and/or students with refugee and HP status only as this data is collected through UCAS, using their data classification systems, which, until recently, did not have an ‘asylum seeker’ option. One university reported creating a separate category of ‘asylum seeker’ on its system for recording of student data, following my FOI request.

Most institutions reported the ability to report on undergraduate data only in relation to applicants as they can use the UCAS residential categories to determine that - this is available to all institutions, but many are seemingly unaware of their ability to access it. A few universities said that they include a self-declaration in their postgraduate applications (made directly to the university). Three added a caveat in their responses, pointing out that it may, unfortunately, present an inaccurate picture. One institution, for example, reported adding a question ‘Are you a refugee awaiting the outcome of an asylum application in the EU/EEA?’ to their PG application form, to aid identification of such students for the scholarship scheme – they admitted it had limited use because most who have selected this option did, in fact, have a European,

US or Canadian nationality. This suggests that some explanatory information should be included with such question – guidance produced by UCAS for its updated application form seems very useful indeed.

Somewhat peculiarly, one institution (in England) stated that they “*do not collect data specifically on refugee and/or asylum-seeking applicants because, from our experience, they are not keen to share this information and our goal is to make them feel supported and included and we have respected this wish.*” Now, this might be very much the case - RBS not wanting to disclose their circumstances as the refugee label carries a significant stigma. However, this is not uncommon amongst other marginalised groups e.g., disabled students or careleavers (see, for example, Riddell and Weedon, 2014; Harrison, 2020). For those groups, however, it is widely accepted that universities must try to encourage self-declaration, and most at least attempt to systematically collect relevant information (e.g., OfS, 2019), with data on disability status included in HESA returns. Yet, as noted in Chapter Five the issue of universities not collecting data if it is not required of them is not exclusive to RBS data (NB: this applies to Polish context too). While an argument can be made about data protection and not collecting and storing data where not necessary, a counterargument made in this thesis (and in other research on different disadvantaged and underrepresented groups) is that of the need to collect data that is necessary for operational decisions – that is the assessment of the potential demand for support, through outreach and inreach, and delivery of such support, or a decision to focus on a different area.

(ii) *Barriers to HE and Universities Role in Enabling Access and Supporting Participation for Refugee Background Students*

The second open-ended question asked as part of the FOI requests, related to the forms of support available for RBS. While there were some positive responses, briefly mentioned in s.7.5 below, it is apt to note here that more than half of the universities which responded to this question in England did not at the time offer any specific support for RBS. Several respondents noted that RBS may naturally fall into their institutional outreach activities, but they are not able to (or for other reasons do not) collect relevant data on this group and that they are not including them explicitly as a target group in their institutional Access Agreement.

University has a programme of outreach activity and widening participation frameworks available to under-represented groups of students. This is made available to a network of schools with high proportions of such students. (...) As numbers of refugees/asylum seekers within these schools are not publicly available we do not separate these students into a particular category.

(University in England)

Some universities noted in a similar vein, that RBS have access to specialist support services as they also fall into another group which is actively supported by the university:

Many asylum seekers/ refugees enter as unaccompanied minors; as such they will be in the care system. As part of our commitment to care leaver (CL) students we provide dedicated support. There is a care leaver bursary available to students with CL status. We support estranged students some of which have asylum/refugee status.

(University in England)

This of course excludes any RBS who have arrived as adults / are not classed as estranged. As discussed in the previous chapters and illustrated by the RBS participants 'sample' in this study, those with refugee background often (want to) enter HE for their first/undergraduate degree at a much later stage than the usual 'university going age' of 18-24. As such, many of them naturally would not have been 'caught' by the activities directed at school pupils. Those who have indeed arrived as unaccompanied migrants, may still have an unsettled status shortly after they turn 18 (and often for years to come). Thus, they may also not enter HE for several years – care leaver scholarships and bursaries offered by many universities are currently only available to those under the age of 26, linked arbitrability to the local authority support which is offered until age 25.

In Poland, about half of those universities which have responded (excluding eight that reported offering specialist support), noted that *"as there were no students with such status, no special forms of support have been devised"* (University in Poland, translated by AAL). About a quarter noted that candidates and students with refugee

status (excluding asylum seekers) are entitled to statutory support. The remaining quarter indicated that “*all candidates and students have access to the same forms of support*” (University in Poland, translated by AAL).

This last response was indeed a prevalent ‘explanation’ given by the universities in England too:

[...] as such students are not specifically identified at application or registration, they are entitled to the same level of support as all students registered at the University.

(University in England)

[...] offers a range of support mechanisms for all its students and all students, regardless of immigration status, will have access to this through its website. For example, Refugees can access the [...] Support Fund.

(University in England)

Notably, refugees as home students may well have access to hardship funds, but asylum seekers in most institutions are still classed as international students and thus, will not necessarily have such access because the funds are, generally speaking, open to home and EU students only. Students classed as international are expected to have made adequate financial provision to cover both tuition fees and living costs before starting the course. The criteria often explicitly state that where adequate financial provision has not been made and a student began a course with insufficient funds, they will be unlikely to qualify for an award (the same criteria are generally extended to postgraduate students, both home and international). While decisions are made on a case-by-case basis, RBS may decide not to apply in the first place if their circumstances are not specifically cited as exceptional and qualifying for this type of support.

In both countries, some institutions explained that specific support is not necessary, because refugee applicants/students are classed as home students:

There is no separate provision in place for refugees as they are classed as ‘home’ students in the University – they can obviously access all of the Support Services.

(University in England)

During recruitment applicants get the same support as all Polish applicants. The institution does not provide any additional support for refugee students.

(University in Poland, translated by AAL)

Conversely, other institutions stated that specific support is not necessary, because refugees alongside asylum-seeking students are classed as international students:

[...] does not have specialist services for Refugees and Asylum seekers because they are considered as international students. They are therefore invited to use the provisions and services available to all international students from pre-arrival through to graduation [...].

(University in England)

The institution doesn't differentiate between refugee and migrant students. All such students can receive support as 'students from abroad'. This includes for example: help with preparing documentation or help with finding accommodation.

(University in Poland, translated by AAL)

Several institutions stated that they use individual approach to student support:

We provide support according to individual needs and therefore should a need arise in connection with these issues, we would provide support according to that individual's identified needs.

(University in England)

This, of course, is only possible if RBS disclose their status and issues directly to the welfare services, as further exemplified by a response from another university:

If the University enrolls and identifies such status students, they would be 'offered' a higher priority of support. This is not specifically highlighted within our information but is an embedded support mechanism within our Support Services remit.

(University in England)

The above examples illustrate the general lack of understanding of the barriers faced by applicants, and the specific needs of RBS, distinct from other underrepresented groups and the general student body in many universities in both countries.

The issue of the perceptions of barriers to HE was explored in the expert interviews. Notably, those interviewed here played key roles in driving a support project and/or working directly with the RBS in their institutions, and as such have a considerable amount of experience and understanding of the issues faced by RBS. A few of the participants were also familiar with some of the existing literature on this subject. Their views may well not have been representative of all those involved in admissions policy, WP, and decision making in their institutions (they were certainly not representative of views of staff in some other institutions, that do not currently support RBS, as illustrated above). Nevertheless, despite overlap with some of the key barriers as itemised by the RBS themselves, the range of the barriers discussed by the expert participants was still markedly narrower, with emphasis on just a few issues. Below, first, briefly presented are the issues cited also by RBS. This is followed by those not strongly raised by the RBS participants.

Shared Findings

The barriers conferred by RBS participants and recognised by the expert participants, fall within the institutional, situational, and academic barriers categories, and closely match those recognised by university staff in previous studies.

Institutional Barriers

The perhaps most cited issues in England were the *financial factors* - it was noted that many universities still routinely treat asylum seekers as international students for fee purposes (following the national guidance on the matter), and that asylum seekers are unable to access student loans (as previously explored in Houghton and Morrice, 2008; and Alberts and Atherton, 2017). Issues related to policy and the challenging of it, are further discussed below, but it is important to note here that all participants, when asked about a 'blue skies' scenario, first cited the access to home fees and student loans for those with unsettled statuses as the most equitable option:

What I would like to see is that all asylum seekers would have free access to all education because especially in a system where it takes 10 years to get a status - what are you supposed to do?

(Project Director, University B, England)

Several participants stressed that in their view, every university should, at the very minimum, offer home fees for asylum seekers and tuition fee waivers for at least a few RBS:

Assuming that the policy is not going to change to that level that it would every asylum seeker gets free access to all education, assuming that is not going to happen, even though that's what I would like to see happen, I think every university should be doing absolutely more. A few scholarships cost very little. So that's a minimum.

(Project Director, University B, England)

at the moment we just have the one [scholarship]. So, it's one scholarship, one entry for one student. Our criteria are quite tight. There's not a huge amount there (...) it is better to be part of something, so it's better to have something than nothing, but that something is relatively small.

(International Student Adviser, University F)

Similarly, in Poland, it was recognised that students without a recognised refugee status and thus liable to pay for tuition fees will require institutional support, at least in as far as waiving of these fees (and any application or enrolment fees for refugee students where applicable):

We always consider applications in relation to personal circumstances - if it is a person who has the refugee status in Poland, but also can apply for refugee status, because they live in a refugee sending country, e.g., Syria or Libya, we most often waive [the fees] - even if he or she is a foreigner and should pay for studying in Poland, in fact, we always exempt [him or her] one hundred percent from fees that would result from studying in Poland.

(Vice-rector for Research, University B, Poland, translated by AAL)

Several participants have also mentioned the *informational factors* – while in previous studies it was noted that RBS have inadequate access to information in general (Houghton & Morrice, 2008), the participants here recognised the poor quality (or lack) of relevant information on their own institutional webpages, which, when paired with the (then) non-existent information on UCAS webpages, posed a significant barrier for prospective students searching for information. It was noted that updating webpages was a low cost ‘easy fix’ which can be achieved quickly. Several participants have noted their ongoing work on trying to improve the information provided through their institutions. Further, they have reflected on how relatively little they knew about reaching RBS at the start of their journeys, and how they continue to learn from third sector organisations which are much more experienced in working with refugees. All participants in England mention that they work with both national and local organisations to, at the very least, advertise the specific opportunities created in their universities. Some of the participants were also involved directly in advising individuals about available choices and helping them navigate the admissions procedures (a need for which was previously also identified by Bowen, 2014).

In Poland, one participant mentioned working with non-governmental organisations based in Poland and abroad, to widen the audience for their offer. Conversely, the other participant was quite adamant that information available on the universities’ webpages was sufficient for anyone interested in the offer to find all necessary information, and adamant that it is not the university’s role to “*go out on the metaphorical crossroads and say ‘come to us, come to us’*” (this is considered in more detail in the next section).

Not previously considered in the literature (in the English context at least), but cited by both the RBS and expert participants in this study, was the need for a dedicated contact in the university - someone with specialist knowledge and authority to represent RBS interests from sharing pre-application information and outreach (helping them overcome the informational barriers), supporting applications (helping overcome the procedural barriers), liaising with other departments where necessary,

and referring students to appropriate services (helping overcome the academic barriers):

a lot of the students have really struggled with completing their courses to the deadline because of being called to the Home Office or just going through a really difficult (...). Because I'm their main point of (...) I can then advise them on what to do.

(Project Officer, University A, England)

My job then is to (...) make sure then that we've got the right people for the right scholarships. But also, three days away a week, is casework. So, meetings students then and being their personal support. And kind of navigating the bureaucracy of the university for them.

(Project Officer, University C, England)

In terms of *procedural factors*, three key barriers were identified by the participants – firstly, the language issues, including the institutional lack of flexibility in terms of entry criteria:

If you want to assess them in English then you can choose to do that, and however you choose to do that, you can do that. (...) how can you expect, knowing that they can't do a course without the scholarship because they need the finances, knowing how much they get a week, how can you expect them to do an IELTS test?

(Project Officer, University A, England)

Indeed, several programmes in which the participants were involved (in England) included English for academic purposes provision to aid development of language skills to a level required not only for *entry to HE* but also to effectively *participate in HE learning*. Alternative language assessment advocated for by the participants in their own institutions (with varied results) was said to help with the prohibitive costs of IELTS courses and exam fees (already recognised as a barrier by HE professionals in studies by Stevenson and Willott, 2007; Houghton and Morrice, 2008; Alberts and Atherton, 2017). The alternatives suggested included internal language tests, formal interviews, using personal statements, and informal ongoing communications. One

participant discussed plans to hold discussions with other institutions to “*move towards mutual recognition of the certificates gained on pre-sessional programmes*” (Project Officer, University E, England) which would allow RBS to apply for full degree programmes across the country using certificates gained in other universities.

In Poland too, language fluency was recognised as a significant barrier for RBS. It was noted that many refugees in Poland may be more familiar with the English language, and so one university offered funded places for RBS primarily on English language programmes. Both universities where the participants were based offered an opportunity to attend tuition-free pre-sessional English and/or Polish language training for RBS who were accepted on the degree course as part of the programme of support.

Participants in England cited the need for wider adoption of contextual admissions across the sector, considering the background of RBS as a distinct indicator of disadvantage. They have also called for relevant training for admissions tutors and flexibility in the assessment of prior experience and ability, to help counteract the routine misrecognition of prior qualifications (see also Houghton and Morrice, 2008; Alberts and Atherton, 2017). It was noted by one participant in particular, that certain apparently ‘fixed’ admissions criteria in their institution were waived upon their direct intervention – they were able to persuade the admissions office that the conditional offer made to an applicant with refugee background can be changed to an unconditional one, as they have reviewed a sample of writing by the applicant who took part in the pre-entry programme delivered by the same institution. It was noted that this kind of direct intervention is not possible for those applying to other universities.

While universities in England have considerable freedom in relation to offers, they make to applicants and the basis for accepting students, in Poland certain national regulations were said to limit the room to manoeuvre, as the entry criteria in relation to prior qualifications are set out by the government:

Nobody will accept students who won't in some way document their previous studies. But this is not the role of the university. They must have documents that are sufficient for us, in accordance with the applicable regulations on

studying for foreigners. Although we try here to be as flexible as possible, this is within the limits we have.

(Vice-rector for Student Affairs, University A, Poland, translated by AAL)

Another participant pointed out, however, that their university can and often does actively engage in supporting RBS in trying to obtain such acceptable documentation:

We try to obtain [the documents] in embassies in given countries or in our embassy. (...) We also often accept another credible document, if such a person does not have a separate classic diploma but has other documents that authenticate their history, then we can nostrify it, but it is always an individual decision. It must be absolutely legal.

(Vice-rector for Research, University B, Poland, translated by AAL)

The last procedural factor discussed was the *mode of application*, in particular for undergraduate degrees. As noted above, in Poland RBS can sometimes access support in making applications (which are submitted directly to each institution in the absence of a central system equivalent to UCAS), in particular through the international students' services. In England it was noted that the system is complex, applications have to be completed online and there is a cost attached:

There was no point in just putting scholarships without any support alongside that because you're working with really vulnerable individuals who have no idea how to navigate (...) the university application process.

(Project Officer, University A, England)

One of the universities has implemented a way to overcome this, for these exact reasons:

For our (...) programs we've made the decision that students shouldn't have to apply through UCAS, because that in itself is quite difficult, it's quite cumbersome and it costs money.

(Project Director, University B, England)

Situational Barriers

The next group of cited barriers were the situational ones. As noted in the previous chapter, it is crucial that universities move away from the traditional view of these

issues as residing with the individual and placing the responsibility to overcome these ‘deficits’ upon them (Dench & Regan, 2000). This was very clearly understood and conveyed by the expert participants here.

Issues classed in the previous chapter as *environmental factors* were cited repeatedly, in particular those related to the financial circumstances of RBS. It was noted (angrily) by some participants that the financial difficulties are a direct result of deliberate governmental policies - lack of appropriate financial support, especially for those still seeking asylum, and - in England - prolonged restrictions on the right to work. These financial circumstances place RBS in a disadvantaged position not only in terms of covering the cost of university applications as already mentioned, or the cost of the tuition fees (as discussed in the literature in the past by Houghton and Morrice, 2008; and Alberts and Atherton, 2017), but also impact on their ability to participate in pre-entry activities designed to share advice and/or improve RBS academic and/or language skills. It was noted that RBS may struggle, for example, with the cost of childcare or travel, which may also be problematic if attendance at in-person interviews is required.

Although issues with accommodation were not generally discussed in England (Polish participants have declared providing help with finding accommodation and/or waiving or discounting accommodation fees for RBS), the related issue of the *geographical* location of universities was cited, in particular in relation to the largely (although not exclusively) London-centered provision of long-term pre-entry support available:

(...) we have students who [come to London] from Cardiff, from Birmingham, from Bristol, from Newcastle, from Manchester. (...) And it's terrible - they should not have to travel so far just to get this access. Some of them drop out, but it's surprising to see how many of the ones who need to, who travel three hours to get here actually stay on for the whole time. And we wouldn't have to think about this capacity and this support if more was available.

(Project Director, University B, England)

The need for improved pre-entry support was indeed discussed by several participants (in England only) as one of the *educational factors* affecting RBS access and

participation, to help tackle issues caused by the inadequate and interrupted education (Stevenson & Willott, 2007; Alberts & Atherton, 2017).

(...) mature asylum seekers who hadn't gone through the education system who needed a qualification to go on to further study in university, either at [our institution] or elsewhere. So, what we offer is certificates to ensure that they could have that qualification to do that.

(Project Officer, University A, England)

It is indeed a vital provision so that those with refugee background can get the full set information *before* they decide (on their own or with help of academic/career advisers) on their educational and professional pathway. It has been acknowledged by the expert participants that RBS lack relevant social networks on arrival (*the newcomer factors*) and they saw the universities as being best placed to share information on HE specifically.

I would reiterate [that] there needs to be much more work on pre-entry level. Across the country. With the understanding - which happens at all kind of access and outreach programmes - that you will reach people through those programmes who by going through the pre-entry level realise that university is not for me. And that's fine. But the options should be there are to try it out, to develop those skills, to see what it's like. So that people can make the best decision for themselves.

(Project Director, University B, England)

This is also so that the (limited) university resources can be used most effectively. It was noted by one of the participants, for example, that

(...) some of the people who have done our pre-sessional program before, probably shouldn't have been allowed on to our course because they don't have the background that they are (...) going to get an offer out of university, because they don't have high enough level of academic ability.

(Centre Director, University E, England)

In that particular institutions, there are now different forms/levels of English support on offer thus better pre-entry work would allow for more appropriate placement for those who need to improve their language for general purposes (at a lower cost), and those who need to achieve a particular level of academic language skills as a way into HE.

The other benefits of pre-entry provision include the opportunity to build communication and social skills, to gain confidence and to build social networks, to meet lecturers and degree level students, to get to know their experiences, and to aspire to be in that position. It was further noted that the benefits extend to those who may not end up moving on to HE directly from the pre-entry programme, or perhaps not ever, depending on their circumstances:

Any opportunity is very important - the kind of recognition that, yes, you are welcome, yes you deserve to belong somewhere, to have access to education, to have access to groups that support you, to institutions that support to you. So, the fact of being in here, the fact of being in the building is very important actually (...).

(Project Director, University B, England)

Issues Not Discussed Elsewhere

Having examined the barriers conferred by RBS participants, and recognised by the expert participants, in the following section the barriers/issues strongly raised by the university staff, but not discussed in much detail at all by the RBS are presented.

Emotional support needs

The first significant barrier to successful participation not raised by the RBS in their interviews but stressed by expert participants in both countries was the need for emotional support. RBS have been affected by often extreme circumstances prior to their migration journey, during transit, and since arrival in their host country, where they live under uncertain conditions, in many cases for a prolonged period. This has been previously noted by university staff in Stevenson and Willott (2007) and Alberts and Atherton (2017), and in many other national contexts as discussed in Chapter Three.

The students' lives are very... They're in very difficult places in their lives and even the ones who have a little bit more stability in their lives - the trauma of, obviously the trauma of whatever it is that led them to become refugees is there but then there's also the trauma of the asylum process, that really is present for them. All the time. So that's a hurdle - trying to, for us trying to know how to support students who are in that position it's very difficult.

(Project Director, University B, England)

The participants here have noted that staff at universities must be able to support students through specialist counselling services (possibly with preferential emergency access), or at the very least be able to refer RBS to specialist external services.

if (...) for example, as a result of the fact that [the RBS] suffered some trauma in his or her country of origin, for example, due to persecution or participation in war/conflict, we have a psychological centre which foreigners can also use. He or she can get psychological support at the University. Just like Polish students. But this centre has specialised staff to work with international students with all kinds of past experiences

(Vice-rector for Research, University B, Poland, translated by AAL)

The participants have also noted that the dedicated students' point of contact and other staff (including teaching staff) may have to support RBS in this regard, and thus may require training:

(...) it soon became clear that it would be necessary to carry out some research and deliver teacher training related to the nature of any potential issues which may arise (...) It was of paramount importance for all staff members working with RAS students to be ready to deal with potential issues such as: higher levels of absence due to asylum-related appointments, mental health issues, etc; behaviour in the classroom not conducive to learning, such as spacing out, memory problems, topics which are trauma triggers, etc (...).

(Project Officer, University E, England)

Hostile environment in England and Anti-immigration Politics in Poland – and Universities Role in Challenging These

Unlike the RBS, cautious not to criticise the structural systems and governmental policies in their host states, the expert participants were openly very critical indeed about these, both the general hostile policies and those relating to HE specifically:

For so many of our students the options are so limited. (...) after [our] course - some of them, they know already when they start - they know, we know, that with their current status there is nowhere for them to go.

(Project Director, University B, England)

In one university in Poland, where the offer of financial support for RBS is extended to those who come from refugee-sending countries, the university often goes through all the necessary steps to support such applicants in meeting their offer. Unfortunately, many of them are in the end not able to take the university up on this offer, due to restrictive immigration policy of the Polish government:

(...) the University it is very open to supporting those who, for various reasons, have problems in accessing HE in their country of origin, and on the other hand, government policy, which rather discourages immigration from countries that are, say, outside Europe. (...) If someone would say - I am afraid that people who come to Poland will change their status [claiming asylum] - well there are instruments that can be used to counteract this. However, here there is simply a kind of government aversion, aversion or government policy that does not allow immigrants from culturally different countries to come to Poland. And this also applies to students.

(Vice-rector for Research, University B, Poland, translated by AAL)

These policies have been challenged by the university, although with no success:

Unfortunately, despite various letters to the ministry with a request to explain why such people did not get a visa, some of these letters remained unanswered or we have received an enigmatic answer - 'for reasons of maintaining state security' which is such a very general term.

(Vice-rector for Research, University B, Poland, translated by AAL)

Other attempts, for example, to create ‘scientific corridors’ to an asylum for scientists and students who had to interrupt their studies, now living in refugee camps in the Middle East, to come to Poland on a sponsorship basis, were also quickly abrogated by the government.

I have referenced a paper by Baron (2019) in Chapter Six, noting that the author suggested that third sector organisations, politicians, and the media have an important role in monitoring the ways in which executive powers are used to prevent unjustified limitations on asylum seekers rights and freedoms. I have argued there that this duty should be extended to universities, in particular in cases like this, where such misuse of powers leads to a bounded agency of RBS, as defined in Chapter Two, to exercise their right to begin or continue HE. Universities’ duty to challenge policy directly and to try and affect the public opinion, with the view of influencing future policy, has indeed been acknowledged by several participants in England. Taking on the Home Office and the government, however, is not straightforward. Universities in England rely heavily on income generated from international students’ fees and benefit enormously from the diversity created by them. The Home Office sets out policies and regulations to manage the flow of migrants, including those coming to study under Tier 4 visa rules. Several participants have noted that “*there's huge anxiety around the Home Office because of the Tier 4*” and compliance issues. Universities fear that they may be checked upon at any time, and may lose their visa sponsorship licence if any of their records diverge from the ideal form prescribed by the Home Office:

I think there has to be a place for universities to challenge the government. The problem with that is that we feel so under their thumb. Coming out from under that and questioning their judgment I think it's going to be a difficult one for say vice-chancellors to get on board with (...) Do you really want to be the one who does that because as soon as you do there's that fear of - well, are we suddenly going to get put pressure on and another way - they have Tier 4 held against us like a knife against our throat the whole time.

(International Student Adviser, University F)

It was suggested by some of the participants, that this can be achieved by universities “*banding together to lobby the Government*” (Project Officer, University E, England),

and should be done “*behind closed doors. You are sending a letter to a minister to say - hey! - but you don't go out on the front pages and say this is outrageous.*” (Project Officer, University A, England). Alternatively, universities can act anonymously and unanimously through bodies like the Universities UK or UKCISA, or work with partner organisations (for example, The Citizens UK). Collective lobbying and advocacy have also been recently encouraged by Murray (2019).

7.3.2 Views from the Third Sector

Having explored the HE institutions’ perspective, this next section examines the views and insights about the barriers faced by RBS held by those working in the third sector. Once more, the participants here can be considered as experts on the issue, as representatives of organisations which support access to HE for RBS as one of their (programme’s or organisation’s) key objectives. Further research is required to explore the understanding and ability to advise about HE access for RBS beneficiaries of support as provided by other organisations.

Shared findings

Perhaps unsurprisingly, there was a significant overlap between the barriers identified by the third sector and university participants (and the RBS themselves). However, as there were *some* divergences, and as previous studies have not differentiated between these different types of ‘experts’ and their responses, it is certainly worth considering these separately. The findings presented here, therefore, are those shared with RBS, with references made to HEIs participants’ responses where differences have been noted.

Institutional Barriers

Participants all discussed the *informational factors* – the issues around both the lack understanding of the HE system as a whole amongst the RBS, and their specific entitlements, but also the lack of effective IAG provision:

Some of them [the clients] have never been in education before. (...) some of them have been educated from their own countries (...), they are well educated. But they do know what to do now to go forward based on their status.

(Organisation Director, Third Sector Organisation D)

(...) the big gap is advice actually you know advice on how to apply for university, what to apply for. You know, it's missing actually across the whole UK generally, but if you're in this situation it is particularly poor (...) you need enough information out there so that newly arrived people are orientated into the education system. Number one.

(Organisation Director, Third Sector Organisation A)

While the participants have acknowledged the value of online resources, they have stressed the importance of personalised direct advice, including “*with researching the degree they wish to study, [and] completing the application process*” (discussed in more detail a little further down), which can be delivered over the phone, via email and preferably – in person:

(...) for schools, FE colleges, [and other] support organisations we would like to ensure that they provide accurate advice about right and entitlements and give good guidance because it's really important that that advice is accessible and accurate so that young people can make the best decisions.

(Specialist Support Worker, Third Sector Organisation B)

It was noted that the support from not only universities but also the third sector must be ongoing - “*(...) it's about aiming to access but also remain and progress through education too (...) and working out what they want to do afterwards*” (Specialist Support Worker, Third Sector Organisation B). One participant talked about ongoing academic support (with academic writing) that they were able to offer as part of their work with RBS, which became a substantial and important part of their HE related activities. This service was offered in recognition of the somewhat limited provision available in the local university where the RBS – clients of the NGO in question – have been enrolled. It was advertised through the local library (leaflets) and through a network of other local refugee support organisations.

Indeed, while noted by some university participants, the need to work with other organisations featured prominently in the NGOs' interviews. They develop partnerships not only with universities but also with local councils and libraries to collaborate and promote their support provision. The participants have also talked

about their networks of contacts with other organisations in the third sector, to whom they are able to refer clients where appropriate, e.g., to access more specialised support or to access help more locally. It helps to avoid the duplication of effort, improving efficiency and ensuring that the limited resources available to groups and organisations working with refugees and migrants are used effectively to support as many people in need as possible (an aspect of university-community collaborations in aid of refugees I have explored in more detail through a separate project, with results published in Lambrechts, 2020b).

The most prominently featured, however, were here again the *financial factors*, seen as a barrier “*often insurmountable even to those who have been offered places*” (Volunteer Employment Adviser, Third Sector Organisation C).

In view of these difficulties, advice on making of strategic choices was discussed as one of the key roles taken on by the third sector:

For others (...) even those who aren't applying for the university yet, and who are doing say access courses and things, step or two ahead of university, it is looking at how they are going to be able to finance that. Which scholarships they should target, which universities they should look at, which other charitable organisations provide smaller grants that they may be able to piece together for fees or for living costs.

(Specialist Support Worker, Third Sector Organisation B)

It was noted by Stevenson and Willott (2007) that a “few asylum seekers are likely to invest substantial amounts of money and time in starting a HE course if they may ultimately receive a negative outcome to their claim for asylum and be removed from the country before completing their studies” (p.678), however, it appears (based on the quantitative data presented in Chapter Five) that a considerable number, in fact, do – 253 asylum seekers were enrolled in England’s universities in a five-year period. Unfortunately, it was reported by the NGOs staff here, that they are actually quite frequently approached by RBS with unsettled statuses – in particular, those still seeking asylum – already in HE programmes, and at risk of non-completion due to funds. Having enrolled as international students after raising some funds independently, in the hope that their asylum applications will be approved in a good

time, they then struggle to keep up with payments where that immigration decision is unduly delayed (which is often the case in the UK). In any case, where students are granted refugee status mid-way through the course, in line with the national policy they can only generally change their fee status and access loans from the following academic year. Sometimes, change of fee status and/or partial waivers have been negotiated by the organisations, or they have been able to help raise additional funds for the student, but on occasion, students have been reportedly taken to court over fees outstanding on withdrawal (where students wanted to continue the course but were unable to, for financial reasons).

It was noted again that there are already a lot more funded opportunities now (compared to pre-2015), not only for refugees but also asylum seekers (and those with other statuses, including HP and discretionary leave), however, more can be done with a relatively small change in national policy:

At the moment, I think it's entirely plausible that the university can fund all that [outreach and scholarships] themselves. All that's needed is for the central government to change the entitlements so that asylum seekers fall within the widening participation. They've done it for refugees and now they need to do it for asylum seekers. And then it just comes under that and then the funding comes under that.

(Organisation Director, Third Sector Organisation A)

Like the university staff with experience of supporting RBS, third sector staff wish for a policy overhaul:

(...) we want to ensure that no asylum-seeking young person wishing to study at a university is excluded by financial troubles, so legislation regarding fee status and eligibility for student finance should be amended to ensure that young asylum seekers aren't prevented from accessing university. I think that's really key - so addressing the fee regulations.

(Specialist Support Worker, Third Sector Organisation B)

They too, however, are sceptical about any substantial change. Yet, it was elucidated by several participants, that they believe the third sector and “*universities [which] are very powerful*” must at least attempt to advocate for the RBS to the government. To succeed, it was noted that in particular universities must collect relevant data to support the lobbying efforts.

Data is just essential, completely essential because I think we have potential to - I'm not sure about policy change. The Home Office will never give this to asylum seekers. Ever. I'm pretty sure of that. But I think that universities will say there's potential there and they will give us bits, they will give us new groups all the time, the Home Office will change policy around the edges.

(Organisation Director, Third Sector Organisation A)

The third group of institutional barriers, the *procedural factors* were noted as significant barriers, second only to finances. Language issues, in particular, ability to access IELTS courses, lack of flexibility in relation to confirmation of prior educational achievement (in view of the often-missing documentation), and the mode of application itself were discussed. While the NGOs have assumed responsibility for supporting RBS with these aspects for the moment, it was noted by several participants that these barriers can be easily removed by the universities themselves, through the provision of alternative assessments and adoption of contextual admissions procedures.

(...) refugees (...) already have papers to stay in the UK. (...) They can access educational opportunities - theoretically - on the same basis as UK citizens, but in reality, it's a lot more complicated. There are barriers in place such as having no references from their country, lost degrees or lost certificates, not being very confident as well. Not being able to present themselves in a competitive way through a selection process.

(Employment Support Officer, Third Sector Organisation D)

Situational Barriers

With the experience of supporting RBS on a daily basis, third sector staff were acutely aware of the *environmental factors* impacting their access and participation in HE.

The restrictions on the right to work for asylum seekers, and lack of recognition of previous qualifications by employers, low levels of financial support and restrictions related to accommodation were all mentioned. Compound with an increasing number of scholarships nationally, but still limited availability in each institution, the impact was said to be the worse for those living in the high dispersal areas:

(...) if you are living on Home Office support, so the Home Office provides housing for asylum seekers, and you want to go and study in another city just half an hour away by train. How would you cover the cost of travelling? You only get 35 pounds a week from the Home Office for your food and you barely survive on that. So, you have to study in the city where you live, and that significantly limits the opportunities. There are none [scholarships] at [local university 1] The other university (...) gives three scholarships a year. So how many people... it's just very, very limited provision for them.

(Employment Support Officer, Third Sector Organisation D)

Further, the difficulty of balancing the immigration process with university application and /or enrolment was explained by one participant (in a way which was not mentioned by RBS themselves):

(...) A client could have to take the IELTS test at the precise moment they need to renew their BRP, which means they have no suitable ID to take the test and could miss out on taking the IELTS and therefore being able to enrol at the university.

(Volunteer Employment Adviser, Third Sector Organisation C)

The last of the situational barriers discussed were the *uncertainty factors*. This was particularly pronounced following the Immigration Bail fiasco as described in the previous chapter, with many current students being suspended from their studies part-way through the programme. Although not precluding RBS from applying per se, the uncertainty was said to undoubtedly impact the RBS experience in HE:

They can be removed from the program any time, so they have to live with that stress – what if I'm expelled for immigration reasons.

(Employment Support Officer, Third Sector Organisation D)

7.3.3 Summary

The findings discussed here were critical to the study because they explain why, from the universities' and third sector's perspective, RBS remain underrepresented as a group in universities in England and Poland, despite the increased interest in refugee issues since the onset of the current so-called refugee crisis. The analysis of FOI data has shown that many universities remain seemingly unaware of the particular needs of applicants and/or students with refugee background, which leads to lack of or insufficient support for RBS aspiring to enrol in HE, and/or unsatisfactory support for those who have managed to access the limited opportunities. Conversely, analysis of the interview data has shown that those who already work with RBS have a clear understanding of what the key issues are (and are acutely aware of the lack of this understanding more widely across the HE sector in particular). Comparisons to previous studies (in England) have been made throughout the above section, to show that while many of the barriers identified in the early studies persist, the expertise (particularly within the HE sector) has grown exponentially since those have been carried out. Nevertheless, through this study, it was possible to ascertain, that the focus in universities remains firmly on a smaller number of issues – namely the need for a provision of tuition fees (and somewhat limited maintenance support). While the support offered already has provided opportunities for many RBS who would have otherwise not been able to attend university – either in England or Poland, both university and third sector staff are actively trying to influence the national policy and challenge public opinion so that, in the future, RBS may all have equal opportunities to access HE in their host states.

Indeed, the key implication from this part of the study is that universities and third sector organisations must work together to advocate their respective national governments for improved HE opportunities for RBS. In the absence of existing policy level action, universities in both countries must do better to promote current HE opportunities to refugee communities, amend their internal processes to include refugee background as a disadvantage marker for contextual admissions, and build suitable programmes of (financial and other) support to ensure access for RBS, including pre-entry information and language/academic skills training. To this end, they must commit to working with each other, but also with third sector and community organisations, which not only have access to refugee communities but also

have considerably more expertise in supporting them and understanding their needs. They must also work with further education colleges and schools, adapting their existing WP programmes to suit RBS needs. While those already working with RBS – both in universities and in the third sector, have a clear understanding of this, a mass movement is now necessary, including continued growth of fully-funded places, so that the ‘supply’ of HE opportunities can match the growing demand.

The next section of this chapter highlights some difficulties encountered both in the third sector organisation, and, in particular, in the HE institutions, when establishing and/or running of the specific programmes of support for RBS. These findings can be used in the form of ‘lessons learned’ when new support structures are built in the future.

7.4 Findings: Developing Support Structures for RBS in Universities – Lessons Learned

As discussed above, many universities responding to the information request have reported that no specific outreach or support is aimed at prospective students, applicants, or current students with refugee background. However, several institutions have reported existing structures of support. Some specified that these have been in place for several years, others admitted that these are new developments, saying that in particular since the OfS added ‘refugees’ to the list of target groups for WP, they have been able to use their WP budget to fund some support for these students, e.g., a bursary in-line with support provided for care leavers. The support structures mentioned included:

- home status for asylum-seeking students (in England),
- fee waivers (sometimes accompanied by bursaries/scholarships to support accommodation and/or other living costs) (England and Poland),
- guaranteed accommodation for the duration of the study – if needed (England and Poland),
- access to a “*wide range of support (...) available for all WP students and include[ing] workshops on study support and research skills, welcome and networking events to help with [the] transition to university and a comprehensive range of employability sessions such as CV writing and*

interview techniques” (England) – although this is limited to scholarship holders as the university is not collecting data on immigration status, and are thus unable to identify other RBS who may have entered without a scholarship,

- a named contact to provide personal support throughout RBS studies (reported by two institutions in England),
- mentoring or buddying (England).

Considerably fewer universities referenced pre-entry support, which can be classed as outreach, although it does not seem to always sit with the WP and outreach teams.

Activities mentioned included:

- dedicated webpages “*listing support organisation for asylum seekers and refugees*” and information about support available at the university (England),
- a contact in the WP team (in England) or in the admissions team/international office (in Poland) who can provide RBS with information about HE and support them on a one-to-one basis with their application to the university,
- support in English as an additional language,
- creative and cultural enrichment activities,
- and access to university facilities, for example, sports facilities for local refugee communities.

By the end of the fieldwork period, comprehensive programmes of support for RBS were available in several universities in England, some of them in existence for many years, but continuously developing to reflect the growing expertise, changing needs of RBS, and building on new networks. Others have been established relatively recently, in response to the growing awareness and availability of funding. These include, to name just a few, the OLIVE programme at the University of East London, Refugee Assessment and Guidance Unit at London Metropolitan University, activities at the University of Bradford, Teesside University, University of Leicester, Kingston University London, Kings College London, University of Winchester, and the Compass Programme at the Birkbeck University of London. While systematic evaluation of these is beyond the scope of this thesis, the value of these programmes, the passion of individuals driving them, and progress made in widening access for RBS to date must be acknowledged. Particularly exceptional and remarkable is

perhaps the willingness of staff, across both the third sector and, in particular, HE, to share information, refer students to each other (offering educational progression) and work together for the benefit of widening access and improving participation for RBS:

(..) it's one of the few areas where I've been to a conference or a meeting where there seems to be no institutional barrier. I.e., it's not like I'm going to walk up to King's College London, ask them what they're doing and they're going to be like - no, I don't tell you that because you might steal our idea or you might take our students or you know we've got, you know we've got recruitment numbers we've got here - it's not like that. You know, this is not what we're talking about, we are talking about people. I think actually that also is quite important.

(International Student Adviser, University F)

While so many more universities are getting on board, it is useful to learn from the successes but also the failures of others. As reported by Murray (2019), 92 funded places went unfilled between 2008/09 and 2017/18. This was explained by one of the participants in this study:

(...) that's because of firstly - bad practice by universities in how they promote them, how they create them and how they write about them.

(Organisation Director, Third Sector Organisation A)

Indeed, the work carried out by the third sector should not go unacknowledged here - organisations like the Student Action for Refugees, RETAS, Refugee Support Network, Article 26 (now integrated within Universities of Sanctuary, part of Cities of Sanctuary), RefuAid and many, many others have over the years made substantial progress advancing the cause, not least by advising universities practically how to build adequate and appropriate structures of support for RBS.

To contribute to this goal, before some practical solutions are suggested in Chapter Eight, the final findings sub-section of this thesis conveys some of the issues encountered by universities and third sector organisations to date, building an evidence base for developing of future (collaborative) approaches. This section focuses on the English context only, as in Poland the support structures were set up

and driven by universities' most senior staff (in both academic and leadership roles), with a wider support of the administrative teams and students said to be secured quickly and without any problems. The only issue related to implementation (besides the still limited understanding and experience of supporting the needs of RBS) was, according to the participants, that of antagonism from the national government (also explored by Kontowski and Leitsberger (2018)).

7.4.1 Key Challenges in Setting up Successful Schemes for Support

Below, first, briefly presented are the issues discussed by both university and third sector participants. This is followed by those strongly raised by just one group of expert participants.

(i) Shared Findings

- Evidence base: both university and NGO staff have expressed an acute awareness of the lack of relevant 'hard evidence' to support their calls for more support for RBS (this is partially addressed through this thesis, where the existing demand for HE opportunities is quantified).

I think one of the difficulties has been not being really sure - what is the demand. I think it is a known unknown.

(Specialist Support Worker, Third Sector Organisation B)

(...) there's a lot of institutional fear about this group. I'm not sure why - they're perceived as, certainly from my point of view, they are perceived as either too small a group to worry about or too high risk to do much for.

(International Student Adviser, University F)

- Fractured support: it was noted that there is a lot of duplication of effort and that better communication and greater coordination are required, within universities and across the sector, but also in relation to third sector provision (this is perhaps now being partially fulfilled nationally by the Universities of Sanctuary movement alongside the STAR's yearly conference).

We would love to be in contact with people who do similar things to be able to coordinate and collaborate.

(Specialist Support Worker, Third Sector Organisation B)

- Students and academics: several participants argued that any activities in universities must be driven or at least strongly supported by academic staff and/or students - students can push the issue onto the university's agenda, and academic staff can ensure that it is presented and discussed at relevant senior leadership and executive meetings.

All those universities got on board and said we want to do something (sort of for PR really). But then of course they enact it and a university is a whole world, and you get the right group of academics on board, and they just take it and they just make it happen.

(Organisation Director, Third Sector Organisation A)

I think groundswell needs to come from students. They're the key in all of this really. Ultimately, I can say whatever I want students have to want as well. And that I think sometimes where campaigns or things get a bit wrong at universities - if you don't have a student interest, sort of the more senior individuals will be like, well this is just a passion project. You leave what happens then. I think when you have interest at every level, including students they then take notice a bit more.

(International Student Adviser, University F)

(ii) HEI Perspectives

- Support not embedded within university's structures: the individuals driving the projects discussed the difficulties faced when the university's senior leadership do not see the support for RBS (or other underprivileged groups for that matter) as one of the core institutional responsibilities:

I wouldn't say there was opposition but there was a view from some quarters that this was a 'CSR' activity and actually our [institution] has a social mission already to help people learn English and prove their skills to the world. However, we just got on with the work and the success of the initiative and the benefits it

brought to learners have quietened any misgivings there might have been in the early days. 'Proceed until apprehended' was our motto!

(Centre Director, University E, England)

In my recent appraisal, I was advised to focus more on the 'core business of the [department]', as my appraiser felt that my work with [RBS] was a bit tangential to the work I was supposed to be focusing on. My opinion is that it is my [RBS] work, which is the most important thing that I do, and perhaps one of the most important things that the [department] does. Until this work starts to be taken more seriously by all, there will always be some degree of resistance and misunderstanding towards it.

(Project Officer, University D, England)

- Restrictions on time available: in the absence of senior leadership support (or where it is limited), university staff driving these projects struggle for recognition of their effort and often complete work during their personal time:

Time and boundaries are always an issue. This sort of work is potentially unlimited in scope as the need is so great. Also, the overlap with the voluntary sector blurs the boundaries between what can be classed as "work" and what might be classed as "volunteering". I and some of my colleagues have a personal and emotional investment in this work and are willing to go above and beyond the requirements of our day jobs to support our [RBS] and create better opportunities for them. (...) I'd like to see time for this work written into our contracts so that it becomes more visible. At the moment, because it is mainly invisible on my timetable, the management feels justified in adding other work to my workload, which pushed some of this [RBS] work into evenings and weekends.

(Project Officer, University D, England)

- Training and support: staff and any volunteers involved need relevant training which can be costly considering the limited funding available for the programmes. It was noted by one of the participants that staff may require ongoing support due to the nature of issues they may come across when working with RBS:

(...) staff members working with [RBS] students need access to support themselves, both practical and sometimes also psychological.

(Project Officer, University D, England)

(iii) Views from the Third Sector

- Limited funding: as third sector organisations are often funded by donations, this can drive the type of activities and limit the scope of who the support should be benefiting – for example, in relation to the geographical area or age of the beneficiaries. The limited funding (in the absence of statutory funding for IAG) also means that NGOs often must rely on the goodwill of volunteers with relevant experience and expertise

We want to be able to provide a service that can reach anyone that we have the capacity to reach within the areas that we are funded, we have to remit to do that. Whether that means involving more people or expanding the scope will depend on things like funding and the organisation's capacity. So, in terms of vision I'm sure I can speak on behalf of my colleagues we would love to expand it and make it a bigger thing. Right now, we are perhaps a little limited by capacity but that is something that we are still exploring.

(Specialist Support Worker, Third Sector Organisation B)

- Universities acting too quickly: it was noted by some third sector participants that, in particular, since 2015, many universities wanted to get on board with the support for RBS, but many have made arrangements without due preparation and consultation.

(...) some of [the universities] were making announcements and saying we're going to create scholarship (...) They didn't actually think about what they were going to do – it was just a press release. And then they sort of phoned us up and went – eeee...

(Organisation Director, Third Sector Organisation A)

7.4.2. Summary

The findings discussed here were important to the study because they explain some of the important factors that should be considered during the planning and implementation of any new schemes of support for RBS or updating the existing ones. These include current lack of (and need for) evidence base; fractured support provision; and restrictions on time. The need for the student body, academic, and senior leadership support have been also discussed, as was the need for training and ongoing support for staff and volunteers.

While sharing of good practice between the different universities, and with the third sector, has been encouraging, identifying the commonly encountered difficulties can be a positive and empowering experience, although one that is often carried out privately. Sharing these findings here not only adds to the literature but also sets the scene for a debate on possible solutions – some of which are proposed and discussed in the next Chapter.

7.5 Critical Chapter Summary

This chapter examined *what are the barriers to refugee background students' access to higher education as perceived by universities and the third sector staff*, and *what do they consider as their role in enabling access and supporting participation of refugee background students* (R.Q.2), reinforcing aspects of the existing literature, suggesting that the long-standing barriers remain firmly in place, despite the increased interest in refugee matters since 2015. The findings build on previous research by including, for comparative purposes, views from Polish universities and separating the responses, highlighting the shared understandings between the HE and third sector, but also pointing out the differences in focus. While this chapter is based on the perspective of the 'experts', this must be considered in relation to that of RBS themselves. It has been argued that experts focus on a smaller number of 'key' issues, whereas the RBS have highlighted the vast array of issues they face both before enrolment and during their studies, with the different barriers not only accumulating but also interrelating and exacerbating each other. Many of these issues appear not to be understood or considered by universities, or to not be viewed by them as sitting within their remit. As evidenced elsewhere, in effect, some universities struggle with

filling up for their funded places for RBS (Murray, 2019), signifying that removing just some of the institutional and/or situational barriers is not enough to afford fair access on a broader scale. While some universities note that they involve their scholarship holders and/or local and national refugee organisations in the planning and review of support structures in place, the views of those for whom the barriers to access have so far been insurmountable, are never considered. Further, as noted previously, those in receipt of scholarships may be uncomfortable in sharing any negative feedback, revealing the need for external evaluation.

Once again, however, it is important to remind the reader here, that data collection was conducted in years 2017-2018. There have been many positive developments since then (some influenced by the preliminary findings from this study, which I have been sharing widely with not only academic audiences but also practitioner networks). This includes, for example, provision of good practice briefing available via UCAS, establishment of further scholarships programmes, and growth of the University of Sanctuary movement. The findings presented here, therefore, should be considered as a snapshot in time, although markedly, much of the issues discussed persist still today.

What has grown exponentially is the will to consider the barriers faced by RBS as a group with distinct needs. This has been discussed by the participants in this study, reflecting on the period post-2015:

I think the will is there. I don't think that people don't want to help. I think people don't know how or don't know what will happen. And I think that's what needs to change. Empowering people who can help to help more.

(International Student Adviser, University F)

It has also been my own perception, formed through attendance of relevant events between September 2015 and September of 2019 – these have been attended by varied audiences – third sector representatives, scholars, WP professionals and other administrative and student support staff, students – including refugee background students, and, on occasion, senior university leadership representatives.

The universities in England, Poland and elsewhere, may approach this as part of their internationalisation agenda (Berg, 2018), part of a third mission – the social responsibility (Lambrechts, 2020b), or as fulfilment of their duties as part of the existing (in England) widening participation agenda (Murray, 2019). However, it was clear from the accounts of those interviewed individuals driving the initiatives and/or directly supporting the RBS in universities and third sector alike, that *they* view HE as a right that those with refugee background should be able to access if they wished to. Several participants have described participating in HE as a key vehicle for challenging social injustice, increasing life chances of those who, by definition, as a group, have experienced some of the world’s biggest injustices, and who continue to suffer through traumatic asylum processes. Their perceptions of the system and how it should operate can be explained as an application of the previously described human rights-based approach to higher education, and in particular the model of *‘Fairness Based Meritocratic Equality of Opportunity’*. In England in particular, the participants have described presence of high aspirations and strong motivation amongst RBS, demonstrated by engagement with every learning opportunity provided, and recognised the value of their skills and knowledge, gained through formal education and/or prior life experiences. In Poland, the experience of university officials with RBS has been substantially more limited, but the interviewees noted that there are many qualified, eligible applicants who are prevented from studying by the government. Subsequently, while acknowledging the need for language fluency, most of the participants have criticised the apparent lack of application of contextual admissions methods to RBS. They have argued that universities must do more to provide pre-entry information and support/training to help RBS develop any (actually) necessary ‘merit’ or capacity – the basic academic and appropriate level language skills. The ‘fairness based’ approach extends beyond information and admissions procedures – participants recognised the need for funding, consideration of accommodation related issues, and for ongoing support for RBS during their studies. In that sense, ‘equality of opportunity’ here extends beyond that of ‘access’ as its key currency.

Besides the updated review of perceptions of barriers to access from the institutional perspective, the key scholarly contribution of this part of the study was the exploration of the issues encountered during planning, setting up, and delivering substantial

programmes of support for RBS. Despite the growing willingness to help widen access to HE opportunities for this group, as presented in this chapter (extending the existing literature and forming a basis for considerations for policy and practice) the many difficulties include: securing of academic and student support, alongside building of collaborative networks with other universities and third sector, lack of evidence base (including systematic evaluations of what is already in place), fractured support, limited time and funds available and the difficulties with, and the need to embed the support programmes within the university's wider structures, alongside securing of the all-important backing from the senior leadership.

The similar challenges based on experiences of different actors across eight universities (in two countries) and four NGOs suggest that guidance firmly supported by evidence is necessary to further this cause in a meaningful way. Therefore, in the next chapter where all the findings are brought together, a list of considerations or recommendations for policy and practice are made, based on the evidence produced by this research, as presented in this and the previous chapters of this thesis.

Chapter 8. Conclusions and Recommendations

8.1 Introduction

This thesis was written at a time of global forced displacement, the greatest in the almost 70-year history of the UN Refugee Agency. At the end of 2018, there were over 70 million displaced people in the world, including almost 26 million refugees and 3.5 million asylum seekers. According to the UNHCR, right now, *only 3 percent* of refugees have access to HE worldwide (2019) – an improvement on the 1 percent figure where the world has been stuck for years. While this issue has moved onto the global policy agenda in the last four years in particular (2015-2019), the body of research on HE opportunities for RBS remains relatively underdeveloped.

The research reported in this thesis aimed to determine whether RBS are underrepresented in universities in England and Poland specifically, and - if so – to examine the reasons behind this and consider what can be done to ensure equal educational opportunities are afforded to those with refugee background in the future. Chapters Five to Seven provided a critical discussion of the key findings that emerged from the research. Existing models and, where available, previous studies were used to interpret the quantitative data and the qualitative refugee background students' and experts' narratives in relation to HE barriers. This included critical summaries at the end of each chapter, establishing how specific research questions have been answered, and reflecting on the importance and implications of the findings. The purpose of this final chapter is to draw together the overall findings from these previous chapters, reflecting on the significance of this study, and considering in further detail the implication for the policy, the third sector, and in particular, for the HE sector.

The chapter is divided into three parts. The first section is structured around the original research questions and outlines the key findings, highlighting the original contribution to knowledge made in each part of the study. This is concluded with a synthesis which shows how all the parts of the study fit together, to address the overall aim of the research. The second section provides practical policy solutions, and guidance for practice for third sector organisations and universities, emerging from the analysis of data and using explicit recommendations made by the RBS

participating in this research. The third section summarises the limitations of this study and outlines the directions for future research.

8.2 The Full Picture – Summary of Key Research Findings

The summary of findings has been divided into four parts. The first three map onto chapters (5-7), which answered the research questions in turn. The final part explains how the three distinct parts of this study fit together.

8.2.1 R.Q. 1: What is the accessibility of (degree level) higher education opportunities for refugee background students in England and Poland? **1.1** Are refugee background students underrepresented in universities in either or both countries? **1.2** Are there any differences in access (i) in the two countries and (ii) between the different groups of refugee background students?

Although it is generally accepted in the emerging literature on this topic, that RBS appear to be an under-represented and marginalised group in HE in Europe (in agreement and in-line with the UNHCR estimate of 3% of people with refugee background currently have access to HE opportunities in the world), data relating to the national situation in the context of host states is rarely available (a fairly comprehensive picture is painted by Terry et al. (2016) in the context of Australia).

There is currently no single data collection instrument for the measurement of data on the refugee backgrounds applicants or students in either England or Poland, which would allow determination with any certainty whether RBS are underrepresented in universities there. The study, as presented in this thesis, was a first attempt at measuring the current scale of this issue, providing an original and important contribution to knowledge, firstly, by mapping out the availability of data relating to university applicants and newly enrolled students with refugee backgrounds, both in England and Poland. Secondly, by examining the (limited) data available, to determine the levels of representation of RBS in both countries. Findings were presented in Chapter Five of this thesis.

The analysis of data obtained from universities via relevant national FOI procedures have shown that in the absence of a duty to report on the numbers of applicants or students with relevant immigration statuses, data is missing or patchy, with about two-

thirds of universities in England and three quarters (of public universities) in Poland able to report on some RBS data, for at least one academic year. Only one-quarter of private institutions approached in Poland responded to the information request. Half of them reported that they record at least some relevant data.

In England, only 19 universities (15.7% of those which responded to FOI request) reported collecting *all* RBS applicant and student data. Just a few institutions were able to supply data for all academic years under study, and for all the levels of study, with applicant data mostly present at UG level and student data available more often at PG level. There were some 3,156 ‘new’ RBS in the 5-year period between 2013/14 and 2017/18, studying in 66 universities (based on data supplied), 44% of them female. The differences in access rates for different migration status groups were very pronounced – almost 87% of all newly-admitted RBS in the 5-year period were classed as ‘refugees’, with only 8% classed as ‘asylum seekers’ and just over 5% under the ‘humanitarian protection’ category. Although it was not possible to determine the age group or nationality of all RBS, universities have indicated that Zimbabwean and Iranian were most often a ‘top-nationality’ of enrolling RBS. The split of RBS between ‘new’ and ‘old’ universities was fairly even, with more noticeable differences between university mission groups - University Alliance institutions doing a large proportion of access work in this area. Almost three-quarters of RBS began an undergraduate programme in the five years under study. This is around the same ratio as for the general student population in the same institutions, which is a little higher than the national figure of 64% in 2017/18 academic year. In 2017/18, there were 723 new RBS entrants, with the aggregate across all levels of study RBS representation rate (calculated here as a percentage of total new enrolments that year) standing at 0.28%.

In Poland, there were only 30 RBS in the 5-year period between 2013/14 and 2017/18, studying in 14 (public) universities. Due to very small numbers, it was not possible to determine the level of study or choice of course/field of study, gender, age or nationality of RBS (although Belarus and Ukraine were mentioned by a few institutions), but there too the differences in access rates for different migration status groups were highly pronounced. Almost 66.7% of all RBS in Poland during the 5-year period were classed as ‘refugees’ and only 16.7% of RBS classed as ‘asylum

seekers' and the same number in the 'subsidiary or temporary protection' category. The institutions reporting to have RBS varied in type, size, and location, although most were based in large cities. In 2017/18, there were 19 RBS in Poland, with the representation rate standing at 0.29% (calculated as a percentage of all refugees and asylum seekers in Poland), and equating to about 0.0015% of the total student body in 2017/18 academic year.

Although the representation rate was calculated differently, it appears to be at a similar level in England and Poland. In relative terms at least, considering the general HE participation rates, it can be concluded that *students with refugee backgrounds appear to be underrepresented in both countries*. Further, there are indeed some differences in access not just between the two countries but between different groups of RBS, in particular between those with settled vs unsettled statuses. The key implication of these findings is that although further research is required to explore these, it will only be possible if universities begin to collect relevant data and record it in a reportable format. In England this may be possible in relation to applicants, owing to the newly introduced question on UCAS forms, but in both countries, it is somewhat unlikely to commence across the sector until RBS become a reportable category for yearly returns under statutory obligations placed on the universities.

8.2.2. R.Q. 1.3: What are the inhibiting factors (*barriers*) to equal access to and participation in higher education as experienced and perceived by both participants and non-participants with refugee background in both countries?

To answer this question, twenty-two participants with refugee background were interviewed in the two countries under study, building on previous research in England, by including participants of varied ages, genders, and nationalities, those with settled and unsettled immigration statuses (the latter largely unexplored in the existing literature), living/studying in different locations and with different study statuses – namely, those aspiring to enrol, or currently enrolled in a degree programme. By speaking to those who have not yet found their way into HE, this study has allowed their voices to be heard and presented a perspective not widely reported on in the research literature. This one was the first study with such focus in Poland, contributing

to a growing body of research in the context of non-English speaking countries. Findings were presented in Chapter Six of this thesis.

The interview data was analysed utilising the conceptual frameworks of barriers (Cross, 1981; Potter & Alderman, 1992) and bounded agency (Rubenson & Desjardins, 2009), neither of which have been used in previous research with RBS, to clearly distinguish between barriers or issues which can and should be addressed first by the universities themselves, and to discuss the impact of existing (and missing) policies on RBS' capacity to overcome barriers.

While participants' experiences were not homogenous, several issues were identified as common both for several participants in England and when compared with Poland. In England a large number of contemporary barriers were identified, falling within all four groups of barriers: *institutional* (including informational, procedural and financial factors), *situational* (including newcomer, environmental, geographical, educational and uncertainty factors), *dispositional* (including time and mindset factors) and *academic* (including language competence and academic literacy factors). Several of those have been previously evidenced in research, both in England (Alberts and Atherton, 2017; Bowen, 2014; Clayton, 2005; Doyle, 2009; Elwyn et al., 2012; Gateley, 2015; Houghton & Morrice, 2008; Morrice & Sandri, 2018; Roque et al., 2017; Stevenson & Baker, 2018; Stevenson & Willott, 2007) and in other national contexts (e.g. Andersson & Fejes, 2010; Anselme & Hands, 2010; Berg, 2018; Felix, 2016; Grüttner et al., 2018; Hartley et al., 2018; Harris & Marlowe, 2011; Marcu, 2018; O'Connor et al., 2013; Santa, 2017; Schneider, 2018; Shakya et al., 2010; Steinhardt & Eckhardt, 2017; Sontag, 2019; Unangst & Streitwieser, 2018), but many, for example the geographical issues or mindset factors, were not previously examined. In Poland, there were two key areas of concern, relating to *institutional* (namely procedural and financial factors) and *academic barriers* (in particular, language competence factors).

Where the previous studies have examined identified barriers to access and participation as separate issues, albeit, with cumulative effect, the analytical approach adopted in this thesis helps to build an understanding of these issues as interrelating

and exacerbating each other, by explicitly identifying the links between the different barriers through the chapter (6) discussion. While some of the issues identified within each group of barriers are common to the general student populations or shared with other marginalised groups, many are *especially pronounced* because of the unique conditions of refugees, while others are *specific to RBS' circumstances*. These obstacles not only accumulate but also inter-relate and exacerbate each other. This leads to what I term as 'super-disadvantage' (Lambrechts, 2020a), a concept which "helps develop our understanding as it emphasizes the complexity and magnitude of disadvantage faced by RBS — which cannot be overcome without deliberate changes to outreach and support" (p.820). It was also argued that governments and their agencies in England and Poland have so far not only contributed to forming of certain structural barriers, but also failed to apply targeted measures to overcome barriers to RBS when they encounter them, which would empower individuals, and RBS as a group, to participate in HE, which is otherwise not possible for so many, thus, creating a bounded agency.

Subsequently, it was proposed in Chapter Six, that the *Fairness Based Meritocratic Equality of Opportunity* model developed as part of this study should be applied in relation to supporting RBS, to afford them – as far as possible – with access to HE opportunities on equal footing with that available for citizens. It has been argued that as a disadvantaged group with non-standard qualifications and educational experiences, many RBS will require support through compensatory measures necessary to ensure their equal access to HE. This access should extend to both degree-level programmes, and preparatory/compensatory academic and/or language training. Further, RBS must be supported while on their course. Any such access and participation support must be provided to individuals of all ages, considering the effect of displacement and educational gaps on RBS (in)ability to join a university programme at the same age as those without refugee background. Access should also be provided as soon as reasonably possible after RBS arrival in their host country, to avoid any more 'lost time' through undue delays to their educational and career progression. As such access is effectively denied - especially for those with unsettled statuses - through existing national policies (those relating to HE and migration), issues including those relating to finances, but also the geographical location of such

opportunities and RBS ability to relocate or travel to such locations need to be considered.

8.2.3. R.Q. 2.: What are the barriers to refugee background students' access to higher education as perceived by universities and third sector staff, and what do they consider as their role in enabling access and supporting success of refugee background students; what recommendations for improvements can be made?

To answer this question, both survey-like data, collected through FOI procedures in both countries, and data generated through interviews with fourteen university officials involved in planning and/or delivery of specialist programmes of support for RBS (twelve in England and two in Poland), and five interviews with third sector staff/volunteers (in England), have been analysed. Notably, previous studies in England included survey data from universities only. This part of the study provided an updated picture of the expert perceptions of barriers faced by RBS in England, with findings discussed in relation to prior published research. In the context of Poland, this was the first study exploring this issue. Findings were presented in Chapter Seven of this thesis.

The analysis of the FOI data has suggested that the majority of universities in both countries believe the demand for HE amongst refugee populations is small, they continue to fail to see the needs of RBS as distinct from other disadvantaged groups and/or see the support they require as lying outside of their domain. While university staff from institutions with existing structures of support for RBS and the third sector staff are very familiar with barriers faced by this group, they focus on a smaller number of 'key' issues, when compared to RBS themselves. These are in particular the *institutional barriers*, with more limited consideration given to situational and academic barriers, and no real mention of dispositional barriers. This is broadly in line with the previous research in this area (Alberts & Atherton, 2017; Bowen, 2014; Gateley, 2015; Houghton & Morrice, 2008; Stevenson & Willott, 2007). It has highlighted the need for involvement of RBS themselves, including those who have not yet managed to overcome the barriers faced, in the planning and/or evaluation of any programmes of support, and the need for ongoing research in this area. Notably, the expert interviewees have stressed the need for emotional support for RBS, an issue not raised by the refugee participants themselves. This is in line with previous

research which maintains that mental health and emotional issues are widespread amongst refugees and asylum seekers, although many are resilient and resourceful, and thus refuse to see themselves as vulnerable and in need of emotional support (Stevenson & Willott, 2007).

One of the novel findings presented in this thesis was the agreement amongst the interviewed experts as to their institution's role in challenging the policy and advocating for RBS in the government and influencing public opinion. Challenging the government was noted as particularly difficult, with universities and third sector operating within increasingly unwelcoming political narratives in both England and Poland. In Poland, universities rely on the government for direct funding, and in any case, even when trying to challenge decisions of the immigration authorities directly, they often do not receive a response at all or get a very vague reply. In England, all participants stressed the challenging relationship between universities and the Home Office, and the way in which they regulate and control the right to sponsorship of international student visas under the Tier 4 regime. It was suggested by some of the participants, that there is strength in numbers - collective lobbying and advocacy, including through bodies like the Universities UK or UKCISA, and together with third sector organisations, can offer a certain level of institutional anonymity in the process and can generate positive outcomes beyond any that can be attained individually.

The challenge of hostile policies is just one issue faced by those who want to widen access to HE opportunities for RBS. Both university and NGO staff have to battle many other external and internal issues, the examination of which was a novel and valuable contribution to research in this area. Some of the difficulties encountered while planning, setting up and implementing structures of support as discussed in Chapter Seven include: securing of academic and student support, alongside building of collaborative networks with other universities and third sector, lack of evidence base (including systematic evaluations of what is already in place), fractured support, limited time and funds available and the difficulties with, and the need to embed the support programmes within the university's wider structures, alongside securing of the all-important backing from the senior leadership.

Despite the challenges faced, the expert participants in this study have made it clear that they believe access (and participation) to HE is a matter of human rights and social justice, and they view their role as ensuring this right can be realised. It was therefore argued in Chapter Seven again, that the *Fairness Based Meritocratic Equality of Opportunity* model developed as part of this study, should be applied in relation to supporting RBS. The expert participants described the presence of high aspirations and strong motivation amongst RBS, demonstrated by engagement with every learning opportunity provided by universities and/or NGOs, and recognised the value of their prior skills and existing knowledge, gained through formal education and/or life experiences. While they have acknowledged the need for language fluency as necessary for effective participation in HE learning, a majority of the participants have criticised the apparent lack of application of contextual admissions for refugee background students, both in terms of language and academic qualifications. The participants have argued that universities must do more to provide pre-entry information and support/training to help RBS develop any (actually) necessary ‘merit’ – academic and language skills. The ‘fairness based’ approach extends beyond information and admissions procedures – participants recognised the need for funding, consideration of accommodation related issues, and ongoing support for RBS during their studies. In that sense, ‘equality of opportunity’ here extends beyond that of ‘access’ as its key currency.

Having summarised the key findings as mapped on to research questions and chapters in which these have been answered, the following section explains how the three distinct parts of this study fit together.

8.2.4 Synthesis

Early in this thesis, it was stressed that access to HE is a matter of human rights and social justice, and as such, it should be of paramount importance to ensure this right can be exercised by all – including those with refugee background living in the host states. Over recent years, it became apparently recognised by the EU and national governments that it is in the best interest of Europe and the host states to adopt measures aimed at the integration of refugees, namely through language learning and access to education and the labour market, if they wish for a socially cohesive society

to become a reality. We have also seen a gradual global shift from the focus on compulsory age education for refugees, in recognition of the many benefits of HE participation for individuals, communities, and societies. Yet, many countries – including England and Poland – have failed thus far to create policy structures that would assure equitable *access to higher education* opportunities for RBS residing within their territories. Absence of appropriate national policies, coupled with higher fees, lack of targeted information and support, and rigid entry criteria (amongst many other barriers as examined in this study) lead to *de facto* barring refugees and in particular, those without settled status from exercising their rights set clearly in both the international law and human rights law.

Refugee background students are not the only group facing barriers to HE access. Indeed, some of the barriers they face are shared with other migrants, care leavers, ethnic minority students, mature students, and young people from groups otherwise disadvantaged in socio-economic terms. However, as a group, RBS face further – particular to them – obstacles to rebuilding safe and fulfilling lives through HE. RBS differ from the other groups as they may have experienced or witnessed violence, imprisonment, physical and sexual abuse; they may have experienced separation from, or loss of family members and friends, and destruction of their home and neighbourhood; their education may have been disrupted and most would have experienced a dangerous journey from their home countries before eventually arriving in their current host country (Refugee Council, 2005). Further, they have or are currently experiencing the often traumatic in itself asylum application process; they are moved across the country at the host government's will and placed in often inappropriate accommodation; they have poor access to information and services and face public antagonism and racism.

In the absence of supportive national policies in either England or Poland, and in recognition of the barriers which are particularly pronounced because of the unique conditions of RBS, and the many additional barriers specific to RBS circumstances, it has been argued in this thesis, that the role of universities and third sector organisations becomes crucial in facilitating access and supporting the success of RBS. Indeed, the very existence of inequality in HE access for different groups within the society, including, as presented here, those with refugee background, is a denial of equity,

parity and social justice, a vast and ongoing challenge, but one that must not be regarded as being beyond the remit of influence of third sector staff and volunteers, and in particular, university leaders, widening participation practitioners, administrators, and scholars. As noted by Chapman and West-Burnham (2010), in education, “there is no place for neutrality on the issue and with a deeper understanding of social justice there is the potential for an acknowledgement of personal and professional responsibility and so action” (p.15). I hope that this research can be used at HE sector level and beyond, to develop this understanding of access to university for RBS as a matter of social justice. To conclude this project, and to answer the ‘what can be done to ensure equal educational opportunities are afforded to those with refugee background in the future’ question, which is in-line with the pragmatist approach adopted, I have developed a succinct list of recommendations for policy, and further suggestions for amending or including new practices by third sector and in particular university practitioners. These are presented in the next section and are separated by country where relevant, although many of the suggestions can also be adopted (or adapted) in other national contexts.

8.3 Implications – Recommendations of the Policy, Universities and the Third Sector

While this thesis did not focus on a systematic evaluation of existing policy or practices, the findings have significant implications for both areas. I have shared some of the recommendations made here with practitioners already – privately, by giving feedback on this research during scheduled meetings with participants who have requested this, and at various events, including as an invited workshop leader at the first Universities of Sanctuary conference in September of 2019. This is a non-exhaustive list – several good practice guides and other useful resources have now been produced in England, for example, by UCAS and by Universities of Sanctuary. The recommendations made here are ones that can be supported with evidence as reported in this thesis. Suggestions made by RBS in particular and those made by expert participants have been incorporated here.

It must be acknowledged of course, that the lack of support from the policymakers thus far is a reflection, or a part of the hostile and anti-migration policy environment in both countries, as discussed at length in Chapter Three, and throughout the findings

chapters. Although, as declared in the introduction to this thesis, the instrumental argument sits uneasily with my views, I acknowledge that what may speak to the policymakers most, is not the human rights or humanitarian arguments, but the fact that the arrival of refugees in Europe can help the economic growth of the host states. As discussed in Chapter Three, the evidence of the economic benefits of supporting RBS access and success in higher education, not just for the individuals, their families and communities, but also the wider host state societies, is overwhelming. If the needs of the market are to be considered above all else (as neoliberal capitalism requires), the argument for supporting RBS to become self-sufficient and non-reliant on state support as soon as possible is very strong indeed. While the governments may want to see refugees in employment as soon as possible after grant of protection status, the reality shows that access to advanced language training, opportunities to gain qualifications – including HE, and opportunities to socialise with the local population (with universities being perhaps the best place to develop diverse networks) are all necessary for long-term economic success and integration of refugees.

The lack of effort on the part of most universities to support RBS access and participation, can in turn be attributed to the increasing marketisation of higher education systems, embracing competition and meritocracy as part of the neoliberal mode of operation (Lynch, 2014). Interestingly, as pointed out by Gunn (2015), despite the growth of market forces in HE and trends towards deregulation, “[t]he relationship between universities and the state is being reconfigured and recast, not severed” (p.29). As discussed in Chapter Seven, in both countries under study, universities appear reluctant to openly challenge or criticise the government on the issue of forced migrants, largely for financial reasons.

The lack of action does not persist, however, without challenge. Some institutions take their third mission – of social responsibility – very seriously indeed, a reflection of a wider emerging European focus (Brandenburg et al., 2019). This includes supporting RBS and more widely speaking – refugee communities (Lambrechts, 2020b). Individual staff members in universities, as has been shown in this study, hold strong beliefs about the human rights basis for the support of RBS access to HE opportunities. As higher education institutions do continue to enjoy at least relative autonomy in both England and Poland, they can and indeed must act ‘as a site of

resistance’ (Lynch, 2014, p.106), to challenge and oppose others in the society – including the governments – for social justice purposes (Lynch et al., 2010, p.297). The recommendations listed below can be used by universities and other bodies to act on their own, as even little action is better than none at all when no overarching policy support exists. Evidence presented in this thesis can further be used by all stakeholders individually or perhaps collectively, to challenge the governments to change their stance on education for refugee background students. As noted by Kotzmann (2018) “[a]lthough it is always possible that research and evidence may be ignored or misused in the political policy-making process, it must be hoped that they can be of some influence” (p.148). I am of course aware, that a complete overhaul of the policy frameworks, both those focused on migration and those relating to higher education are unlikely to happen overnight in either country (although radical reimaginings of HE can and do happen, as demonstrated during the COVID-19 pandemic, discussed for example by Watermeyer et al., 2021 – lessons learnt and changes implemented during this time, including for example financial support for students who lack access to technology, should be reviewed by universities in the future, in relation to all disadvantaged groups, including RBS). Examples from Sweden, Finland, Germany and other countries, show that human rights-based approaches are indeed possible, and this includes taking action to provide equal opportunities for RBS, as discussed in the earlier chapters of this thesis. An in-depth comparative review of other HE systems, in search of more effective procedures for supporting RBS is an area of future exploration, as indeed recommended in s. 8.4 of this chapter. Any changes of the relevant aspects of policy as listed below would take us a small step closer to equality and human rights-based higher education systems.

8.3.1 For the Policymakers

Current restrictive and hostile migration policies and lack of integration policies in either England or Poland affect those who seek sanctuary there in profound ways, some of which have been examined in this thesis. There is an immediate need for development of progressive migration and integration policies and practice guides for local authorities and other bodies in both countries, based on principles of human rights and social justice. This must include appropriate provisions that will ensure that RBS are presented with opportunities similar to the rest of the population. The

following recommendations relating to both national contexts (unless specified otherwise) can be made:

- **In both countries, ensure that asylum seekers and refugees are given access to language training at an appropriate level as soon as possible after arrival.** The provision must be adequately funded, available to forced migrants free of charge and without delay, with an option to join a course at any time during the year. Appropriate placement should be ensured and courses at all levels must be available locally, including within reception facilities, including at a level equivalent to that required to enrol at a university. Appropriate and timely access to language training will benefit not just those wishing to access HE but also those looking for employment once permitted to do so.
- **In both countries, ensure that asylum seekers and refugees are offered access to information.** There is an immediate need to provide consistent and transparent information regarding RBS entitlements to access HE, and funding. This should be offered to forced migrants at the earliest possible opportunity, for example, in England, this could be included in the ‘welcome’ packages – information provided by the local councils in accommodation. In Poland this information could be shared in the reception facilities which house majority of newly arrived asylum seekers. This is a relatively inexpensive action, as other information is already shared with newly arrived forced migrants in this way.
- **In both countries, it is advisable that asylum seekers should be given access to statutory funding as soon as possible, after their arrival in the host country.** As many forced migrants have already experienced disruption to their education and career development, it is advisable that they should be supported to access HE, should they wish to do so, as soon as possible. As many asylum seekers experience significant delays to assessment of their asylum application through no fault of their own, access to funding should be made available, if, for example, asylum application is not completed within a set timeframe. Currently, asylum seekers can apply for a work permit in these circumstances. This should be extended to granting access to statutory funding,

at the very least that which covers the cost of tuition fees in England or waiving of tuition fees in Poland.

- **In England, when granted refugee or other protection status, those already in HE should get access to funding for the remainder of their course.** Refugee background students who begin a course while waiting for an assessment of their application should be awarded maintenance support (pro-rata for the remainder of the academic year) and tuition fees should be paid to the university and refunded to the student if paid out of pocket.
- **In Poland, when granted refugee or other protection status, those already in HE should get access to statutory funding (scholarships) calculated pro-rata or backdated where relevant.**
- **It is advisable that asylum seekers should be granted the right to work and receive support in searching for suitable employment as soon as possible after arrival.** In Poland, this is currently already granted after six months. It is advisable that a similar (or shorter) timeline is adopted in England, instead of the current 12 months. Access should be granted to all professions, rather than those currently on the list of worker shortages, as these often require a higher degree qualification. This would allow all asylum seekers to contribute to the economy instead of relying on state support. For RBS, it would improve their ability to support themselves through HE, even if other forms of financial support were limited.
- **In England, the ‘refugee’ target group for widening participation activities as recognised by the OfS should be amended to ‘forced migrants’ or ‘people with refugee background’ to include those with settled and unsettled statuses.** This amendment would allow universities to use some of their funding earmarked for WP activities and support (including scholarships) to be used for supporting those without settled statuses.
- **In Poland, it is advisable that outreach and other widening participation policies are developed, to support more equitable access for those from disadvantaged background. These should include RBS as a target group.**
- **In both countries, regulatory bodies should require collection and return of data in relation to RBS participation in line with data on other disadvantaged groups, for purposes of fair access monitoring and publication.**

8.3.2 For the Universities

(i) Understanding under-representation

- **In both countries, analysis of data will support an understanding of the underrepresentation of RBS.** It is important that data relating to applicants and students with refugee background is collected. In England, UCAS application form now includes relevant questions for both UG and PG applicants – this should be reviewed by universities. Direct applications (for example for some master’s programmes in England and all applications in Poland) should be amended to include monitoring questions which may help in collecting data on those who apply but do not progress. This data can be also used for targeted information and support.
- **In both countries, consider working with RBS themselves, and third sector organisations, other universities, schools, and colleges to learn about the barriers faced by this group.**
- **In England, increase awareness of the issues amongst WP staff, and in both countries that of admissions and faculty staff through appropriate training.** Provide briefings and training to convey key messages and share best practice.

(ii) Supporting access

- **In both countries, ensure specialist information, advice and guidance are available.** This should be firstly addressed, at the very least, through providing of dedicated webpages, ideally linked from the main university site – a low cost, quick-fix measure. Information about eligibility, admissions process and fee structure, and provision available and the practices of support should be clear and transparent. Further, consider having a key person to contact in the university, who can advise RBS, for example in relation to financial entitlements, and support them in making their application. In England, consider also organising dedicated open days or other information events aimed at RBS specifically. Where possible, organise transport or refund travel costs to such events. Programmes of support can be delivered jointly with other institutions through consortia or other regional alliances to reduce costs and administrative burdens. A clear progression route from college or other

pre-entry programmes to university would reduce the IAG gaps. Finally, provide transparent and clear information about the disclosure of migration background during the application process to ensure RBS are aware of how this information will be used, and what are the benefits of disclosing this to university.

- **In England, use a targeted approach to WP to address the underrepresentation of RBS.** RBS faced unique barriers to HE in addition to those shared with other underrepresented groups. A targeted approach to WP is recommended. For example: consider reaching out to local community groups and facilities like public libraries to provide information, e.g., through leaflets. Further, posters and information guides could be sent out to state-provided accommodation. Partnerships with external agencies such as local government, colleges, national and local third sector organisations can offer an effective way to engage with RBS and to reduce costs by targeting only the relevant and appropriate places frequented by forced migrants.
- **While in Poland no ‘widening participation’ policies formally exist, similar outreach activities can be delivered by international offices which are tasked with providing information for and supporting all foreign students, regardless of status.**
- **In both countries, consider opening up of facilities to the local refugee community,** e.g., university library, gym, to welcome potential future students with refugee background to university campus. This is perhaps the cheapest, almost a cost-free action.
- **In both countries, consider providing free access to English/Polish language for academic purposes, free places on access courses, international students pre-sessional courses, and/or setting up of specialist access programmes for RBS.** The cost of providing access to the existing provision is relatively small, and inclusion of RBS will diversify the existing cohorts, improving the overall experience of the fee-paying students. It will improve opportunities for a larger number of students, who can continue their education in another university where direct progression is not possible. In England, specialist pre-entry programmes for RBS in different parts of the country would allow for targeted information sharing and preparation for HE learning in the host country. Such courses should include language and

academic skills provision and personalised IAG. Funding for such courses can be sought from the local government, third sector organisations and private donors, e.g., the alumni networks. In Poland, where the overall number of refugees and asylum seekers is considerably smaller, online provision – jointly funded and co-led by several institutions – may be a suitable alternative.

- **In both countries, consider amending contextual admissions provision to include forced migration background as a marker of disadvantage.** Where possible offer alternative assessment if RBS are unable to provide relevant documentation to prove prior attainment. This should include (free) language assessment.
- **In England, consider introducing direct applications (where not already available) so that any external application costs can be avoided.** Ensure the form includes instructions on how to best complete it if the applicant does not have the necessary documentation or cannot provide references. Communicate direct applications as an option on the dedicated RBS information webpages and in any literature marketing opportunities for RBS, for example, university prospectuses. The administrative burden and related cost are likely to be relatively small since most institutions already have similar systems in place to assess postgraduate applications, in particular from international students.
- **In both countries, where financial support is offered, consider including the cost of accommodation and/or travel and other hidden costs of HE participation.** This could include pre-entry costs, e.g., travel to admissions interview, and community participation, such as the cost of societies' membership fees (the latter can simply be waived, of course, but that may require self-declaration of status by RBS and should therefore be avoided, except where a voucher system – as explained further below – can be adopted).

(iii) Supporting participation and success

- **In both countries, ensure RBS are given all relevant pre-arrival advice and information and – where several applicants have been accepted – consider planning a dedicated set of welcome events.** Such information should include, for example, advice on finding suitable accommodation and the impact of moving to campus on RBS's rights to access statutory housing

support. Welcome events should include an introduction with relevant staff, other RBS in their cohort, and information about all relevant support services, on and off campus.

- **In both countries consider having a key person of contact in the university and encourage RBS to make contact with them as early as possible.** This could be the same person as that responsible for admissions advice, or a member of the student services. They should have relevant training and must be familiar with all services available at the university so they can signpost RBS to relevant support.
- **In both countries, consider setting up formal or informal mentorship and buddying programmes for RBS.** Such mentorship could be delivered by staff members or alumni with refugee background, who will be able to help new RBS navigate the university system and deal with any difficulties. Buddying schemes with other students (RBS or otherwise) can help new students feel comfortable in the early experiences of HE and provide social support during their time at university.
- **In both countries, where RBS have been accepted onto a course, consider having a key person of contact in relevant academic departments and encourage RBS to make contact with them as early as possible.** This can help develop staff awareness about student's needs and help academic staff members understand that RBS may require an extension on the submission of their work, or that they may be absent from the university. It will also ensure that RBS do not have to disclose the information about their circumstances repeatedly.
- **In both countries, ensure all staff, including teaching staff who offer pastoral care to students, are aware of the disclosure of the forced migrant background and support available within the institution.**
- **In both countries, ensure that all RBS have access to ongoing language and skills support while on course.** Academic language and study skills support should be available to all RBS throughout their time at the university. This could be provided by a dedicated member of staff or a (paid) postgraduate student, on an ongoing basis.
- **In both countries, in institutions with several RBS, consider employing a specialist trauma counsellor who can offer emotional support to RBS.**

Where it is not possible, relevant services local to the university or on-line should be identified for RBS to be referred to.

- **In both countries, consider provision of ongoing support for RBS after graduation.** Such support could include continued mentorship by a member of staff, or opportunity for the RBS alumni to mentor new RBS cohorts, bespoke careers advice and networking events.

It is advisable that universities evaluate their provision periodically, involving RBS – those currently in HE and those who wish to study in the future. This should be done by an organisation external and independent to the institution.

8.3.3 For the Third Sector and Colleges

- **In both countries, ensure that information, advice, and guidance on educational opportunities include that on HE.** This can help promote the aspirations of RBS and can increase their awareness of their rights and opportunities.
- **In both countries, consider forming partnerships with local universities to deliver specialist advice and offer progression opportunities.** Further, establish or join existing networks with similar organisations so that clients can be referred to an organisation closest to them geographically.
- **In both countries, support language learning up to an academic level.** Where funding permits, include language learning at an advanced level for those wanting to move into HE. Where local funding is not available source alternative provision to refer clients to.
- **In both countries, encourage the development of social and cultural capital.** This can include supporting clients into volunteering where work is not an option, offering free learning opportunities, and finding professional mentors for clients.

8.3.4 For the Students' Unions

- **In both countries, consider working with the university to extend the social opportunities available for RBS.** This could be achieved, for example, through waivers of science and social clubs', societies', and events'/activity fees (NB, this would have to be delivered through some kind of a voucher system with allotted number of memberships/tickets to events

given to the student support services which can distribute these to RBS and other students with similar needs while protecting their identity).

- **In both countries, work with students and the university to develop and maintain a positive ethos towards forced migrants throughout the institution.** Developing awareness of the plight of refugees and encouraging positive and supportive attitudes from both staff and students, and local communities will encourage a more inclusive environment for RBS.
- **In both countries, encourage students to support refugee communities locally and nationally.** This could be, for example, through language teaching, supporting children and young people with refugee background with their schoolwork, or assisting at HE information events for RBS.

In addition, some further recommendations – for research, are included in the next section of this chapter. Such research can be carried out within, or outside of academia. Crucially, however, findings must be shared with the universities, third sector and policymakers, to ensure they can be utilised for affording social justice.

8.4 Study Limitations and Future Research Directions

The research project presented within this thesis has many strengths, which have been described above – namely, it provided empirical evidence to support the notion of underrepresentation of RBS in HE in host states; it provided rich data leading to new in-depth understandings of the RBS' own perceptions of barriers to HE access and participation, and in particular how these are not only accumulating but also interconnecting and exacerbating each other. Crucially, it includes the voices of those for whom the barriers have been so far insurmountable. It provided updated evidence of the perceptions of barriers held by university and third sector staff, and an examination of issues faced by those trying to establish structures of support for RBS. It also offered a comparative aspect in all parts of the study, by including two national contexts in data collection and analysis, offering commentary on the common issues and differences, which can be used to develop a deeper understanding of the wider, international picture. Nonetheless, there are some limitations that should be noted. The first of these is the small number of both RBS and experts who participated in the research in Poland, despite varied and multiple efforts to recruit them. This means that generalising the research findings, in particular the RBS ones, to the wider

RBS/refugee population in Poland was problematic. Although I have briefly considered separating the two country cases and retaining the more limited Polish data for a separate publication, the ethical argument for publishing the results, in particular those collected through interviews, as soon as possible is very strong indeed. The RBS participants have given me their time to share their experiences, in the hope that my findings may improve practice – if not policy – so that other refugees in Poland and elsewhere can have the same opportunities they have accessed. The expert participants have taken the time away from their duties to talk to me, so that their experiences, and their institutional actions, limited but extremely positive and forward-looking despite the ominous political climate, could be acknowledged. As the numbers of current students with refugee background in Poland are extremely small, it is still possible to use the experiences of the participants to consider improvements to processes and practices to improve RBS experiences during the application process, during transition and throughout their time at university. It is vital, however, that further research is carried out with those who hold aspirations to access HE in Poland but have so far been unable to do so. Interviews with those working in the third sector would also be advisable, although, notably, the number of relevant organisations in Poland has diminished dramatically in the last few years following the withdrawal of funding. The two organisations with which interviews have been initially scheduled as part of this study, for example, are no longer operational.

The second limitation is associated with only including expert stakeholders' perceptions from universities and third sector organisations which are known to support RBS access to HE, although notably, both junior and senior staff have been included in this study where possible. Exploring the perceptions of other stakeholders, namely from institutions that do not currently offer any targeted support and/or outreach for RBS may have allowed for additional insights into the reasons for the ongoing underrepresentation of this group in our universities.

The third limitation – which is also one of the key findings as presented in this thesis – is the extent to which data relating to RBS is missing in both countries. While the size of the sample (based on the availability of data) was large enough for the analyses that were employed, the calculated representation rates have to be treated with caution,

in particular as the numbers have been rounded by most institutions, in-line with data protection guidelines. As noted previously, data is necessary to evidence demand so that appropriate resources can be allocated to supporting RBS. This will only be possible if universities begin to collect relevant data and record it in a reportable format. This can be used at a local level, but also to build a national picture. In England this may be possible in relation to applicants, owing to the newly introduced question on the UCAS forms, but in both countries, it is somewhat unlikely to commence across the sector until RBS become a reportable category for the purposes of yearly returns under statutory obligations placed on the universities.

In consideration of the strengths and limitations of this research project and existing studies, a number of future directions would further inform our understanding of marginalisation of RBS in HE, with some of these already explained above. In addition to those, a systematic evaluation, adopting qualitative and quantitative frameworks (including indicators) should be carried out, for the existing university programmes of support, to provide evidence of what is achieved, what works, and what can be learned to inform future developments. While experiences and practices are already discussed by practitioners including through networks like the Universities of Sanctuary, it is vital that any claims of good practice are supported by evidence. This information would be useful for both practice and policy purposes, both in national and international contexts but also to advance scholarly understanding. It remains imperative that any such research should include consideration of expectations, experiences and perceptions of the RBS themselves. Further, to gather insights on possibly more effective procedures for supporting RBS in England and Poland, a critical review of literature on other national HE systems and university initiatives for supporting RBS should be conducted. Any such evidence would necessarily need to be assessed for its relevance in relation to local and national contexts.

Next, to aid policy development, building of a national picture of existing skillsets, and future aspirations, to understand the subsequent demand for training and education amongst the forced migrant communities should be carried out. Census-like surveys with all new asylum applicants and those still awaiting a decision at the time could be used to examine the support needed, including the resources that must be allocated, to

effectively support those with refugee background to join the labour market as soon as possible, including through attending necessary training and education. Such large-scale quantitative data collection should be paired with qualitative research with high numbers of RBS representing, to establish whether and how barriers to access and experiences of participation vary by ethnicity, nationality, gender, age and other factors. Although no such differences were observed in in this study, this may be due to the relatively small yet extremely varied sample. Migration history and status should in future studies be considered alongside other markers of disadvantage, with analysis carried out through the lens of intersectionality.

Finally, the role that universities can play in supporting refugee communities in Europe and elsewhere, beyond supporting access to HE learning specifically, has received little attention so far. Examination of activities and programmes in universities, including those delivered in collaboration with third sector and other community partners to identify good practice but also common challenges and issues, would be useful for practitioners. In terms of scholarly contribution, it would deepen our understanding of how universities can maximise their social impact, responding to persistent and new societal challenges, both locally and globally (see Lambrechts, 2020b).

8.5 Conclusions

Access to higher education has been framed in this study as a human right and a social justice issue. It has been argued, that in the absence of supportive national policies in England or Poland, the role of universities and third sector organisations becomes crucial in facilitating access and supporting the participation and progression of refugee background students. The research reported on in this thesis adds to a growing body of evidence suggesting that refugee background students should be considered as a distinct group, as they face unique and/or more pronounced barriers. It has been demonstrated that their particular needs and barriers they face remain largely invisible, and thus are insufficiently and inappropriately addressed. This results in underrepresentation and marginalisation of refugee background students in both countries. I hope that these findings will inform university practice in recognising that the barriers faced by refugee background students are more severe, and interconnected, and their needs more complex and nuanced, than presently

acknowledged, or which the ‘other disadvantaged groups’ label, currently used by many institutions, is able to capture. I hope that the evidence-based recommendations can be used to address the barriers and issues currently in place so that those with refugee background living in their host states can exercise their right to access higher education. Failure to address these issues will result in continued marginalisation and initiation of a downward spiral in which this social exclusion exacerbates already existing economic inequality, reinforcing inequality and social injustice experienced on a personal level by those who have already faced some of the world’s worst injustices.

Appendices

Appendix I - Equality

Equality is not a human right in itself – it is a fundamental principle that all human rights stem from (see, for example, Article 1 of the Universal Declaration of Human Rights, which states that all human beings are equal). Discrimination thus is, in this context, understood as a violation of basic human rights and freedoms. In accordance with Article 30 of the Polish Constitution, the inherent and inalienable dignity of the person constitute a source of freedoms and rights, and so Article 32 prohibits discrimination in political, social and economic spheres of life for any reason whatsoever (Article 37 of the Constitution states that “Anyone, being under the authority of the Polish State, shall enjoy the freedoms and rights ensured by the Constitution” and that any “Exemptions from this principle with respect to foreigners shall be specified by statute”). NB: Article 68(2) of the Constitution states that "universal and equal access to education" is to be ensured by public authorities to citizens only. This is however clearly at odds with the universality of the International Covenant on Economic, Social and Cultural Rights and other human rights instruments, which grant these rights to everyone.

Prohibition of discrimination on many grounds, such as gender, race and sexual orientation, and equal treatment in the exercise of all of the rights and freedoms set out in the British Human Rights Act 1998 (HRA 1998), and the European Convention on Human Rights and Fundamental Freedoms (ECHR), are protected by Articles 14 in both documents. The limitation of Article 14 (in the sense that it only prohibits discrimination in the enjoyment of one or the other rights guaranteed by the Convention), has been removed by the adoption of Protocol 12 to the Convention by the Council of Europe in 2000, which provides for a general prohibition of discrimination – it guarantees that no one shall be discriminated against in relation to any ‘right set forth by law’ on any ground by any public authority (notably, however, neither Poland nor the United Kingdom has as yet ratified the Protocol). NB: The extent of the equality guarantee in the Article 14 of the ECHR and whether – based on the recent jurisprudence of the European Court of Human Rights (ECtHR) – we can now discern a coherent conception of the right to equality, is considered by Sarah

Fredman (2016). Fredman notes the elasticity of the grounds of discrimination recognised by the Court, the fluidity of the concept of ‘ambit’ and Court’s preparedness to develop the concept of ‘discrimination’ to include conceptions such as ‘indirect discrimination’, and concludes that, although not explicitly articulated, the recent jurisprudence on Article 14 ECHR indeed contains implications of substantive equality, including the distributive justice principles (aimed at redressing disadvantage), addressing stigma, stereotyping and prejudice (that is advancing dignity), and facilitating participation. Fredman notes, that the expansive view of the scope of Article 14 has meant that in practice Protocol 12 has proved less relevant than initially

Appendix II - Protection Statuses in England and Poland.

In England, refugees are given temporary permission to reside and work once their asylum is granted. After five years they can apply for indefinite leave to remain (permanent residency) and a year after that they can apply for British citizenship.

Humanitarian protection (HP) is a form of immigration status occasionally granted by the Home Office to a person who is acknowledged to need protection but who does not meet the criteria for refugee status. Importantly, it conveys different rights to people who are granted the status than those afforded to refugees.

In Poland, there are three main forms of protection to be granted to a foreigner seeking refuge in Poland: the refugee status (*status uchodźcy*), subsidiary protection (*ochrona uzupełniająca*) – equivalent to humanitarian protection in the UK, and the tolerated stay permit (*zgoda na pobyt tolerowany*). The last form is a non-EU based national protection status which is granted if the expulsion of the foreigner: 1) would constitute a threat to his/her life, freedom and personal safety, when in the country of origin he/she could be subjected to torture, inhuman or degrading treatment or punishment (Art. 3 ECHR) could lead to forced labour; would deprive the right to a fair trial; or could lead to punishment without any legal grounds, within the meaning of the European Convention for the Protection on Human Rights and Fundamental Freedoms; 2) would violate the right to family life within the meaning of the European Convention on Human Rights and Fundamental Freedoms (Art. 8 ECHR) or would violate the child's right determined in the UN Convention on the Rights of the Child to the extent of making a threat to the psychophysical development of such child; 3) is unenforceable due to reasons beyond the control of the authority executing the decision on expulsion and beyond the control of this foreigner (e.g. the foreigner is considered stateless or does not have any documents and his/her identity cannot be confirmed).

There are two more forms of protection provided under Polish law: asylum (*azyl*), which is separate/different from the refugee protection provided under the 1951 Refugee Convention. According to Article 56(1) of the Polish Constitution and Article 90 of the Act of 13 June 2003 on granting protection to aliens within the territory of the Republic of Poland, a person may be granted asylum (*azyl*) in Poland on his/her

request, if it is necessary to provide him/her protection and if it is in great interest of the Republic of Poland), and temporary protection.

Appendix III – Non-discrimination of Non-citizens, International and Regional instruments

Article 2(1) of the International Covenant on Civil and Political Rights (ICCPR) makes no distinction as to the rights of citizens and non-citizens and states that:

*Each State Party to the present Covenant undertakes to respect and to ensure to **all individuals** within its territory and subject to its jurisdiction the rights recognized in the present Covenant, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. (emphasis added).*

The ICCPR permits states to draw distinctions between citizens and non-citizens with respect to two categories of rights only – those explicitly guaranteed exclusively to citizens and rights that may be denied to non-citizens in times of public emergency. It further explicitly permits States parties to deny certain specified rights to undocumented non-citizens (such as the right to choose one's residence (Art. 12), and the right to certain procedural protections in expulsion proceedings (Art. 13)).

In the General Comment 15/17 on the Position of Aliens under the Covenant, adopted in 1994, the Human Rights Committee (the body responsible for monitoring the implementation of the ICCPR) has unequivocally confirmed the applicability of the ICCPR and its non-discrimination clause to non-nationals and explained that

The rights set forth in the Covenant apply to everyone, irrespective of reciprocity, and irrespective of his or her nationality or statelessness [...] The general rule is that each one of the rights of the Covenant must be guaranteed without discrimination between citizens and aliens. Aliens receive the benefit of the general requirements of non-discrimination in respect of the rights guaranteed in the Covenant [...].

The International Covenant on Economic, Social, and Cultural Rights (ICESCR) requires that state parties take progressive measures to the extent of available resources

to protect the rights established within it for everyone, regardless of citizenship with article 2(2) stating that

The States Parties to the present Covenant undertake to guarantee that the rights enunciated in the present Covenant will be exercised without discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

Although there are differences of opinion whether non-discrimination provision in this article can be of assistance to non-nationals (see Cholewinski (1997), pp.57-58 for a discussion of these differences), The Limburg Principles on the Implementation of the ICESCR (UN Doc. E/CN.4/1987/17, Annex), drafted by a group of international experts at Maastricht in June 1986, assert unequivocally that “the grounds of discrimination mentioned in article 2(2) are not exhaustive” (Principle 36). The Limburg Principles are reproduced in (1987) 9 Human Rights Quarterly 122. Article 2(2) should also be read in the context of an explicit restriction on the economic rights of non-citizens in the clause that follows, Article 2(3) ICESCR: “Developing countries, with due regard to human rights and their national economy, may determine to what extent they would guarantee the economic rights recognised in the present Covenant to non-nationals”. The very existence of Article 2(3) appears to confirm that the ICESCR does apply to non-citizens.

The general rule of non-discrimination in relation to human rights, which affords protection to refugees and asylum seekers too, is further reiterated in the Articles 1(3), 13(1)(b), 55(c) and 76(c) of the UN Charter, and in regional human rights instruments which apply to all persons residing in the respective state parties, e.g., Article E of the European Social Charter Revised (ESR) – although the personal scope of the Charter is limited because it only applies to nationals of the Contracting parties, and Article 21 of the EU Charter of Fundamental Rights (which lacks binding effect, but demonstrates the significance of human rights issues within the EU), Article 14 ECHR, Articles 1 and 24 of the American Convention on Human Rights, and Articles 2, 13 and 18(3) of the African Charter on Human and Peoples' Rights.

Appendix IV - Higher Education in England and Poland

Some of the statistical information in this study refers to ‘tertiary education’, which includes both theoretical programmes (bachelor’s, master’s and doctoral) leading to advanced research or high skill professions such as medicine, and short-cycle, and more practically based and occupationally specific programmes leading to the labour market (although this is quite uncommon in Poland and several other European countries). These are classified as levels 5-8 of the International standard classification of education (ISCED), an instrument for compiling internationally comparable education statistics (Eurostat, 2017). ‘Higher education’, for the purposes of this study refers to ISCED levels 6-8 programmes offered by universities and equivalent level institutions – in England public, and in Poland both public and private sector institutions.

Higher Education Institutions (HEIs) in England currently operate under the provisions of the Higher Education and Research Act 2017. Public HEIs are those which are designated as eligible to receive public funding administered by the OfS. These include some further education or sixth form colleges delivering higher education programmes (with degree awarding powers). At present, all English HEIs with the exception of the University of Buckingham and the University of Law receive financial support from funds administered by OfS. An array of so-called alternative providers (for example, BPP) have emerged in England’s HE system in the last decade, offering professional qualifications in accounting and law, and now vying to enter other disciplines. Although these independent private institutions can award taught (and sometimes research) degrees, their students can access public funding (student loans) and they have the legal status of universities or university colleges, the number of these institutions is still very small (7) and thus the number of students in them is relatively small. Therefore, these have been excluded from this study.

In Poland, HEIs are institutions operating under the provisions of the Act of the 27th July 2005 entitled “Law on Tertiary Education” (Journal of Laws of the Republic of Poland 2005 No.165, item 1365, as amended). It defines ‘public higher education institutions’ as those ‘established by the State, with the State represented by a competent authority or public administration body’ and ‘non-public higher education

institutions’ as those ‘established by a natural person or body corporate other than a State- or local authority-administered body corporate’ (Art.2, ss.1.2 and 1.3).

The availability of higher education programmes has grown substantially over the last century in Poland and England, with both countries having high participation system, with 46.9% gross enrolment rate Poland and over 50% enrolment in England (Universities UK (2018), Statistics Poland, (2019)). Below, an overview of higher education systems in both countries is presented.

(i) England

In England, higher education is provided primarily by publicly funded institutions, with a small number of so-called ‘alternative providers’ with degree awarding powers. About ten percent of HE provisions in England is available through sixth form colleges and FE institutions awarding degrees by the authority of another institution. Further, there are also a number of ‘alternative providers’ without degree awarding powers.

In the academic year 2017/2018, the HEFCE Register (which included providers currently regulated in England which have the power to award degrees and directly, or as a sub-contractor, and receive government funding to deliver higher education programmes), listed 110 higher education providers with the university or university college title (University of London includes 18 self-governing member institutions), degree awarding powers, and in receipt of direct public funding. In 2019 the OfS register replaced that of HEFCE.

According to report by Universities UK – the representative organisation for the UK’s universities, with 136 member institutions (2018), in the 2016/2017 academic year there were over 2.32 million students enrolled at higher education institutions in the UK – with almost 1.9 million students enrolled in England alone – (57.5% of them were female), including almost 308 thousand (13.3%) international (non-EU) students. The age of students varies across levels of study and has changed over the last 10 years – today, a majority of undergraduate students are under 25, and a majority of postgraduates are under 30 (Universities UK, 2017). The largest academic centres were located in big cities, with the biggest institutions including University of London

(made up of 18 colleges), University of Manchester, University College London, University of Birmingham, and Manchester Metropolitan University.

a. Governance

Higher education institutions in England (from here on the term ‘HEIs’ in England’s context is used to refer to universities and university colleges only) are autonomous bodies that can decide on matters of admissions and assessment policies, in particular, they are able to determine the conditions on which the degrees are awarded. Universities and university colleges in England currently operate under the provisions of the Higher Education and Research Act 2017, enacted in April 2017, and implemented gradually from 2018. In accordance with this Act, national regulatory framework and associated programme of organisational development at HE level are set by the OfS a body established to replace the Higher Education Funding Council for England and the Office for Fair Access (OFFA) from April 2018. Other key groups shaping educational policy at HE level in England through consultation include Universities UK (UUK), National Union of Students (NUS), and designated quality and statistical bodies – Quality Assurance Agency for Higher Education (QAA) and the Higher Education Statistics Agency (HESA). NB: the governance of designated bodies and their relationship with the OfS is changing and will be updated in due course in line with the new arrangements.

b. Admissions

Access to undergraduate (bachelor) degree programmes in England is open to those holding the General Certificate of Education as ‘Advanced’ (A)-level (including the Advanced Supplementary), Advanced Vocational Certificate of Education, Access Certificate or other qualifications at level 3 Advanced of the National Qualification Framework (NQF). Normally, three to four specialist subjects A-Levels are taken by pupils in their 13th year of school or at a college or FE institution. Part-time and mature students can gain entry to HE institutions with these or alternative qualifications, or through submission of evidence showing equivalent prior learning and experience. Each HEI may specify which results and at what minimum required grades will they make offers for admission to applicants. Judgements on a potential to complete programmes successfully are also made as part of the admission process, usually,

based on the standard of personal statement (part of an application required from both undergraduate and postgraduate applicants, where reasons for applying to university and statements about suitability to a programme of study, including relevant prior experience, are made). Alternative entry criteria are sometimes offered to students from the underrepresented groups, usually those taking part in structured outreach programmes.

Access to postgraduate programmes at master's level is open to holders of a bachelor's degree, a master's degree or an equivalent degree. Each HEI may define its own additional admission conditions and procedures. In particular, additional entrance exams are sometimes organised to test the general aptitude and suitability to a programme (and intended profession), e.g., the Bar Course Aptitude Test looking at critical thinking and reasoning skills is a compulsory certification required to obtain before candidates are allowed to enrol on their Bar Professional Training Course (a postgraduate professional law qualification).

Access to doctoral studies is open to holders of master's degrees, according to admission conditions and procedures set by the university.

c. Fees

In recent years, England's higher education funding model has changed considerably, with introduction (in 1998), and later large increases in tuition fees (to 3,000 GBP in 2004, 9,000 GBP in 2012 and 9,250 GBP in 2016), which substantially replaced the relative part of public funding awarded to HEIs. International tuition fees are generally higher and vary considerably, starting at around 10,000 GBP and going up to 27,700 GBP (in 2018-19) for undergraduate humanities and social sciences degrees, with laboratory and clinical degree programs being markedly more expensive. Today, close to 50% of universities' income comes from tuition fees, with the other half coming from government grants, research grants and contracts, trading activities, and donations (HESA, n.d.-c). Public funding is still endowed to a majority of public institutions with degree awarding powers and is primarily provided through the higher education funding councils. A cap on the amount of tuition fees these institutions can charge from 'home' students is set by the secretary of the state, and only those

institutions which have access and participation plans can charge the maximum amount. ‘Access and participation plans’ have (from the academic year 2019/2020) replaced the ‘access agreements’ previously approved by the Director for Fair Access (OFFA). The access and participation plan is a document setting out how HE institution intends to safeguard and promote fair access and increase participation for the underrepresented and disadvantaged groups in higher education. IT should include for example description of outreach work in schools intended to raise aspirations and attainment, or a list of financial support instruments, such as bursaries, as well as a list of targets and milestones set by the institution itself so that it can measure its progress. Access and participation plans must be approved by OfS before HEI are allowed to charge the higher-level fees, which places this body in a unique position to persuade or influence the universities on their policies in this area. Any increases to the maximum amount, even those below the inflation rate now have to be approved by both houses of parliament. Any fee increases should be no greater than what is required to maintain the value of the amount in real terms (Hammonds, 2017).

d. Financial Assistance

In England, a majority of students fund their studies using money lent to them by the Student Finance England (formerly known as Students Loan Company) – a not-for-profit company owned by the UK Government’s Department for Education. The finance package available includes tuition fee loans (paid directly to the course provider), and maintenance loans (paid to the student at a start of each term, with the amount which student can borrow depending on their household income, where they study, and where they live and how long for). The loans incur interest and are repayable after the course when graduate’s earnings reach a certain level.

Additional financial support is available for students who meet certain criteria: Adult Dependents’ Grant (for those full-time undergraduate students who have adult dependants); Childcare Grant (for full-time undergraduate students with children using childcare); Parents’ Learning Allowance (for full-time undergraduate students with children); Disabled Students’ Allowance; bursaries and scholarships offered by universities and some commercial companies and charities to students in financial needs and/or students with exceptional academic potential; care leavers bursaries;

university hardship funds (usually awarded as a one-off sum to meet an unexpected or exceptional cost); travel bursaries (for medical or dental students undertaking a clinical placement); and teacher training bursaries (for postgraduate teaching qualifications). Most of the funds are available to students with ‘Home’ fee status only, with a small number of scholarships and (in exceptional circumstances) hardship funds made available to ‘EU’ and ‘international’ students. The fee status is based on citizenship, immigration status (whether any restrictions on the length of stay in the UK apply), residence, and period of settlement. Fee status relates to the level and amount of fees payable to the institution by the student but also indicates their eligibility for student loans and additional support (e.g., many scholarships and bursaries are only available to students with ‘Home’ or ‘EU’ fee status).

Notably, despite the significant changes in student funding (which have seen fees increase to £9,000 in 2012 and £9,250 in 2016, and removal of a non-repayable maintenance grant), the demand for higher education in England remains high with record levels of students including those from disadvantaged backgrounds joining university programmes in 2019/2020 academic year (UCAS, 2019).

(ii) Poland

In Poland, higher education is offered in both public and non-public institutions. In the academic year 2015/2016, Poland had a total number of 415 HEIs - 132 public institutions, and 283 non-public institutions. The proportion of non-public universities to the public is one of the highest in the world and exceeds that of the USA. It can be explained by the strong polarization of the higher education system in Poland. The top 25 public universities in Poland receive 77% of public HE funds and 84% of research funding. They employ 50% of academic teachers and enrol 44% of all students. (Statistics Poland, 2017).

There are two main types of HE institutions – university-type (where at least one unit is authorised to confer the academic degrees at the doctoral level) and non-university type. According to Poland’s central statistics (Statistics Poland, 2018), in the academic year 2017/2018, there were almost 1.3 million students enrolled in Polish HEIs (57.8% of which were women). This included 72.7 thousand international

students (5.6% of all students), although some 7.6 thousands of those were foreign country nationals of Polish origin, that is persons who regardless of their country of birth and knowledge of the Polish language declare their Polish origin. Most of the students (around 75.1%) were enrolled in public institutions. The largest academic centres were located in cities with large numbers of inhabitants, with the biggest institutions including the University of Warsaw, Jagiellonian University in Cracow, Adam Mickiewicz University in Poznań, Łódź University and Warsaw Polytechnic. Only around a third of the students come from rural areas (40% of Poland's population live in villages) (Statistics Poland, 2017).

a. Governance

Higher education institutions in Poland are autonomous bodies which can decide on matters of admissions and assessment policies, within their rights as set by the main legislative instrument regulating higher education in Poland, Law on Tertiary Education 2005 (Journal of Laws of the Republic of Poland 2005 No.165, as amended).

The national policy, legal framework, and standards at HE level are set by the Ministry of Science and Higher Education (Ministerstwo Nauki i Szkolnictwa Wyższego), advised by the General Council of Science and Higher Education (Rada Główna Nauki i Szkolnictwa Wyższego). Other bodies that shape education policy include the Polish Accreditation Committee (Polska Komisja Akredytacyjna) which assessed the quality of higher education, the Rectors of Academic Schools in Poland (Konferencja Rektorów Akademickich Szkół Polskich), the Students' Parliament of the Republic of Poland (Parlament Studentów Rzeczypospolitej Polskiej) and the National Representation of Doctoral Students (Krajowa Reprezentacja Doktorantów), all of which participate in system-level governance through consultation (EURYDICE, 2012).

b. Admissions

Access to undergraduate (bachelor) degree programmes (licencjat) is open to holders of an upper secondary school leaving certificate (matriculation certificate), since 2005 based on the results of the matriculation exam at the end of upper secondary school.

Each HEI may specify which results of the exam provide the basis for admission and what are the minimum required grades (expressed in percentage points at both basic and advanced levels). Additional entrance exams are sometimes organised by HEIs (with the consent of the Minister of Science and Higher Education) when applicant's artistic skills, physical aptitude or specific knowledge and skills (for example fluency in a foreign language) required to complete a particular degree programme not assessed during the matriculation exam need to be confirmed (or when the applicant holds an upper secondary school leaving certificate obtained outside of Poland).

Access to postgraduate programmes at master's level (magister) is open to holders of a bachelor's degree, a master's degree or an equivalent degree. Each HEI may define its own additional admission conditions and procedures.

Access to doctoral studies is open to holders of master's degrees, according to admission conditions and procedures set by the university (HEIs are officially considered university-type if at least one of their internal units has the right to confer Ph.D. degrees). Doctoral programmes, in addition to these provided at HEIs, are also offered by research institutions such as the Polish Academy of Science.

c. Fees

There are no tuition fees for full-time students (studenci studiów stacjonarnych) at public institutions (except for non-EU students. The minimum amount of tuition fees for international students equates to 2000 euros per academic year, with an additional one-off fee of 200 euros payable upon enrolment (Biuro Uznawalności Wykształcenia i Wymiany Międzynarodowej, n.d.)). Part-time students (studenci studiów nie-stacjonarnych) and students at non-public institutions pay tuition fees set by the HEI itself based on the expected teaching costs (this equated to over 40% of students paying for their education in HEIs in Poland in 2018/19). The income from tuition fees equated to 10.9% in public institutions. The majority of other funds came from state grants – a lump sum based on the number of students enrolled (non-public institutions may also receive public funds) and – particularly in public HEIs, from state grants for research. Notably, institutions may decide the number of places

available to students, except in medical fields of study (*numerous clausus*) (EURYDICE, 2012).

d. Financial Assistance

In 2018/19 some 17.88% of undergraduate and postgraduate full-time students (excluding international students) in both public and non-public institutions, and 23.8% of doctoral students received financial support in the form of:

- Ph.D. scholarship for those preparing a doctoral thesis and not employed elsewhere, or
- social allowance - a monthly stipend granted to students and doctoral students who are in difficult financial situation for a period of one semester or one academic year, or
- subsistence allowance - a one-off financial aid for a student or a doctoral student, facing unexpected financial difficulties, or
- vice-chancellor's scholarship for good results awarded to students who reached a set high average of grades in a semester or achieved considerable success in education competitions or in sports on a national or international level, or
- scholarship for the highest achieving doctoral student, or;
- scholarship for disabled students, independent from material situation, granted to a student or doctoral student due to disability, in accordance with the Law on Tertiary Education 2005, Art. 173, and further detailed regulations.
- Or a scholarship of the Minister of Science and Higher Education for outstanding achievements, in accordance with the decree of the Minister of Science and Higher Education of 1 September 2011 or 14 September 2011.

The majority of public funds granted to HEIs for the purposes of paying out scholarships, social and subsistence allowances are at the disposal of public institutions. Student loans with interest subsidised by the government are also available. These loans are provided by commercial banks with the use of their capital, which allows for a more effective increase of material aid available. In the academic year 2017/18 however, this least popular form of financing studies has been taken up by only 3% of students (Wolniewicz-Slomka, 2018).

Appendix V – Literature on Barriers to Access and/or Participation in HE – Scope and Limitations

NB: No relevant studies have been identified in Poland.

Authors	Publication Date	Methodology	Sample	Scope/Limitations
Clayton	2005	1. Interviews with migrant and refugee women	1. 30 participants	<p>Gender – women only.</p> <p>Geographical (Glasgow and East End of London only).</p> <p>The scope of the research was on vocational training and access to labour market more widely.</p> <p>It is unclear how many participants had refugee background.</p>
Stevenson & Willott	2007	2. Online Survey and Interviews with third sector organisations 3. Online Survey with FE and HE institutions 4. Interviews with asylum seeker and refugee youth 5. Interviews with parents of those young people 6. Activity-based discussion groups	2. 37 survey responses and 10 interviews 3. 6 FE and HE survey responses 4. 18 interviews with those who ‘accessed or attempted to access HE’ 5. 8 parent interviews 6. No - information	<p>Geographical (North Yorkshire and Humber region only).</p> <p>No interview data from FE and HE institutions.</p> <p>Age of participants (16-20).</p>

Authors	Publication Date	Methodology	Sample	Scope/Limitations
Houghton & Morrice	2008	<p>Four case studies including:</p> <ol style="list-style-type: none"> 1. Questionnaires (linked to interviews and sometimes completed during the interview) 2. Interviews with asylum seekers, refugees and other migrants 3. Interviews with stakeholders 	<ol style="list-style-type: none"> 1. Unknown, presumably the same as interview participants 2. 51 migrant and refugees and asylum seekers in total 3. 59 interviews in total 	<p>It is unclear how many participants had refugee background.</p> <p>It is unclear how many participants represented educational sector, employers, statutory and community voluntary sector and policymakers.</p>
Morrice	2009	<ol style="list-style-type: none"> 1. Interviews with 'graduates' of an outreach/mentoring programme 	<ol style="list-style-type: none"> 1. 7 interviews (4 case studies selected for publication) 	<p>Geographical (all participants took part in the programme at University of Brighton in the South of England).</p> <p>All 4 participants came to the UK with prior UG qualifications.</p>
Doyle	2009	<ol style="list-style-type: none"> 1. Survey and interviews 	<ol style="list-style-type: none"> 1. 292 survey responses and 6 interviews 	<p>Nationality and migration status – this study focused on Zimbabwean asylum seekers only, and education questions related to both vocational and higher education.</p>
Elwyn et al.	2012	<ol style="list-style-type: none"> 1. Casework and internal unpublished research (Refugee Support Network) 	<ol style="list-style-type: none"> 1. Unknown 	<p>Geographical (at the time of the report, RSN worked with young refugees and asylum seekers in the London area only).</p> <p>Age (RSN works predominantly with young people; the report cites participants aged 17-18).</p>

Authors	Publication Date	Methodology	Sample	Scope/Limitations
Doyle & O' Toole	2013	<ol style="list-style-type: none"> 1. Online Survey and interviews with publicly funded post-16 learning providers (not including universities) 2. Interviews with asylum seeker and refugee youth 	<ol style="list-style-type: none"> 1. 70 survey responses and 10 interviews 2. 20 interviews with both participants and non-participants in post-16 learning 	<p>Survey responses did not include HE institutions.</p> <p>None of the interview participants accessed HE in England.</p>
Bowen	2014	<ol style="list-style-type: none"> 1. Interviews, written diaries/photo diaries 	<ol style="list-style-type: none"> 1. 7 participants (including 4 from England) – 1-3 interviews; 2 photo diaries; 3 written diaries 	<p>No data from non-participants.</p> <p>Participants with recognised status only.</p> <p>Age of participants (30-49).</p> <p>Different extents of participation.</p>
Gateley	2015	<ol style="list-style-type: none"> 1. Interviews with third sector organisations and experts on refugee integration 2. Documentary Analysis 3. Interviews/focus group/open-ended questionnaire with young refugees 	<ol style="list-style-type: none"> 1. 6 participants (including one education consultant and 5 third sector staff members) 2. Annual reports, organisational data and assessment of one refugee support organisation 3. 42 participants 	<p>Geographical (London).</p> <p>Age of participants (18-29).</p> <p>Participants with refugee or HP statuses only.</p> <p>Evaluation of third sector intervention to support further and HE access as part of a now defunct Refugee Integration and Employment Service;</p>

Authors	Publication Date	Methodology	Sample	Scope/Limitations
Alberts & Atherton	2017	<ol style="list-style-type: none"> 1. Focus groups with 2. Online Survey with HEIs 3. Online Survey with local authorities 4. Online survey with third sector organisations 	<ol style="list-style-type: none"> 1. 6 current students (including 4 unaccompanied asylum seeker children) 2. 14 survey responses from HEIs 3. 23 survey responses from local authorities 4. 2 responses from third sector organisations 	<p>Geographical (students from two London institution; 13/14 HEIs were London based)</p> <p>No data from non-participants.</p> <p>Small sample of third sector responses;</p>
Roque et al.	2018	<ol style="list-style-type: none"> 1. Commentary of committee members of a student-led scholarship programme at University of Oxford 	n/a	<p>Geographical (review of a scholarship programme at University of Oxford).</p> <p>The scholarship and advice were aimed at both those already resident in the UK and those living as refugees in other countries.</p>
Stevenson & Baker	2018	<ol style="list-style-type: none"> 2. (in the UK context) interviews and informal conversations 	<ol style="list-style-type: none"> 1. Multiple interviews/conversations with 2 participants 	No data from non-participants.
Morrice & Sandri	2018	<ol style="list-style-type: none"> 1. Interviews with asylum seeker and refugee youth 	<ol style="list-style-type: none"> 1. 18 interviews (including 2 current university students) 	<p>Geographical (Brighton and Hove area in the South of England).</p> <p>Age of participants (12-20).</p>

Appendix VI – Freedom of Information Requests

England (FOI 1)

Dear Sir/Madam,

My name is Agata Lambrechts, I am a former international student adviser from City, University of London, and currently a PhD student at the University of York. I am carrying out a research project looking at accessibility of higher education opportunities for refugee and asylum-seeking young people (aged 18-24) residing in England and Poland.

In accordance with the Freedom of Information Act 2000, I am asking you to provide me with the following information:

1. Are you (as an institution) able to report on the number of your **current students** with one of the following immigration statuses:

- A) Refugee
- B) Asylum-seeker
- C) Humanitarian Protection

NB: If you are *not* collecting such information, please explain why such information is not collected in your institution.

2. Are you (as an institution) able to report on the number of **applicants** with one of the following immigration statuses:

- A) Refugee
- B) Asylum-seeker
- C) Humanitarian Protection

NB: If you are *not* collecting such information, please explain why such information is not collected in your institution.

3. Does your institution provide any support aimed specifically at refugee and/or asylum-seeking applicants and students, either as part of your Access Agreement, Widening Participation activities or other (e.g. outreach activities, dedicated

webpages, targeted scholarships, additional language lessons, specialist counselling service etc.)? If you are providing such support can you specify when was this put in place, how many people benefit from this form of support, and how is this publicised?

I request that you respond to this request via email, providing the information in an electronic format.

Researcher's contact details including phone number and postal address are at the bottom of this email.

Researcher: Agata Lambrechts – aal513@york.ac.uk

Supervised by Dr Paul Wakeling and Dr Charlotte O'Brien

England (FOI 2)

Thank you very much for your response to my FOI Request regarding recording and reporting of information relating to applicants and students with asylum-seeker/refugee/humanitarian protection status at your institution.

Following your response in which you have indicated that you do indeed record, retain and are therefore able to report on some of this data, in accordance with FOI Act 1998, I request the following information as listed below (I have created tables for your ease but it is of course perfectly acceptable to provide this information in a different format). **If more than 0 but less than 5 or 10 (as per your policies) students/applicants are on your record, please indicate this as <5 or <10.**

Having worked in a university for number of years I believe that a member of staff from an admissions department or a visa compliance team will be able to manipulate SITS (or similar) data with ease to access this information, however, **if you are only able to provide part of the information requested I ask that you kindly consider doing this rather than serving a Refusal Notice in accordance with s. 12 and s. 17(1) of the Act for the whole request.** If any of this information is available

elsewhere, please let me know and I will access it that way. Please do also let me know if you require any clarification.

1. How many **students** with one of the following immigration statuses have enrolled to **begin a programme of study** (please include new students enrolling each academic year only) in your institution in the last 5 years (that is between the academic year of **2013/2014** and the current academic year of **2017/2018**):

1.1. UNDERGRADUATE

Immigration Status/Residential Category:	Total Number of Students over the 5 year period:	Female:	Male:	YEAR OF ENTRY:	2013/2014	2014/15	2015/16	2016/17	2017/18
REFUGEE									
HUMANITARIAN PROTECTION									

1.2. POSTGRADUATE TAUGHT

Immigration Status/Residential Category:	Total Number of Students over the 5 year period:	Female:	Male:	YEAR OF ENTRY:	2013/2014	2014/15	2015/16	2016/17	2017/18
REFUGEE									
HUMANITARIAN PROTECTION									

1.3 POSTGRADUATE RESEARCH

Immigration Status/Residential Category:	Total Number of Students over the 5 year period:	Female:	Male:	YEAR OF ENTRY:	2013/2014	2014/15	2015/16	2016/17	2017/18
REFUGEE									
HUMANITARIAN PROTECTION									

1.4 For each year of entry, please specify which **nationality** was declared most often by these students:

Year of Entry	'Top' Nationality	Number of students with this nationality
E.g., 2013/14	E.g., Democratic Republic of Congo	E.g., A total of 10 or, if greater than 0 but less than 5: <5
2013/14		
2014/15		
2015/16		
2016/17		
2017/18		

2. Of those students who have **enrolled to begin a programme of study in the academic year of 2017/2018**, how many are **aged between 18 and 24**, that is how many have been born between 1993 and 1999 inclusive (UG and PG *collated*):

Total Number of Students Aged 18-24:

2.1 Please *LIST* nationalities of students who have enrolled to begin a programme of study in the academic year of 2017/2018 (*collated*, that is, do not differentiate between each group of students but rather list all countries of origin for students with any of these statuses and all UG and PG students):

Nationality:	Number of refugee/asylum-seeker/HP students:
E.g. Democratic Republic of Congo	E.g. A total of 10 or, if greater than 0 but less than 5: <5

3. How many **applicants** with one of the following immigration statuses did you have for **Undergraduate** courses in the last 5 years (that is between the academic year of 2013/2014 and the current academic year of 2017/2018):

Immigration Status/Residential Category:	Total Number of applicants over the 5 year period:	Female:	Male:	YEAR OF ENTRY:	2013/2014	2014/15	2015/16	2016/17	2017/18
REFUGEE									

HUMANITARIAN PROTECTION									
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3.1 Please *LIST* countries of origin of these applicants (*collated*, that is, do not differentiate between each group of students but rather list all countries of origin for students with either of these statuses):

Country of Origin:	Number of refugee/asylum-seeker/HP students:
E.g. Democratic Republic of Congo	E.g. A total of 10 or, if greater than 0 but less than 5: <5

4. How many **applicants** with one of the following immigration statuses did you have for **Postgraduate Taught** courses in the last 5 years (that is between the academic year of 2013/2014 and the current academic year of 2017/2018):

Immigration Status/Residential Category:	Total Number of Applicants:	Female:	Male:	YEAR OF ENTRY:	2013/14	2014/15	2015/16	2016/17	2017/18
REFUGEE									
HUMANITARIAN PROTECTION									

4.1 How many **applicants** with one of the following immigration statuses did you have for **Postgraduate Research** programmes in the last 5 years (that is between the academic year of 2013/2014 and the current academic year of 2017/2018):

Immigration Status/Residential Category:	Total Number of Applicants:	Female:	Male:	YEAR OF ENTRY:	2013/14	2014/15	2015/16	2016/17	2017/18
REFUGEE									
HUMANITARIAN PROTECTION									

4.2 Please *LIST* countries of origin of these students (*collated*, that is, do not differentiate between each group of students but rather list all countries of

origin for students with either of these statuses, and for taught and research students):

Country of Origin:	Number of refugee/asylum-seeker/HP students:
E.g., Democratic Republic of Congo	E.g., E.g. A total of 10 or, if greater than 0 but less than 5: <5

5. Of those students who have **applied to begin a programme of study in the academic year of 2017/2018**, how many were **aged between 17 and 24**, that is how many have been born between 1993 and 1999 inclusive (UG and PG collated):

Total Number of Applicants Aged 18-24:

6. To provide a backdrop for meaningful analysis of this data, please provide data relating to your body of students (and applicants) as a whole:

6.1 UNDERGRADUATE

IMMIGRATION STATUS	No of distinct Applicants combined for the last 5 years (from 2013/2014 to 2017/2018)	No of distinct students Combined for the last 5 years (from 2013/2014 to 2017/2018)	No of Applicants for academic year 2017/2018	No of students who have enrolled on a new programme of study in 2017/2018
UK or EU				
Non-EU				

6.2 POSTGRADUATE TAUGHT

IMMIGRATION STATUS	No of distinct Applicants combined for last 5 years (from 2013/2014 to 2017/2018)	No of distinct students combined for the last 5 years (from 2013/2014 to 2017/2018)	No of Applicants for academic year 2017/2018	No of students who have enrolled on a new programme of study in 2017/2018
UK or EU				
Non-EU				

6.3 POSTGRADUATE RESEARCH

IMMIGRATION STATUS	No of distinct Applicants combined for the last 5 years (from 2013/2014 to 2017/2018)	No of distinct students combined for the last 5 years (from 2013/2014 to 2017/2018)	No of Applicants for academic year 2017/2018	No of students who have enrolled on a new programme of study in 2017/2018
UK or EU				
Non-EU				

I request that you respond to this FOI request via email, providing the information in an electronic format.

Researcher's contact details including phone number and postal address are at the bottom of this email.

Researcher: Agata Lambrechts - aal513@york.ac.uk

Supervised by: Prof Paul Wakeling and Dr Charlotte O'Brien

Poland

Dzień dobry,

Działając w oparciu o art. 3 ust 1 pkt 1) oraz art.13 w zw. z artk. 14 ust. 2 ustawy z dnia 6 września 2001 roku o dostępie do informacji publicznej (tekst jednolity Dz. U. 2016 1764 ze zm) proszę o udostępnienie następujących informacji:

1. Czy [INSTYTUCJA] gromadzi informacje na temat statusu imigracyjnego studentów i kandydatów na studia (na etapie rekrutacji lub podczas rejestracji)?
2. Jeśli tak, potrzebuję informacji nt. liczby studentów ze statusem uchodźcy (lub starających się o status uchodźcy), studiujących na Państwa uczelni. Ewentualnie liczby kandydatów na studia z takim statusem w ciągu ostatnich 5 lat (od roku akademickiego 2013/14 do 2017/18 włącznie).
3. Czy Państwa Uczelnia zapewnia wsparcie dla aplikantów i studentów ze statusem uchodźcy (lub starających się o status uchodźcy) wykraczające poza wymagania ustawowe?

Wnoszę o udostępnienie mi powyższych informacji w następujący sposób:

- przesłanie informacji pocztą elektroniczną na adres: aal513@york.ac.uk aal513@york.ac.uk

z poważaniem,

Agata Lambrechts
PhD Researcher, Department of Education, University of York

Translated by AAL

Good morning,

Acting pursuant to Art. 3 section 1 point 1) and Article 13 in connection with with art. 14 sec. 2 of the Act of September 6, 2001 on access to public information (uniform text, Journal of Laws 2016 1764, as amended), please provide the following information:

1. Does [INSTITUTION] collect information on the immigration status of students and applicants (at the recruitment stage or during registration)?
2. If so, I need information on the number of students with refugee status (or applying for refugee status) studying at your university. Alternatively, the number of candidates with this status in the last 5 years (from the academic year 2013/14 to 2017/18 inclusive).
3. Does your University provide support for applicants and students with a refugee status (or applying for a refugee status) going beyond the statutory requirements?

I request the above information to be provided to me as follows:

- sending information by e-mail to the following address: aal513@york.ac.uk

Yours sincerely, Agata Lambrechts

PhD Researcher, Department of Education, University of York

Appendix VII – Higher Education Institutions in England

University	Collecting data on applicants Asylum Seekers	Collecting data on applicants HP	Collecting data on applicants Refugees	Collecting data on students Asylum Seekers	Collecting data on students HP	Collecting data on students Refugees
Anglia Ruskin University	No	No	No	Yes	Yes	Yes
Arts University Bournemouth	Yes	No	Yes	Yes	No	Yes
Aston University	No	No	No	No	No	No
Bath Spa University	No	No	No	Yes	Yes	Yes
Birkbeck College	No	No	No	Yes	Yes	Yes
Birmingham City University	No	No	No	No	No	No
Bishop Grosseteste University	Yes	Yes	No	Yes	Yes	No
Bournemouth University	Yes	No	Yes	Yes	Yes	Yes
Brunel University London	No	No	No	No	No	No
Buckinghamshire New University	No	No	No	No	No	No
Canterbury Christ Church University	No	No	No	Yes	Yes	Yes
City, University of London	Yes	No	Yes	Yes	No	No
Courtauld Institute of Art	FOI Request Not Answered	FOI Request Not Answered	FOI Request Not Answered	FOI Request Not Answered	FOI Request Not Answered	FOI Request Not Answered
Coventry University	FOI Request Not Answered	FOI Request Not Answered	FOI Request Not Answered	FOI Request Not Answered	FOI Request Not Answered	FOI Request Not Answered
Cranfield University	No	No	No	Yes	Yes	Yes
De Montford University	Yes	Yes	Yes	Yes	Yes	Yes
Edge Hill University	Yes	Yes	Yes	Yes	Yes	Yes
Falmouth University	No	No	No	No	No	No
Goldsmith's College	Yes	Yes	Yes	Yes	Yes	Yes
Guildhall School of Music and Drama	Yes	Yes	Yes	Yes	Yes	Yes
Harper Adams University	No	No	No	No	No	No
Imperial College of Science, Technology and Medicine	No	No	No	Yes	Yes	Yes
Institute of Cancer Research: Royal Cancer Hospital	No	No	No	No	No	No
King's College London	Yes	No	Yes	Yes	Yes	Yes
Kingston University	No	No	No	No	No	No

University	Collecting data on applicants Asylum Seekers	Collecting data on applicants HP	Collecting data on applicants Refugees	Collecting data on students Asylum Seekers	Collecting data on students HP	Collecting data on students Refugees
Leeds Beckett University	No	No	No	No	No	No
Leeds Arts University	No	No	No	No	No	No
Leeds Trinity University	No	No	No	No	No	No
Liverpool Hope University	No	No	No	No	No	No
Liverpool John Moores University	Yes	No	Yes	Yes	Yes	Yes
London Business School	Yes	Yes	Yes	Yes	Yes	Yes
London Metropolitan University	No	No	No	No	No	No
London School of Hygiene and Tropical Medicine	No	No	No	Yes	Yes	Yes
London South Bank University	No	No	No	Yes	Yes	Yes
Loughborough University	No	No	No	Yes	Yes	No
Manchester Metropolitan University	No	No	No	Yes	Yes	No
Middlesex University	No	No	No	No	Yes	No
Newcastle College Group	No	No	No	No	No	No
Newman University	Yes	Yes	Yes	Yes	Yes	Yes
Norwich University of the Arts	Yes	Yes	Yes	Yes	Yes	Yes
Nottingham Trent University	No	No	No	No	No	No
Oxford Brookes University	No	No	No	No	No	No
Queen Mary University of London	No	No	No	Yes	Yes	No
Roehampton University	FOI Request Not Answered	FOI Request Not Answered	FOI Request Not Answered	FOI Request Not Answered	FOI Request Not Answered	FOI Request Not Answered
Rose Bruford College of Theatre and Performance	No	No	No	Yes	Yes	Yes
Royal College of Music	No	No	No	Yes	Yes	Yes
Royal Holloway University of London*	Yes	Yes	Yes	No	No	No
Royal Northern College of Music	No	No	No	No	No	No
Sheffield Hallam University	Yes	No	Yes	No	No	No
Southampton Solent University	No	No	No	Yes	Yes	Yes

University	Collecting data on applicants Asylum Seekers	Collecting data on applicants HP	Collecting data on applicants Refugees	Collecting data on students Asylum Seekers	Collecting data on students HP	Collecting data on students Refugees
St George's University of London	No	No	No	No	No	No
St Mary's University, Twickenham	Yes	Yes	Yes	No	No	No
Staffordshire University	Question Not Answered	Question Not Answered	Question Not Answered	Yes	Yes	No
Teesside University	Yes	Yes	Yes	Yes	Yes	Yes
The British School of Osteopathy	FOI Request Not Answered	FOI Request Not Answered	FOI Request Not Answered	FOI Request Not Answered	FOI Request Not Answered	FOI Request Not Answered
The London School of Economics and Political Science	No	No	No	No	No	No
The Open University	No	No	No	No	No	No
The Royal Academy of Music	No	No	No	No	No	No
The Royal Agricultural University	No	No	No	No	No	No
The Royal Central School of Speech and Drama	No	No	No	Yes	Yes	Yes
The Royal College of Art	Yes	Yes	Yes	Yes	Yes	Yes
The Royal Veterinary College	Yes	Yes	Yes	Yes	Yes	Yes
The School of Oriental and African Studies	No	Yes	No	No	Yes	No
The University of Bath	Yes	Yes	Yes	Yes	Yes	Yes
The University of Birmingham	Yes	Yes	Yes	Yes	Yes	No
The University of Bolton	No	No	No	No	No	No
The University of Bradford	Yes	Yes	Yes	Yes	Yes	Yes
The University of Chichester	Yes	No	Yes	Yes	No	Yes
The University of Cumbria	Yes	Yes	Yes	Yes	Yes	Yes
The University of East Anglia	No	No	No	Yes	Yes	Yes
The University of Essex	No	No	No	Yes	No	No
The University of Huddersfield	No	No	No	Yes	Yes	No
The University of Hull	Yes	Yes	No	Yes	Yes	No
The University of Kent	No	No	No	Yes	No	No
The University of Lancaster	No	No	No	No	No	No

University	Collecting data on applicants Asylum Seekers	Collecting data on applicants HP	Collecting data on applicants Refugees	Collecting data on students Asylum Seekers	Collecting data on students HP	Collecting data on students Refugees
The University of Leeds	No	No	No	No	No	No
The University of Leicester	Yes	No	Yes	Yes	No	Yes
The University of Liverpool	Yes	Yes	Yes	No	No	No
The University of Manchester	Yes	Yes	Yes	Yes	Yes	No
The University of Reading	No	No	No	No	No	No
The University of Sheffield	No	No	No	No	No	No
The University of Surrey	Yes	No	Yes	Yes	Yes	Yes
The University of Warwick	Yes	Yes	Yes	Yes	Yes	Yes
The University of West London	Yes	No	Yes	Yes	No	Yes
The University of Westminster	Yes	No	Yes	Yes	No	Yes
Trinity Laban Conservatoire of Music and Dance	No	No	No	Yes	Yes	Yes
University College Birmingham	FOI Request Not Answered	FOI Request Not Answered	FOI Request Not Answered	FOI Request Not Answered	FOI Request Not Answered	FOI Request Not Answered
University for the Creative Arts	Yes	Yes	Yes	Yes	No	Yes
University of Bedfordshire	Yes	Yes	Yes	Yes	Yes	Yes
University of Brighton	Yes	No	Yes	Yes	No	Yes
University of Bristol	Yes	No	Yes	Yes	No	Yes
University of Cambridge	Yes	No	Yes	Yes	No	No
University of Central Lancashire	No	No	No	Yes	Yes	Yes
University of Chester	Yes	Yes	Yes	Yes	Yes	Yes
University of Derby	No	No	No	No	No	No
University of Durham	Yes	No	Yes	Yes	No	Yes
University of East London	No	No	No	No	No	No
University of Exeter	Yes	Yes	Yes	Yes	Yes	Yes
University of Gloucestershire	No	No	No	No	No	No
University of Greenwich	No	No	No	No	No	No
University of Hertfordshire	Yes	No	Yes	Yes	No	No
University of Keele	Yes	Yes	No	Yes	Yes	No
University of Lincoln	No	No	No	No	Yes	No

University	Collecting data on applicants Asylum Seekers	Collecting data on applicants HP	Collecting data on applicants Refugees	Collecting data on students Asylum Seekers	Collecting data on students HP	Collecting data on students Refugees
University of London (International Academy)	No	No	No	No	No	No
University of London (School of Advanced Study)	Yes	Yes	Yes	Yes	Yes	Yes
University of Newcastle upon Tyne	No	No	No	Yes	Yes	No
University of Northampton	Yes	Yes	Yes	Yes	Yes	Yes
University of Northumbria at Newcastle	Yes	No	Yes	Yes	No	Yes
University of Nottingham	No	No	No	No	No	No
University of Oxford	No	No	No	No	No	No
University of Plymouth	No	No	No	Yes	Yes	Yes
University of Portsmouth	No	No	No	No	No	No
University of Salford	Yes	No	Yes	Yes	No	Yes
University of Southampton	FOI Request Not Answered	FOI Request Not Answered	FOI Request Not Answered	FOI Request Not Answered	FOI Request Not Answered	FOI Request Not Answered
University of St Mark and St John	No	No	No	No	No	No
University of Suffolk	No	No	No	No	No	No
University of Sunderland	No	No	No	No	No	No
University of Sussex	No	No	No	No	No	No
University of the Arts, London	No	No	No	No	No	No
University of the West of England	No	No	No	No	No	No
University of Winchester	No	Yes	No	No	Yes	Yes
University of Wolverhampton	No	No	No	No	No	No
University of Worcester	No	No	No	No	No	No
University of York	Yes	No	Yes	No	No	No
University College London	No	No	No	Yes	Yes	No
Writtle University College	Yes	Yes	Yes	Yes	Yes	No
York St John University	No	No	No	No	No	No

** Data requested through FOI 2 was refused to 'protect the commercial interests' of the university

Appendix VIII – Higher Education Institutions in Poland

HEI	Collecting data	Institution type
AGH University of Science and Technology in Kraków	Yes	Public
The Jacob of Paradies University	Yes	Public
Jan Długosz University of Częstochowa	No	Public
Gdynia Maritime University	Yes	Public
Maritime University of Szczecin	Yes	Public
The Feliks Nowowiejski Academy of Music in Bydgoszcz	Yes*	Public
The Grażyna and Kiejstut Bacewicz Academy of Music in Łódź	Yes*	Public
The Ignacy Jan Paderewski Academy of Music in Poznań	Yes*	Public
The Karol Lipiński Academy of Music in Wrocław	No	Public
The Karol Szymanowski Academy of Music in Katowice	Yes	Public
The Stanisław Moniuszko Academy of Music in Gdańsk	Yes*	Public
Academy of Music in Kraków	Yes	Public
The Maria Grzegorzewska University	FOI Request Not Answered	Public
Pomeranian University in Słupsk	Yes	Public
The Eugeniusz Geppert Academy of Art in Wrocław	Yes	Public
Jan Matejko Academy of Fine Art in Kraków	Yes*	Public
Strzebiński Academy of Art in Łódź	Yes*	Public
Academy of Fine Arts in Gdańsk	Yes	Public
Academy of Fine Arts in Katowice	No	Public
The Academy of Fine Arts in Warsaw	Yes*	Public
The Aleksander Zelwerowicz National Academy of Dramatic Art in Warsaw	No	Public
University of Bielsko-Biała	No	Public
Jędrzej Śniadecki Academy of Physical Education and Sport in Gdańsk	Yes*	Public
The University of Physical Education in Kraków	Yes	Public
The Eugeniusz Piasecki University of Physical Education in Poznań	FOI Request Not Answered	Public
The Jerzy Kukuczka Academy of Physical Education in Katowice	Yes	Public
Józef Piłsudski University of Physical Education in Warsaw	Yes*	Public
University School of Physical Education in Wrocław	Yes*	Public

HEI	Collecting data	Institution type
Medical University of Gdańsk	No	Public
The Karkonosze State Higher School in Jelenia Góra	Yes*	Public
The John Paul II Catholic University of Lublin	No	Public
Public Higher Medical Professional School in Opole	FOI Request Not Answered	Public
Pope John Paul II State School of Higher Education in Biała Podlaska	FOI Request Not Answered	Public
The Polish National Film, Television and Theater School in Łódź	Yes*	Public
The State College of Computer Science and Business Administration in Łomża	Yes	Public
PWST National Academy of Theatre Art in Kraków	Yes*	Public
The Bronisław Markiewicz State Higher School of Technology and Economics in Jarosław	Yes*	Public
East European State University in Przemyśl	FOI Request Not Answered	Public
The Angelus Silesius University of Applied Sciences in Wałbrzych	FOI Request Not Answered	Public
The State Higher Vocational School in Gniezno	Yes	Public
Jan Amos Komieński State School of Higher Vocational Education in Leszno	No	Public
The Jan Grodek State Vocational Academy in Sanok	Yes	Public
The President Stanisław Wojciechowski Higher Vocational State School in Kalisz	No	Public
Higher Vocational School in Suwałki	No	Public
State Higher Vocational School Memorial of Prof. Stanisław Tarnowski in Tarnobrzeg	Yes*	Public
The State School of Higher Education in Oświęcim	Yes	Public
State Higher Vocational School in Krosno	Yes*	Public
Stanisław Staszic State School of Higher Vocational Education in Piła	Yes	Public
The State School of Higher Education (PWSZ) in Zamość	Yes	Public
The Witelon University of Applied Sciences in Legnica	No	Public
The State School of Higher Education in Chełm	No	Public
The State Higher School of Vocational Education in Ciechanów	Yes*	Public
The State School of Higher Professional Education in Elbląg	No	Public

HEI	Collecting data	Institution type
State Higher Vocational School in Głogów	FOI Request Not Answered	Public
State University of Applied Sciences in Konin	Yes*	Public
The State Higher Vocational School in Koszalin	Yes*	Public
State Higher Vocational School in Nowy Sącz	Yes*	Public
The School of Higher Vocational Education in Nysa	Yes*	Public
The State University of Applied Sciences in Plock	No	Public
State Higher Vocational School in Racibórz	FOI Request Not Answered	Public
State College of Applied Sciences in Skierniewice	No	Public
State Higher Vocational School in Tarnów	FOI Request Not Answered	Public
State Higher Vocational School in Walcz	Yes*	Public
Higher Vocational State School in Wloclawek	Yes	Public
State Higher Vocational School of Podhale in Nowy Targ	Yes*	Public
Białystok University of Technology	No	Public
Częstochowa University of Technology	Yes*	Public
Gdańsk University of Technology	Yes	Public
Koszalin University of Technology	Yes*	Public
Tadeusz Kosciuszko Cracow University of Technology	Yes*	Public
Technical University of Łódź	Yes	Public
Lublin University of Technology	Yes	Public
The Opole University of Technology	Yes	Public
Poznań University of Technology	Yes*	Public
Rzeszów University of Technology	FOI Request Not Answered	Public
Silesian University of Technology in Gliwice	No	Public
Kielce University of Technology	Yes*	Public
Warsaw University of Technology	FOI Request Not Answered	Public
Wrocław University of Technology	Yes	Public
Pomeranian Medical University in Szczecin	Yes*	Public
Medical University of Silesia School of Medicine in Katowice	Yes	Public
Warsaw University of Life Sciences	FOI Request Not Answered	Public
Warsaw School of Economics	Yes	Public

HEI	Collecting data	Institution type
The University of Arts in Poznań	FOI Request Not Answered	Public
University of Economics in Katowice	No	Public
Cracow University of Economics	Yes*	Public
Poznań University of Economics	Yes*	Public
Wrocław University of Economics	Yes*	Public
University of Gdańsk	No	Public
Adam Mickiewicz University in Poznań	FOI Request Not Answered	Public
Jagiellonian University Medical College in Kraków	Yes	Public
Jagiellonian University in Kraków	FOI Request Not Answered	Public
Jan Kochanowski University in Kielce	Yes	Public
Cardinal Stefan Wyszyński University in Warsaw	FOI Request Not Answered	Public
Kazimierz Wielki University in Bydgoszcz	FOI Request Not Answered	Public
University of Łódź	No	Public
Maria Curie-Skłodowska University in Lublin	Yes	Public
Poznań University of Medical Sciences	Yes*	Public
Medical University in Wrocław	Yes	Public
Medical University of Białystok	Yes	Public
Medical University of Łódź	No	Public
Medical University of Lublin	Yes	Public
Nicolaus Copernicus University in Toruń	FOI Request Not Answered	Public
Nicolaus Copernicus University Ludwik Rydygier Collegium Medicum in Bydgoszcz	Yes*	Public
The Fryderyk Chopin University of Music in Warsaw	Yes	Public
Opole University	FOI Request Not Answered	Public
Pedagogical University of Kraków	No	Public
Siedlce University of Natural Sciences and Humanities	Yes*	Public
University of Life Sciences in Lublin	Yes	Public
Poznań University of Life Sciences	Yes*	Public
Wrocław University of Environmental and Life Sciences	Yes*	Public
University of Agriculture in Kraków	Yes	Public

HEI	Collecting data	Institution type
University of Rzeszów	Yes*	Public
University of Silesia in Katowice	Yes	Public
The University of Szczecin	Yes	Public
Kazimierz Pulaski University of Technology and Humanities in Radom	Yes*	Public
Univeristy of Technology and Life Sciences in Bydgoszcz	Yes	Public
University of Białystok	Yes	Public
University of Warmia and Mazury in Olsztyn	Yes	Public
University of Warsaw	Yes*	Public
University of Wrocław	FOI Request Not Answered	Public
University of Zielona Góra	FOI request refused	Public
Medical University of Warsaw	Yes	Public
Military University of Technology in Warsaw	No	Public
West Pomeranian University of Technology in Szczecin	Yes	Public
Higher School of Social Administration in Warsaw	FOI Request Not Answered	Private
Wszechnica Polska University in Warsaw	No	Private
Malopolska School of Economics in Tarnów	FOI Request Not Answered	Private
School of Economics, Law and Medical Sciences (WSEPiNM) in Kielce	FOI Request Not Answered	Private
The Higher School of Art and Design in Lodz	FOI Request Not Answered	Private
Academy of Computer Science and Management in Bielsko-Biala	FOI Request Not Answered	Private
Wyższa Szkoła Biznesu - National-Louis University in Nowy Sacz	Yes	Private
Higher School of Public Administration in Szczecin	FOI Request Not Answered	Private
Poznan School of Logistics	FOI Request Not Answered	Private
Medical Higher School of Silesia in Katowice	No	Private
Higher School of Professional Skills in Pińczów	FOI Request Not Answered	Private

HEI	Collecting data	Institution type
European University of Law and Administration in Warsaw	FOI Request Not Answered	Private
Higher School of Administration in Bielsko-Biala	FOI Request Not Answered	Private
Gdańsk Management College	FOI Request Not Answered	Private
Private Higher School of Social, Computer and Medical Sciences in Warsaw	FOI Request Not Answered	Private
The West Pomeranian Business School in Szczecin	No	Private
The University of Finance and Management in Bialystok	FOI Request Not Answered	Private
University of Finance and Management in Warsaw	FOI Request Not Answered	Private
Tischner European University in Cracow	FOI Request Not Answered	Private
The School of Higher Education in Humanities in Szczecin	FOI Request Not Answered	Private
Collegium Masoviense - Higher School of Health Sciences in Żyrardów	No	Private
Warsaw International Business School	FOI Request Not Answered	Private
SWPS University of Social Sciences and Humanities in Warsaw	No	Private
The School of Management and Marketing in Sochaczew	FOI Request Not Answered	Private
Non-State Higher Pedagogical School in Bialystok	Yes	Private
Edward Herberg University in Grudziadz	Yes	Private
Higher School of Socio-Economic Studies in Przeworsk	FOI Request Not Answered	Private
Higher School of Information Technology in Warsaw	FOI Request Not Answered	Private
Lodz International Studies Academy (LISA)	FOI Request Not Answered	Private

HEI	Collecting data	Institution type
Economics College in Stalowa Wola	FOI Request Not Answered	Private
Higher Vocational School in Kostrzyn	FOI Request Not Answered	Private
Cuiavian University in Wloclawek	FOI Request Not Answered	Private
University of Business and Administration in Gdynia	FOI Request Not Answered	Private
The Philological School of Higher Education in Wroclaw	FOI Request Not Answered	Private
Poznan College of Communications and Management	FOI Request Not Answered	Private
Kozminski University in Warsaw	Yes	Private
Halina Konopacka Higher School of Physical Culture and Tourism in Pruszków	FOI Request Not Answered	Private
Higher School of Business in Pila	FOI Request Not Answered	Private
The University College of Enterprise and Administration in Lublin	FOI Request Not Answered	Private
Warsaw School of Higher Education in Otwock	FOI Request Not Answered	Private
University of Economics and Humanities in Bielsko-Biala	FOI Request Not Answered	Private
Jan Wyzkowski College	FOI Request Not Answered	Private
Public Univerity of Humanities „POMERANIA” in Chojnice	FOI Request Not Answered	Private
King Stanislaw Leszczynski Higher School of Humanities in Leszno	FOI Request Not Answered	Private
Katowice Institute of Information Technologies	FOI Request Not Answered	Private

HEI	Collecting data	Institution type
Academy of Hotel Management and Catering Industry in Poznan	FOI Request Not Answered	Private
European Social and Technical Studies College in Radom	FOI Request Not Answered	Private
Higher Vocational School of Lodz Educational Corporation	FOI Request Not Answered	Private
Pawel Wlodkowic University College in Plock	FOI Request Not Answered	Private
Promotion, Media and Show Business University in Warsaw	FOI Request Not Answered	Private
Bogdan Janski Higher School	FOI Request Not Answered	Private
Higher School of Engineering and Health in Warsaw	FOI Request Not Answered	Private
Łużyce Humanistic Higher School in Żary	FOI Request Not Answered	Private
Koszalin Higher School of Humanities	FOI Request Not Answered	Private
Higher School of Management in Bialystok	No	Private
Medical Higher School in Sosnowiec	FOI Request Not Answered	Private
Technical and Economic Higher School in Warsaw	FOI Request Not Answered	Private
Szczepan A. Pieniazek University College of Economics and Arts in Skierniewice	FOI Request Not Answered	Private
University of Information Technology and Management 'Copernicus' in Wrocław	FOI Request Not Answered	Private
Higher Artistic School in Warsaw	Yes	Private
Upper Silesian Academy of Entrepreneurship in Chorzów	FOI Request Not Answered	Private
Higher School of Cosmetology and Healthcare in Warsaw	FOI Request Not Answered	Private

HEI	Collecting data	Institution type
Higher School of Business and Management in Ciechanów	FOI Request Not Answered	Private
University of Medical Sciences in Legnica	Yes	Private
Collegium Civitas in Warsaw	Yes	Private
WSB University	Yes	Private
WSZiA Opole	No	Private

*Question was not answered directly but answer to question 2 from FOI request suggests that data is collected in an accessible format (i.e., data was provided or a statement about absence of RBS in the institution was made).

Appendix IX – Interview Schedules

England and Poland (RBS)

About You

- 1) Do you identify yourself as
 - Female
 - Male
 - No Gender
 - Other
- 2) How old are you?
- 3) What is your country of origin?
- 4) What is your current immigration status in England?
 - A refugee (I have successfully applied for asylum and have been granted indefinite leave to remain) – how long did it take from the date of application
 - Claiming asylum (I have submitted an application for an asylum, and I am currently awaiting a decision) – how long have you been already waiting
 - Humanitarian protection (I have been refused asylum, but I was granted a limited leave to stay in England) – how long did it take from the date of application
 - Other (Please specify)
- 5) How long have you been a ‘refugee’ (that is, how long has it been since you had to leave your home due to conflict, famine, persecution etc.)?
- 6) Did you live in a refugee camp prior to arriving in England? If yes, how long for?
- 7) Did you live in another country prior to arriving in England? If yes, how long for? In what capacity (as a refugee, economic migrant)?
- 8) How long have you been living in England? Please specify number of months/years
- 9) How long did your asylum claim in England take?
 - Please specify number of months/years
- 10) Do you expect to remain in England long term? Please elaborate.

You and Your Family

- 11) Who do you currently live with?
- 12) What was your father’s occupation (job) before you had to leave your home?
- 13) What is your father’s current occupation (job)?
- 14) What was your mother’s occupation (job) before you had to leave your home?
- 15) What is your mother’s current occupation (job)?
- 16) Did either of your parents completed university education? If yes, what subjects this they study? If not, what was their highest level of education? If ‘none’ – are they able to read and write in their main language?)

- 17) If 'LIVE WITH PARENT(S)' - What is your parents' knowledge of English?
- How well do they understand spoken English? (Fluently, Fairly well, slightly, not at all)
 - How well can they speak/read/write in English?
- 18) Do you have any siblings (brothers or sisters)? (How many siblings do you have? What gender? What age are they?)
- 19) Do your siblings currently live with you?
- 20) Did any of your siblings complete university education (in which country?)
- 21) Are you single/married? Does your spouse live in England/with you?
- 22) Do you have any children? Do they live with you?
- 23) Do you have any 'dependents' relying on you financially?

Your Language Skills

- 24) What is your main language?
- 25) What is your knowledge of English language?
- How well do you understand spoken English? (Fluently, Fairly well, slightly, not at all)
 - How well can you speak/read/write in English?
- 26) Do you know any other languages (not including your main language or English)?

Your Prior Education

- 27) What education have you completed prior to arriving in the UK? If some – how many years? If HE - what subject area?
- 28) What subjects did you enjoy studying (at your highest level)?
- 29) If 'Some HE or more' – how did you choose your programme? Did anyone supported you/influenced you in choosing your subject and institutions? Did you have to pay for the course? What job did you hope to do upon completion of the course? Did you do well in the course? Did you enjoy it?
- 30) Have you had any access to education since leaving your home? (If yes - where? At what level and for how long? What subject(s)? Why did you take part?)

Your Employment History and Aspirations

- 31) Before leaving your home country, what was your main activity? (in employment, self-employed, unemployed and looking for work, student, looking after home and family, not working for some other reason)?
- 32) If 'working' - before coming to England, what were your last two jobs, either paid or voluntary? Where was this (in home country, in refugee camp, in transition country?)
- 33) Since coming in England, have you undertaken any paid or unpaid work? (for how long, in what capacity, how did you get this position?)
- 34) Are you currently working in England? If not – why not? If yes – part-time or full-time?

- 35) If ‘YES’ – is this a job or a career? Are there routes to progression in your current workplace/sector? Do you plan to remain in this job long term? Do you feel you are paid accordingly? Do you feel satisfied? Do you feel you are treated fairly? Do you work with other refugees/other migrants/ citizens?
- 36) What is your chosen/dream job/career? Why? Did someone support/influence your choice? Do you need any qualifications to get this job?

Interview PART 2

Your Educational Aspirations

- 1) Do you want to go to university in England (or another European country, where and why?) – If ‘ALREADY A STUDENT’ – use prompts from next section
 - a. If ‘NO’ – why? – e.g., ‘I am not a student in England and I do not wish to go to university because ... (for example, ‘I already have a degree’, ‘I have to work to support my family’, ‘I do not like studying’, ‘I do not see a point in going to a university’, ‘I don’t know how to get a place’)’ – *follow up on these, e.g., to see whether, if the obstacle could be removed, would the answer change to ‘yes’; if already have degree (from England? Other European country? Home country?), explore whether it is enough to get the career wanted.*
 - b. If ‘YES’:
 - 2) Why? What will it give you? Is anyone supporting/influencing your decision?
 - 3) Do you understand your legal rights to accessing HE?
 - 4) Do you understand the fees structure/loan system?
 - 5) Do you have the funds required/know how to obtain them?
 - 6) What subject would you like to study? Why? Did anyone support/influence your choice?
 - 7) Which university would you like to join? Why? Did anyone support/influence your choice?
 - 8) Do you know what to do/how to get a place at university? (How did you find out?)
 - 9) Do you have the required qualifications? Do you have documentation to confirm this? If ‘NO’ – are you currently/planning to study to obtain required qualifications? If no documentation, did you explore how this can be overcome?
 - 10) When are you planning to apply to university?
 - 11) Will you seek help in making your application? From whom? Why/Why not?
 - 12) If available, would you have accessed preparatory programme? What should it include?
 - 13) What support (if any) do you feel you will need/you would like while at university?

- 14) Would you mind staff/other students knowing your migration status? Do you feel you would be treated differently because of it?
- 15) How do you think your participation in HE/your chosen university/programme would affect you? (Your wellbeing? Your opinion about yourself? Your position in your family/community? Your future? In what ways?)
- 16) How do you plan to use your degree?

Your Current Education (for those currently in HE)

1. Which HEI do you study at? (this will be *anonymised*) Why did you choose this institution? Did someone support/influence your decision?
2. Are you an undergraduate or postgraduate student?
3. What is your programme of study? Why did you choose this course? Did someone support/influence your decision?
4. How long have you been studying on this programme? What was your age when you entered the programme?
5. How long after coming to England did you apply for/join the course? If more than 12months – why then? Why the delay?
6. Have you had any issues in accessing the university? How did you overcome these?
7. Have you received any help in accessing this programme/university?
8. How has it been going so far? Does the university/programme meet your expectations? Have you experienced any difficulties?
9. Are you involved in any extracurricular activities at the university? What type? In what capacity?
10. Do you feel you've made friends at the university now? Do you feel part of the community?
11. Have you received any additional support since starting your programme (e.g., English language support, counselling, financial, information, mentoring, finding way around new surroundings, buddy support system, faith related, finding part-time work, legal etc.) – explore each, e.g., if English – how/from whom/why did you need, was it sufficient etc.; if 'NO' – why? ; if 'not available' – do you feel you would benefit from additional support?
12. If available, would you have accessed preparatory programme? What should it include?
13. Do staff/other students know your migration status (maybe because of your scholarship?) Do you feel you are treated differently because of it? Does it affect you in other ways? If 'NO, they do not' - why not?
14. Did your participation in HE/this university/this programme affect you? (Your wellbeing? Your opinion about yourself? Your position in your family/community? Do you think it will affect your future? In what ways?)
15. How do you plan to use your degree?

England (Expert - Third sector)

NGO 1, NGO3 and NGO4

Your Organisation:

1. What is the name of the institution/organisation that you work with and what is your role within this institution/organisation?
2. Can you please describe how your institutions is supporting refugees and asylum-seekers in gaining access/succeeding in higher education studies?
3. What is your involvement in organisation of these activities?
4. Do you know when/how did your institution/organisation decide to take steps to support refugees and asylum-seekers in this way? Do you know who initiated it and why?
5. What's your 'territorial' scope? Why?
6. Do you work with other organisations? Universities directly? Language providers? Local councils? Which ones? Why? How are those relationships established? On your or their initiative?
7. Do you know of any future plans of adding activities/improving support provision for refugee and asylum-seeking applicants and/or students and other forced migrants in the community? How are these being designed/organised? Who is involved? How do you make decisions on what/how to do? How 'evidence based' is your practice?
8. Have you encountered/are aware of any difficulties in setting up and/or running of these activities? Practical? Was there any 'opposition' from the senior staff/executive team? From other organisations?
9. How many clients do you support?
10. How many enquiries do you receive? Through what channels? Do you ask how they have found out about you? How do you publicise your services? Do you have capacity to deal with more enquiries?

Your Clients:

- I. Who is your 'typical' client? What level of skills, experience do they have? What level of support do they require? Information? Advice? Guidance?
- II. What are the main barriers to access and success encountered by your clients?
- III. How long do you usually support a client for?
- IV. What are the outcomes for your clients?

What do you Need?

- A. What changes in policy would you like to see?
- B. What would you like to see happening in HEIs?
- C. What do you need from/can you offer to other NGOs working with ASRs?

NGO2 (additional/different questions)

11. Beyond lobbying HEIs – do you work with other providers? E.g., FE colleges (where over 18s have to pay for courses)?
12. Do you lobby the government?

Your Clients:

- I. Although you don't provide direct support for ASRs, you do provide information and guidance on institutional support on your webpages – do you keep track (and are you able to share with me!) of numbers of enquiries that your receive from ASRs?

England and Poland (Expert - University)

Including Information Coversheet for E-mail Interviews

Thank you very much for agreeing to take part in this study about higher education opportunities for refugees and asylum-seekers, from a position of an 'expert', and for completing the online Consent Form. Your help is greatly appreciated.

This email provides some more information about the study and details of who to contact if you have any questions or concerns, followed by the Interview Questions.

[Information about the study](#)

This study, funded by the Economic and Social Research Council, is being carried out by Agata Lambrechts, as part of her PhD in the Department of Education, University of York.

Agata is looking at higher education opportunities for people with refugee background in Europe, focusing on England and Poland. She is using a variety of data collection methods, including expert interviews with representatives from higher education institutions (HEIs) and non-governmental organisations supporting refugees and asylum-seekers in accessing and succeeding in university level studies.

Agata has already collected some information about your institution's/organisation's activities aimed at this group but would like to find out more about the overall approach, reasons for involvement and any issues you may have encountered in

developing your institutional response. Your help is very important, and we hope that you will enjoy taking part.

Please remember that you are free to refuse to answer any question but be assured that anything you say will be treated in strict confidence. No information about you will be shared with anyone outside of the research team (Agata and her supervisors, Prof Paul Wakeling and Dr Charlotte O'Brien), and you will only be identified by a pseudonym in the publications arising from this research. Some of your details may be amended by Agata to avoid compromising your anonymity. Your institution will not be named in any research outputs (unless discussing details provided to Agata by the institution/organisation separately).

If you have any questions about the study, please speak to Agata directly, or contact one of her supervisors at:

Prof Paul Wakeling, Department of Education, University of York - paul.wakeling@york.ac.uk

Dr Charlotte O'Brien, School of Law, University of York - charlotte.obrien@york.ac.uk

Please find the interview questions below. Please answer as fully as you can and include any other comments with useful information if you feel we have missed something.

You and Your Organisation

1. What is the name of the institution that you work with? What is your role within this institution?
2. Can you please describe how your institutions supports refugees and asylum-seekers in gaining access/succeeding in higher education studies?
3. What is your involvement in organisation of these activities?
4. Do you know when/how did your institution decide to take steps to support refugees and asylum-seekers in this way? Do you know who initiated it and why?
5. Do you work with other organisations in developing and/or delivering your information and support activities? Which ones? Why? How were these relationships established?
6. Do you know of any future plans of adding activities/improving support provision for refugee and asylum-seeking applicants and/or students and other

forced migrants in the community? How are these being designed/organised? Who is involved? How do you make decisions on what/how to do?

7. Have you encountered/are aware of any difficulties in setting up and/or running of these activities? Practical? Was there any 'opposition' from the senior staff/executive team or your student body?
8. Do you have an idea of numbers of people you have been able to support through the various provisions so far?
9. How do you publicise your support activities? Do you have capacity to support more applicants/students at the moment?

Your English Language/Preparatory/HE Access provision clients (with refugee background)

- I. Who is your 'typical' client? What level of skills, experience do they have? What level of support do they required?
- II. How long do you usually support a client for?
- III. What is the completion rate for the courses you deliver (amongst the refugee/asylum-seeking group?)
- IV. Do you keep track of outcomes for your clients? Do you know where/what to do they move on after your courses? What are the destinations?

What do you need (to be able to offer more/better support)?

- A. What changes in policy would you like to see?
- B. What would you like to see happening across the HE sector?
- C. What resources/support do you need in your own institution?
- D. What do you need from/can offer to NGOs working with refugees/asylum-seekers?

Translated by AAL

Ty i Twoja Organizacja

1. Czy może się pan przedstawić i wyjaśnić jaką pozycję zajmuje pan na [uniwersytet]?
2. Czy możesz opisać, w jaki sposób [uniwersytet] wspiera uchodźców i osoby ubiegające się o azyl w uzyskaniu dostępu / zdobyciu wyższego wykształcenia?
3. Jaką jest pana rola w organizacji tych działań?
4. Czy wie Pan, kiedy / jak [uniwersytet] zdecydował się podjąć kroki w celu wspierania uchodźców i osób ubiegających się o azyl w ten sposób? Czy wiesz, kto to zainicjował i dlaczego?
5. Czy [uniwersytet] współpracuje z innymi organizacjami podczas opracowywania i / lub dostarczania informacji i działań wspierających? Które? Czemu? W jaki sposób ustalono te relacje?
6. Czy są jakieś przyszłe plany dodania działań / poprawy wsparcia dla uchodźców i ubiegających się o azyl kandydatów i / lub studentów i innych przymusowych migrantów w społeczności? W jaki sposób są zaprojektowane / zorganizowane? Kto jest zamieszany? Jak podejmujesz decyzje o tym, co / jak zrobić?
7. Czy napotkali Państwo / byliście świadkami jakichkolwiek trudności w tworzeniu i / lub prowadzeniu tych działań? Praktyczny? Czy była jakaś

"opozycja" ze strony starszego personelu / zespołu wykonawczego lub twojego ciała studenckiego?

8. Jak upublicznicie swoje działania wspierające? Czy masz obecnie możliwość wsparcia większej liczby kandydatów / studentów?
9. Czego potrzebujesz (aby móc zaoferować więcej / lepsze wsparcie)?

Czego potrzebujesz

- A. Jakie zmiany w polityce chciałbyś zobaczyć?
- B. Co chciałbyś zobaczyć w sektorze nauczania wyższego?
- C. Jakie zasoby / wsparcie potrzebujesz w swojej instytucji?
- D. Czego potrzebujesz / możesz zaoferować organizacjom pozarządowym pracującym z uchodźcami / azylu?

RBS

Informed Consent Form: Interview (Participant)

Title of the Research Project: Higher Education for Refugees and Asylum-Seekers in Europe. A Multidisciplinary Comparative Inquiry. Case studies from Poland and England.

Name of the Researcher: Agata Lambrechts

In line with the ethical guidelines given to research students by **The University of York**, UK, please read the following statements and sign to say that you are willing to be involved in this project. The researcher will be happy to answer any questions.

What is this research about? Agata Lambrechts would like to see what is the educational situation (at a university level) of refugees and asylum-seekers, who have ‘recently’ arrived (that is those who arrived after the age of 15) in either Poland or England. She would like to find out what are my educational aspirations (whether I want to go to university) and future career aspirations (what do I hope to achieve in my professional life), what are the issues I am facing in trying to realise my plans, whether I have been able to access information and any forms of support, and how is this process (or inability to participate in higher education) affecting me. She would also like to find out about my migration experiences and family background which may be affecting my current and future experiences.

What will happen? My involvement in this study means that Agata can:
- Ask me questions about my migration experiences and my family background,
- Record responses given by me,
- Use the information I provide in her research and any written record of this.
I understand that taking part in this research is voluntary and if I do not want to answer some of the questions, I do not have to.

Will my name be used? Anything I share will be kept confidential and my responses will be recorded with a pseudonym which I can choose, or it can be assigned to me by Agata at the start of the interview. **I understand that I will only be identified by a pseudonym in the publications arising from this research.** I will be entitled to read

the final project if I want to. I can request a copy from Agata at aal513@york.ac.uk .

What will happen to the information I provide?

The information I provide will be stored in secure filing cabinets and/or on a password protected computer, and only Agata and her supervisors Dr Paul Wakeling, and Dr Charlotte O'Brien, will be able to see it. This information will be used in Agata's PhD thesis and in further academic publications. Some of the information may be used publicly (for example in presentations at academic conferences). My input will be kept for ever.

What are my rights?

I understand that if I tell the researcher anything that is of concern or harm to myself or others, she has to report this to a higher body legally, for my own safety and the safety of others.

I understand that as a participant I may remove information I have provided at any point during each session, without giving any reason, or ask for what I say to not be recorded but after the session has finished this will not be possible as my information cannot be identified.

What if I have any questions?

If I have any further questions throughout or following the research process I can contact, or ask an appropriate adult to contact, either Agata directly at aal513@york.ac.uk or Dr Claudine Bowyer-Crane, a Deputy Chair of the Education Ethics Committee at the University of York UK at education-research-administrator@york.ac.uk. I understand that I am also welcomed to ask questions at any time during the information collection process.

I agree to be involved in this research as described above. I accept the use of information about me as detailed above and understand my rights as a participant. I understand my right to withdraw. I accept that information will not be identifiable. If I want to withdraw, I have to do so before or within the session that the information is being collected in, as it will be impossible later unless I have agreed this separately.

Name of Participant (you do not have to give your full name here if you prefer to be known only by first name or pseudonym you choose)

Signed (Participant)**Signed (Researcher)**

Date.....**Date**

Expert

Participants were asked to review and sign the form electronically (vis SurveyMonkey) prior to the interview. For each section participants need to 'tick' to agree to the statement made.

Higher Education opportunities for young people with refugee background in Europe. In line with the ethical guidelines given to research students by The University of York, UK, please read the following statements and 'tick' to say that you are willing to be involved in this project. The researcher will be happy to answer any questions.

What is this research about?

Agata Lambrechts is investigating the availability and accessibility of higher education opportunities for refugees and asylum-seekers residing in England (or Poland). Agata collects data from various sources, including interviews with refugees themselves, and expert interviews with representatives from HE institutions and charities/organisations supporting HE access and success of refugees.

Agata would like to find out about your institution's approach to supporting refugee and asylum-seeker applicants and/or students.

***1. What will happen?**

Your involvement in this study means that Agata can:

- Ask you questions about your institution's activities aimed at supporting refugee applicants and/or students,
- Ask questions about the approach and attitudes within your organisation,
- Where necessary, ask additional questions and seek clarification,
- Use the information you provide in her research and any written record of this.

I understand that taking part in this research is voluntary and if I do not want to answer some of the questions, I do not have to. I do not have to give any reason for refusing to answer a question.

*** 2. Will my name be used?**

Your responses to Agata's questions and anything you choose to share will be recorded with a pseudonym which you can choose, or it can be assigned to you by Agata at the start of the interview email exchange. Your real name and contact details will be kept as a document separate from your interview record and will be saved on a password protected computer, with only the researcher (Agata Lambrechts) having access to it.

I understand that I will only be identified by a pseudonym in the publications arising from this research. Some of my details may be amended by Agata to avoid compromising my anonymity. My institution will not be named in any research outputs.

3. Final project

I will be entitled to read the final project if I want to. I can request a summary or the full thesis from Agata at aal513@york.ac.uk . If I wish, I can ask Agata to retain my email address and she will send me a summary report of the findings upon completion of this study.

***4. What will happen to the information I provide?**

The information you will provide will be stored in secure filing cabinets and/or on a password protected computer, and only Agata and her supervisors Prof Paul Wakeling, and Dr Charlotte O'Brien, will be able to see it. This information will be used in Agata's PhD thesis and in further academic publications. Some of the information may be used publicly (for example in presentations at academic conferences). Your input will be kept for a minimum of 10 years.

I confirm that I understand the above statements and agree to my answers being stored and used in this way.

***5. What are my rights?**

At the end of the interview the researcher will provide you with an opportunity to withdraw any information you have disclosed.

I understand that as a participant I may remove information I have provided at any point during the email interview, without giving any reason. I will have two weeks after the final email from the researcher confirming the completion of the interview to retract any parts of information given during the interview, or to withdraw from the study completely.

***6. What if I have any questions?**

If I have any further questions throughout or following the research process I can contact either Agata directly at aal513@york.ac.uk or the Chair of the Education Ethics Committee at the University of York UK at education-research-administrator@york.ac.uk. I understand that I am also welcomed to ask questions at any time during the information collection process.

I agree to be involved in this research as described above. I accept the use of information about me as detailed above and understand my rights as a participant. I understand my right to withdraw from participation in this study - if I want to withdraw, I have to do so within two weeks from the completion of interview email exchange. I accept the information I give in my interview will not be identifiable.

*7. Please insert your name and date (please note that this form will be kept separate from the record of your interview).

Full Name

Date

*8. Please insert your e-mail address

Appendix XI – Call for Participants

England (RBS)

COULD YOU CONTRIBUTE IN RESEARCH INTO HIGHER EDUCATION OPPORTUNITIES FOR YOUNG PEOPLE WITH REFUGEE BACKGROUND?

My name is **Agata Lambrechts** and I am a doctoral researcher at the **University of York** in England. My research project is evaluating higher education opportunities for young refugees and asylum-seekers in England. The aim of the project is to provide suggestions for the policy makers and to develop a tool for universities and non-governmental institutions, to help them improve access and provide suitable support for candidates and students with refugee background.

Are YOU?

- **Over 18**
- **legally residing in England** at the moment (have you either submitted an application for refugee status or other type of protection OR have been granted such status)?
- **currently studying** at a university OR **hoping to go to university** in the future?

If you answered 'yes' to all of these questions, I would like the opportunity to talk to you about your experiences!

I would like to find out what are your educational and future career aspirations (what do you hope to achieve in your professional life), what are the issues you are facing in trying to realise your plans, whether you have been able to access information and any forms of support, and how this process is affecting you. I would also like to find out about your migration experiences and family background which may be affecting your current and future experiences.

Anything you share will be kept **confidential** and your responses will be recorded with a pseudonym.

You will be able to withdraw from the research (refuse to answer any or all of the questions) at any time during the face-to-face OR e-mail interview.

To find out more, please contact: aal513@york.ac.uk

By taking part in this study you could make an important contribution to research, policy and practice relating to higher education for people with refugee background.

(Please note that this study has been granted an ethical approval from the University of York)

Poland (RBS)

Dzień dobry,

Dziękuję za poświęcenie czasu na przeczytanie tego listu, mam nadzieję, że będziesz w stanie mi pomóc!

Nazywam się Agata Lambrechts i jestem doktorantką na Uniwersytecie York w Anglii. Mój obecny projekt badawczy dotyczy sytuacji edukacyjnej młodych uchodźców i osób ubiegających się o ochronę w Polsce lub Anglii. Celem moich badań jest wypracowanie zaleceń zarówno dla organów ustawodawczych, jak i

samych uniwersytetów, które polepszą dostęp do szkolnictwa wyższego i usprawnia systemu pomocy dla studentów z tej grupy.

W ramach moich badań zamierzam przeprowadzić serię wywiadów (**osobiście, przy pomocy Skype, bądź drogą emailową**) z młodymi ludźmi, takimi jak Ty, którym jeszcze nie udało się pokonać przeszkód w dostępie do szkolnictwa wyższego.

Chciałbym dowiedzieć się, jakie są twoje edukacyjne i zawodowe aspiracje (co masz nadzieję osiągnąć w życiu zawodowym), jakie są problemy, z którymi się zmagasz, próbując zrealizować swoje plany, czy masz dostęp do informacji i jakichkolwiek form wsparcia i jaki ma to wpływ na Ciebie. Chciałbym również dowiedzieć się o Twoich doświadczeniach związanych z migracją i o Twojej sytuacji rodzinnej, które mogą mieć wpływ na Twoje obecne i przyszłe doświadczenia.

Na czym będzie polegało Twoje zaangażowanie, jeśli zgodzisz się na udział w badaniu?

Twoje zaangażowanie w to badanie oznacza, że będę mogła:

- Zadać Ci pytania o doświadczenia z migracją i Twoje pochodzenie,
- Zadać Ci pytania o wcześniejsze i bieżące doświadczenia edukacyjne i przyszłe plany zawodowe,
- Nagrać Twoje odpowiedzi,
- Wykorzystać te informacje w moich badaniach i wszelkie pisemne informacje na ten temat.

Wszystko, czym podzielisz się ze mną podczas rozmowy, będzie **poufne**, a Twoje odpowiedzi będą utrwalone z użyciem **pseudonimu**, który możesz wybrać lub który może zostać Ci przyporządkowany na początku rozmowy. Twoje prawdziwe imię i nazwisko oraz dane kontaktowe będą przechowywane w osobnej dokumentacji, **zapisanej na chronionym hasłem** komputerze, do którego tylko ja mam dostęp.

Pamiętaj, że będziesz mógł wycofać się z badań (odmówić udzielenia odpowiedzi na wszystkie lub niektóre pytania) w dowolnym momencie podczas rozmowy.

Rozmowa może zostać przeprowadzona w języku polskim lub angielskim.

Jeśli możesz mi pomóc w moich badaniach, napisz do mnie na adres aal513@york.ac.uk lub skontaktuj się z organizacją, która przekazała Ci ten list.

Dziękuję Ci bardzo za poświęcony czas!

mgr Agata Lambrechts
PhD Researcher
Department of Education, University of York

Translated by AAL

Good morning,

Thank you for taking time to read this letter, I hope that you will be able to help me! (I have attached a Polish language version of this letter so please refer to that if necessary).

My name is Agata Lambrechts and I am a doctoral researcher at the University of York in England. My research project looks at the educational situation (at a university level) of young refugees and asylum-seekers in Poland and England. The aim of the project is to provide suggestions for the policy makers and to develop a tool for universities and non-governmental institutions, to help them improve access and provide support for candidates and students with refugee background.

As part of my data collection, I am looking to carry out a series of interviews (**face-to-face, via Skype or via E-mail**) with young people who have overcome the many obstacles to access higher education and those who – for whatever reason – have not yet been able to join a programme at a university.

I would like to find out what are your educational and future career aspirations (what do you hope to achieve in your professional life), what are the issues you are facing in trying to realise your plans, whether you have been able to access information and any forms of support, and how this process is affecting you. I would also like to find out

about your migration experiences and family background which may be affecting your current and future experiences.

If you agree, what will happen?

Your involvement in this study means that I can:

- Ask you questions about your migration experiences and your background,
- Ask you questions about your previous and current educational experiences and future plans,
- Record responses given by yourself,
- Use the information you provide in my research and any written record of this.

Anything you share will be kept *confidential* and your responses will be recorded with a pseudonym which you can choose, or it can be assigned to you by myself at the start of the interview. **Your real name and contact details will be kept separately from the record of the interview and saved on a password protected computer to which only I have the access**

You will be able to withdraw from the research (refuse to answer any or all of the questions) at any time during the interview.

The interview can be carried out in either Polish or English language.

If you are able to help me with my research, please email me at aal513@york.ac.uk or contact the organisation which passed this letter on to you.

Thank you very much!

Agata Lambrechts, M.A.
PhD Researcher
Department of Education, University of York

Appendix XII – Expert Participant Profiles

England

Participant	Organisation type (and code)	Support for refugees	Role within the project/ organisation	Organisation location and programme/ support reach
1	university (A)	dedicated programme of support for RBS	project officer	London (national reach)
2	university (B)	dedicated programme of support for RBS	project director	London (national reach)
3	university (C)	dedicated programme of support for RBS	project officer	London (national reach)
4	university (D)	language centre – dedicated support for RBS	project officer	East Midlands (local reach)
5	university (D)	language centre – dedicated support for RBS	centre director	East Midlands (local reach)
6	university (E)	assessment centre – dedicated support for RBS	centre director	East of Anglia (national and international reach – namely online)
7	university (F)	no dedicated programme of support	international student adviser	London
8	third sector (A)	supporting HE access for RBS	organisation director	London (national reach)
9	third sector (B)	supporting HE access for RBS	specialist support worker	London, West Midlands, South East
10	third sector (C)	supporting employment and education of refugees, including HE access for RBS	volunteer employment adviser	London (local reach)
11	third sector (D)	supporting migrants and refugees in various spheres, including accessing education	employment support officer	East Midlands (local reach)
12	third sector (D)	supporting migrants and refugees in various spheres, including accessing education	organisation director	East Midlands (local reach)

Poland

Participant	Organisation type (and code)	Support for refugees	Role within the project/ organisation	Organisation location and programme/support reach
1	university (A)	dedicated programme of support for RBS	vice-rector for student affairs	Lesser Poland (national reach)
2	university (B)	dedicated programme of support for RBS	vice-rector for research	Masovia (national reach)

Appendix XIII - Top nationality by year of enrolment in England

	2013/14		2014/15		2015/16		2016/17		2017/18	
Aggregated top nationality (frequency)	Zimbabwean (7)		Zimbabwean (11)		Iranian/ Zimbabwean (8)		Iranian (8)		Iranian (7)	
Other top nationalities reported (frequency)	Iranian (6) Afghan (2) Chinese, Iraqi, Libyan, Malaysian, Sudanese, Syrian (all 1)		Iranian (7) Syrian (3) Pakistani (2) Bolivian, Burmese, Eritrean (all 1)		Sudanese (2) Libyan, Pakistani, Syrian (all 1)		Zimbabwean (6) Eritrean, Syrian (3) Afghan, Georgian, Sudanese, Yemeni, Zambian (all 1)		Syrian, Zimbabwean (4) Eritrean (3) Libyan, Nigerian, Pakistani (all 2)	
Missing data (n=120)	a	10		7		12		9		10
	b	54		51		51		49		50
	c	5		6		6		5		5
	d	15		15		16		18		15
	e	15		15		14		14		11
	Total:	99		94		99		95		96

a – multiple/all nationalities with the same number of students; b – data not collected; c – question not answered; d – data refused (due to small numbers); e – n/a no RBS

Appendix XIV - Rate of RBS participation and share of total RBS numbers by provider and mission group; 5-year aggregated data

Research-intensive, resource-rich ‘Old’ pre-1992 universities are generally less diverse while the less well resourced, teaching-led ‘New’ post-1992 universities are more diverse.

A number of HEI in the UK are part of so-called mission groups, that is collectives of institutions which have similar origins, ethos and ambitions. There are currently three mission groups: ‘top tier’ Russell Group research intensive universities (although according to analysis done by Boliver, except for Cambridge and Oxford, Russell Group universities are similar in terms of academic selectivity, economic resources, research activity and social mix to over half of all the other Old universities, and thus do not objectively speaking constitute a distinctive elite group (2015)); Million+ group bringing together most of the urban New universities; University Alliance groups more ‘status-conscious’ New universities. Now dismantled 1994 Group was a collective of smaller research-intensive institutions.

Of note is the fact that several institutions have changed their mission group affiliation since data collection and analysis has been completed. Mission group as listed below was correct at the time of analysis in 2018.

HEI	Mission Group	University type by period of foundation	Rate of RBS participation (as a % of institutional student body)	% of total RBS enrolments
Anglia Ruskin University	Unaffiliated	New	.26	3.6
Arts University Bournemouth *(UG students only)	Unaffiliated	New	.18	0.3
Bath Spa University	Million Plus	Old	.08	0.4
Birkbeck, University of London *data from 2014/15 onwards	Unaffiliated	New	1.05	7.3
Bournemouth University	Unaffiliated	Old	.08	1.0

HEI	Mission Group	University type by period of foundation	Rate of RBS participation (as a % of institutional student body)	% of total RBS enrolments
Canterbury Christ Church University	Million Plus	New	.15	1.6
City, University of London	Unaffiliated	New	.39	3.5
Edge Hill University *data from 2014/15 onwards	Unaffiliated	New	.04	0.4
Goldsmith's College	Former 1994 Group	Old	.09	0.5
Guildhall School of Music and Drama	Unaffiliated	New	.08	0.0
Imperial College of Science, Technology and Medicine	Russell Group	New	.12	0.6
King's College London	Russell Group	Old	.22	3.0
Liverpool John Moores University	University Alliance	New	.16	1.9
London Business School * (PG students only)	Unaffiliated	New	.00	0.0
London School of Hygiene and Tropical Medicine *data available for 16/17 only	Unaffiliated	New	.80	0.1
London South Bank University	Million Plus	Old	.48	5.6
Loughborough University	Former 1994 Group	New	.07	0.6
Manchester Metropolitan University	University Alliance	New	.05	1.0
Middlesex University *data from 2014/15 onwards	Million Plus	Old	.02	0.1
Newman University	Unaffiliated	Old	.41	0.9
Norwich University of the Arts	Unaffiliated	Old	.00	0.0

HEI	Mission Group	University type by period of foundation	Rate of RBS participation (as a % of institutional student body)	% of total RBS enrolments
Queen Mary University of London	Russell Group	New	.18	1.5
Rose Bruford College of Theatre and Performance *data available for 2017/18 only	Unaffiliated	New	.00	0.0
Royal College of Music	Unaffiliated	New	.00	0.0
Southampton Solent University *data available for 2016/17 only	Million Plus	New	.12	0.1
Staffordshire University	Million Plus	New	.08	0.7
Teesside University	University Alliance	New	.53	7.8
The Royal Central School of Speech and Drama *(UG students only)	Unaffiliated	Old	.00	0.0
The Royal College of Art	Unaffiliated	New	.12	0.1
The Royal Veterinary College	Unaffiliated	Old	.00	0.0
The School of Oriental and African Studies *data available for 2017/18 only	Former 1994 Group	New	.29	0.1
The University of Bath	Former 1994 Group	Old	.06	0.4
The University of Birmingham	Russell Group	New	.03	0.4
The University of Bradford	Unaffiliated	New	.45	3.1
The University of Cumbria	Million Plus	New	.05	0.4
The University of East Anglia	Former 1994 Group	New	.03	0.3
The University of Essex	Former 1994 Group	New	.92	6.3

HEI	Mission Group	University type by period of foundation	Rate of RBS participation (as a % of institutional student body)	% of total RBS enrolments
The University of Huddersfield	University Alliance	New	.13	1.3
The University of Hull	Unaffiliated	New	.15	1.4
The University of Kent	Former 1994 Group	Old	.13	1.0
The University of Leicester	Former 1994 Group	New	.07	0.5
The University of Manchester *data available for 2016/17 only	Russell Group	Old	.59	1.8
The University of Surrey	Former 1994 Group	Old	.22	1.9
The University of Warwick	Russell Group	New	.12	1.2
The University of West London *data available for 2017/18 only	Million Plus	New	1.14	1.5
The University of Westminster	Unaffiliated	New	1.00	8.9
Trinity Laban Conservatoire of Music and Dance	Unaffiliated	Old	.00	0.0
University for the Creative Arts	Unaffiliated	New	.48	1.3
University of Bedfordshire	Million Plus	New	.05	0.4
University of Brighton	University Alliance	New	.35	4.0
University of Bristol *(UG students only) data not yet available for 2017/18	Russell Group	Old	.07	0.4
University of Cambridge *(PG students only)	Russell Group	Old	.05	0.3
University of Durham	Russell Group	Old	.12	0.9

HEI	Mission Group	University type by period of foundation	Rate of RBS participation (as a % of institutional student body)	% of total RBS enrolments
University of Exeter *data from 2014/15 onwards	Russell Group	New	.09	0.7
University of Hertfordshire *data not yet available for 2017/18	University Alliance	Old	.35	4.2
University of Keele	Fomer 1994 Group	Old	.29	1.7
University of Lincoln	Unaffiliated	Old	.02	0.1
Newcastle University	Russell Group	Old	.08	0.8
University of Northampton	Unaffiliated	Old	.00	0.0
University of Northumbria at Newcastle	Unaffiliated	Old	.17	2.6
University of Plymouth	Unaffiliated	New	.08	1.1
University of Salford *data from 2014/15 onwards	University Alliance	Old	.63	5.8
University of Winchester	Unaffiliated	New	.11	0.5
University College London	Russell Group	New	.13	1.8
Writtle University College	Unaffiliated	Old	.00	0.0

Appendix XV - Top ten institutions in England with the highest rate of RBS participation and/or share of total RBS numbers; 5-year aggregated data

University	Rate of RBS participation (as a % of institutional student body)	% of total RBS enrolments
Anglia Ruskin University	0.26	3.6
Birkbeck, University of London *data from 2014/15 onwards	1.05	7.3
London South Bank University	0.48	5.6
Teesside University	0.53	7.8
The University of Essex	0.92	6.3
The University of West London *data available for 2017/18 only	1.14	1.5
The University of Westminster	1.00	8.9
University of Brighton	0.35	4.0
University of Hertfordshire *data not yet available for 2017/18	0.35	4.2
University of Salford *data from 2014/15 onwards	0.63	5.8

Appendix XVI - First year RBS HE enrolments in England (2017/18) by region

2017/18	Number of first-year RBS enrolments	Share of the total number (in %)	Number of hosted asylum seekers and resettled refugees, and a percentage of the total figure including both categories (Migration Observatory, 2019)
South East	378	12.0	696 / 1685 (4.8%)
East of England	478	15.1	866 / 865 (3.5%)
South West	138	4.4	897 / 1386 (4.6%)
East Midlands	37	1.2	2607 / 805 (6.8%)
London	1047	33.2	5722 / 937 (13.3%)
West Midlands	156	4.9	5381 / 1845 (14.4%)
Yorkshire and The Humber	182	5.8	5765 / 2147 (15.8%)
North West	343	10.9	10 243 / 1539 (23.5%)
North East	397	12.6	5122 / 1588 (13.4%)

Appendix XVII - Conversion rates from applicant to student (general population) 5-year aggregated data

HEI	UG applicants	UG students	Conversion rates applicants to students %
1.	45180	22545	49.9
2.	16385	8765	53.5
3.	10735	2310	21.5
4.	55145	27965	50.7
5.	58280	31220	53.6
Total	185725	92805	50

Appendix XVIII - Institutions with RBS in Poland and share of total RBS numbers;
5-year aggregated data

University	% of total RBS enrolments
AGH University of Science and Technology in Cracow	6.66
Jacob of Paradies University in Gorzow Wielkopolski	3.33
Grazyna and Kiejstut Bacewicz Academy of Music in Lodz	3.33
Jozef Pilsudski University of Physical Education in Warsaw	3.33
Lomza State University of Applied Sciences	6.66
PWST National Academy of Theatre Arts in Cracow	6.66
State Higher Vocational School in Gniezno	3.33
Opole University of Technology	3.33
Wroclaw University of Science and Technology	6.66
Maria Curie-Sklodowska University in Lublin	6.66
University of Bialystok	13.33
University of Warsaw	30.00
Siedlce University of Natural Sciences and Humanities	3.33
University of Szczecin	3.33

Abbreviations

ACU	Australian Catholic University
AusAid	Australian Agency for International Development
BHER	Borderless Higher Education for Refugees
CRC	UN Convention on the Rights of the Child 1989
CSR	Geneva Convention Relating to the Status of Refugees 1951
DAAD	German Academic Exchange Service
DAFI	Deutsche Akademische Flüchtlingsinitiative – The Albert Einstein German Academic Refugee Initiative Fund
DCSF	Department for Children, Schools and Families
DLR	Discretionary Leave to Remain
EACEA	Education, Audiovisual and Culture Executive Agency (part of the European Commission)
ECHR	European Convention on Human Rights and Fundamental Freedoms
ECtHR	European Court of Human Rights
ESR	European Social Charter Revised
ETA	Equal Treatment Act (Act of 3 rd December 2010 on the implementation of certain regulations of European Union)
EU	European Union
ExCom	UNHCR Executive Committee
FBMEO	fairness based meritocratic equality of opportunity model
GER	gross enrolment ratio
HE	higher education
HEI	higher education institution
HEFCE	Higher Education Funding Council for England
HESA	Higher Education Statistics Agency
HP	Humanitarian Protection
HRA 1998	Human Rights Act 1998
MS	Member State
ICCPR	International Covenant on Civil and Political Rights 1966
ICESCR	International Covenant on Economic Social and Cultural Rights 1966
IMF	International Monetary Fund
JC:HEM	Jesuit Commons: Higher Education at the Margins
MEN	Ministerstwo Edukacji Narodowej – Polish Ministry of Education
MFN	Most Favoured Nation
NACCOM	The No Accommodation Network
NASS	National Asylum Support Service
NGO	Non-governmental organisation
NORAD	North American Aerospace Defense Command
NUS	National Union of students
Nuffic	The Netherlands organisation for international cooperation in higher education
OAU	Organisation for African Unity

OECD	Organisation for Economic Co-operation and Development
OFFA	Office for Fair Access
OfS	Office for Students
OHCHR	Office of the United Nations High Commissioner for Human Rights, commonly known as the Office of the High Commissioner for Human Rights
ONS	Office for National Statistics
QAA	Quality Assurance Agency for Higher Education
RBS	refugee background students
RSN	Refugee Support Network
SDG	Sustainable Development Goal
STAR	Student Action for Refugees
UDHR	Universal Declaration of Human Rights 1948
UN	United Nations
UNDP	United Nations Development Programme
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNICEF	United Nations Children's Fund
UNFPA	United Nations Population Fund
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Emergency Fund
UNRWA	United Nations Relief and Works Agency for Palestine Refugees in the Near East
USA	United States of America
USAID	United States Agency for International Development
UUK	Universities UK
WP	Widening Participation

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