

Code of Practice for Staff Selection

University of Birmingham

REF 2014

Code of Practice for Staff Selection

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|-----|-----------------------------|---|
| 1. | Introduction | From the Pro-Vice-Chancellor (R&KT) |
| 2. | Legislation | The University's legal responsibilities |
| 3. | Key Principles | Training
Transparency
Consistency
Accountability
Inclusivity |
| 4. | Processes | Review of outputs and University's quality thresholds
Independent researchers
Exceptional circumstances
Selection Decisions
Feedback
Appeals
General Concerns |
| 5. | Responsibilities | Staff
Committees |
| 6. | Equality Impact Assessments | |
| 7. | Appendix 1 | The Legislative Context |
| 8. | Appendix 2 | Membership and Terms of Reference of UEB |
| 9. | Appendix 3 | Membership and Terms of Reference of REF Steering Group |
| 10. | Appendix 4 | Membership and Terms of Reference of REF Advisory Groups |
| 11. | Appendix 5 | Membership and Terms of Reference of REF Equality and Diversity Advisory Panel |
| 13. | Appendix 6 | Membership and Terms of Reference of the REF Appeals Panel |
| 14. | Appendix 7 | REF Staff Selection Appeals Process |
| 15. | Appendix 8 | Independent Researcher Form |

Code of Practice for Staff Selection

1. Introduction

The University is absolutely committed to ensuring that all academics are treated fairly in our staff selection processes for the REF because it is core to our values and helps to underscore our commitment to making the University a better place to work.

The University was founded in 1900 on an anti-discrimination ethos accepting men and women on an equal basis. Today, as a community of over 145 nationalities in one of the UK's most vibrant cities, we remain committed to promoting equality, diversity and fairness irrespective of age, disability, gender identity, marital or civil partnership status, pregnancy or maternity, race, religion or belief and sexual orientation. We celebrate our diversity and provide a welcoming and inclusive environment for all members of the University community, from our dedicated staff disability service, wide range of staff support groups and multi-faith chaplaincy, to our awards such as the Athena SWAN Bronze and Stonewall Diversity Champions.

The four principles of transparency, consistency, accountability and inclusivity in Section 3 of this Code of Practice are critically important in ensuring fair treatment. I hope we have demonstrated these principles throughout the Code of Practice through our emphasis on a single consistent approach to staff selection across all five Colleges, an explanation of who will be doing what and why, and a commitment to applying the same benchmark for inclusion in the REF.

We have also described (in section 4.3) how we will approach the handling of staff special circumstances, where the ability of a member of staff to produce the required four outputs for the REF has been affected by certain specified circumstances, such as maternity leave, illness, or part-time working. I would emphasise that any member of staff who wishes such issues to be considered may bring them forward under conditions of appropriate confidentiality. Should you feel that the University has not properly considered your case, there is an Appeals process which you may access, described in Appendix 7.

I believe it is very important for all academic staff to understand how staff selection for the REF will work, and we have tried to make this clear within the Code. However, if you have any queries, you may raise these through your local REF lead¹, your College Director of R&KT, or with the project manager for the REF, Elizabeth Westlake (e.westlake@bham.ac.uk).

I hope you will find the Code of Practice helpful.

Adam Tickell

Pro Vice Chancellor (Research and Knowledge Transfer)

¹ If you are unsure who your REF lead is please contact Liz Lynch in the Planning Office (e.lynych@bham.ac.uk, tel 46624).

Code of Practice for Staff Selection

2. Legislation

The University's commitment to Equality is laid out in its Equality Scheme 2011-2015 (<http://equality.bham.ac.uk>), which provides a comprehensive overview of the ways in which it seeks actively to promote the fair and equal treatment of all staff. The following paragraphs drawn from the Equality Scheme outline the University's commitment to equality:

"The University of Birmingham is a global community. We believe our diversity is a source of strength and vitality that underpins the exchange of ideas, innovation and debate at the heart of our academic mission and from which all members of our community benefit.

As a global university, we aim to attract and retain the very best students and staff internationally, nationally and locally. We recognise that providing an inclusive environment, in which all members of our diverse community can thrive and reach their full potential, is integral to our reputation and standing as a destination of choice. We also recognise the key role the University can play in countering inequality and increasing understanding between different groups in society. We see this as core to our mission and strategic vision of the University. These principles are enshrined in the University Charter and its Statutes, which state:

'The University promotes equal opportunities and shall exercise no discrimination on the grounds of political opinion, age, colour, disability, ethnic or national origin, gender, marital status, race, religion or sexual orientation in the admission of students, or the appointment or promotion of staff or the awarding of any Degree, Diploma or Certificate, or generally, in the execution of any of its Objects as laid down by the Charter.'²

The University is therefore committed to creating and maintaining an inclusive learning and working environment that is free from discrimination, in which all members of our community are treated fairly and where diversity is valued. In putting this commitment into practice, we recognise that we have specific duties to prevent discrimination and to promote equality and greater understanding across a range of protected characteristics. We will use our Equality Scheme to drive forward equality, diversity and inclusion, with specific reference to age, disability, gender identity, pregnancy and maternity, race, religion or belief, sex and sexual orientation, or any combination of these characteristics."

An outline of the legislative context specifically relevant to the REF and to this Code of Practice is given in Appendix 1 of this document.

² University of Birmingham Charter of Incorporation 2011-12.

Code of Practice for Staff Selection

2.1 The University's legal responsibilities

1. As both an employer and a public body, the University must ensure under the Equality Act 2010 that its REF procedures do not discriminate unlawfully against individuals because of:

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation

The University and funding bodies are also subject to the public sector equality duty, which requires that bodies have due regard, in carrying out their functions, of the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act.
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

A 'relevant protected characteristic' is any of the 9 characteristics listed above other than marriage and civil partnership.

2. Under the fixed-term employee and part-time workers regulations, fixed-term employees and part-time workers also have the right not to be treated any less favourably than the University treats comparable employees on open contracts or full-time workers. The relevant regulations are:

- Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000
- Fixed-term Employees (Prevention of Less Favourable Treatment) Regulations 2002

2.2 Impact on the REF

- To support equality and diversity in research careers, individuals may be returned with fewer than four outputs without penalty where this is on grounds that are related to some of the characteristics protected in law, for example, absence on maternity leave or part-time working.
- As a public sector organisation, in order to show compliance with the requirements of the public sector equality duty of the Equality Act 2010, we must consider and understand the effect of our REF policies on equality, and are required by the funding bodies to conduct an equality impact assessment on our policy for selecting staff for the REF. Our approach to doing this is laid out in section 6 below.

Code of Practice for Staff Selection

2.3 Training

Training on equality and diversity issues with specific reference to the REF will be obligatory for all members of staff involved in the staff selection process. Training will take into account the role of the staff in question within the selection process.

- i. **UEB (Vice-Chancellor, Vice-Principal, Pro-Vice-Chancellors, Heads of College, Registrar and Secretary, Directors of Finance and HR, together for this purpose with the Chair of the University's Equality and Diversity Panel):** training will make clear the general obligations on the institution, explain the arrangements for staff with exceptional circumstances, and cover the requirement for Equality Impact Assessments. This training will comprise a briefing from the Director of HR.
- ii. **College Directors of R&KT, Heads of School/Department (as appropriate) and REF Leads (ie all members of the REF Advisory Groups); members of the University's EDAP; members of the University's Appeals Panel:** all individuals in these categories will be required to complete the University's generic on-line training with respect to equality and diversity. This will be followed up by specific, tailored sessions, led by the University's Equality and Diversity Adviser, covering in detail all aspects of equality and diversity as they apply to REF.
- iii. **Professional Staff supporting the REF (the REF team, College Heads of HR and College Research Offices where appropriate):** tailored training will also be provided by the REF Equality and Diversity Adviser, to ensure appropriate support is available to academic colleagues.

Members of the REF EDAP and the REF Appeals Panel will be trained prior to the commencement of their work. Training for other staff involved in the REF process will be ongoing through 2012, and it will not be possible to commence some elements of this until after suitable guidance has been received from the Equality Challenge Unit. Training will however have been completed before final decisions on staff selection are taken in 2013.

Code of Practice for Staff Selection

3. Key Principles

In making our selections of staff for submission to the REF, the University will aim to adhere to the following key principles:

3.1 Transparency

- All processes for the selection of staff for inclusion in REF submissions are transparent; they are documented fully in this Code of Practice.
- This Code of Practice is being made available and publicised to all academic staff via a wide range of mechanisms such as email, staff newsletters, local intranets and the University's intranet and Buzz.
- Where possible, the Code of Practice will be discussed with staff as a part of local individual research review meetings.
- We will publish this Code of Practice on the University's website³.
- The Code will be available in accessible pdf format, or in other accessible formats on request from the Planning Office.
- We will make sure those absent from work (on sick leave, maternity, paternity or adoption leave, on secondment or leave of absence, or absent for any other reason) are also aware of this Code.
- We will develop a communications programme to disseminate the Code of Practice and explain associated activities .
- The draft Code of Practice was discussed with the REF leads, REF Steering Group, the University's Equality Executive Group, College Boards and BUCU prior to approval by UEB.

3.2 Consistency

This Code of Practice will be implemented consistently and uniformly across the institution. This means that:

- The same principles will apply with respect to all staff when selection decisions are made
- The same processes will be followed by all Colleges in considering staff selection

These principles and processes are laid out below in Section 4.

3.3 Accountability

- We have clearly defined the responsibilities of both individuals and bodies involved in the selection process below in Section 5
- The terms of reference and operating criteria for both individuals and bodies involved in the process are laid out below in Section 5 and in appendixes 2-6. We have stated what training these individuals and bodies will receive with respect to Equalities Legislation above in Section 2.
- We have identified a process by which staff can appeal against selection decisions in Section 4.6 and Appendix 6.

³ Web address to be confirmed

Code of Practice for Staff Selection

- We have also identified a process by which staff can raise more general concerns about the proper operation of these processes in Section 4.7.

3.4 *Inclusivity*

In line with the Funding Councils' expectation that institutions will submit all eligible staff who are conducting excellent research, the University will consider for submission to the REF all those members of staff who meet its threshold criteria for excellent research. This threshold has been established as normally comprising four outputs with an aggregate score of 11 points as agreed by the REF Steering Group following assessment within Colleges, using the REF quality criteria and level definitions for outputs (see each Main Panel, Panel Criteria and Working Methods statements). We recognise however that there will be members of staff with exceptional circumstances that have reduced their ability to generate the normal *volume* of outputs required. We have therefore outlined how we will take such circumstances into account when we make our selection decisions. Exceptional circumstances must fit the definitions provided in the Guidance on Submissions (REF 02/2011) and outlined below in section 4.3.

Code of Practice for Staff Selection

4. Process

The University will apply the following process with respect to the selection of staff for submission to REF 2014. Individuals and bodies with roles and responsibilities within the process are emboldened and further explained in section 5 below.

4.1 Review of Outputs and the University's quality threshold

- i. Staff selection will be based on an assessment of the quality of their research outputs as set out below.
- ii. The University has established a quality threshold for staff submission to the REF through discussions at the University Executive Board (**UEB**), at its meeting on 18th April 2011, with **College Directors of Research and Knowledge Transfer** and with **Heads of School** (at a subsequent University Leadership Forum on 12/13 May 2011). The threshold for staff to be considered for submission to the REF is that a member of staff should normally achieve a total quality score of a minimum of 11* for 4 outputs (ie three 3* outputs and one 2*⁴). Staff were informed of this threshold via an all-staff email on 17 May 2011 supplemented by local discussions and an intranet site with a range of FAQs (available to University staff at <https://www.intranet.bham.ac.uk/staff/ref/>)
- iii. This threshold is pro rata'd for staff with exceptional circumstances, who are adjudged eligible to submit fewer than four outputs (see below, section 4.3). The pro rata'd requirements are:

Number of outputs to be submitted	Total quality level to be attained
3	8* (ie 2 x 3* and 1 x 2*)
2	5* (ie 1 x 3* and 1 x 2*)
1	3*

- iv. Research outputs will initially be assessed within submitting units, by senior members of academic staff led by the **REF lead** for the relevant area. Where appropriate and with the permission of the **REF Steering Group** and the appropriate **Head of College**, external readers may also be used to inform the University's judgement. External readers will be identified and contacted by the **Head of College**, and their identity will not be disclosed to those whose outputs they are reviewing.

4.2 Independent Researchers

- i. As outlined in the Guidance on Submissions, paragraphs 80 and 81, research assistants are not normally eligible to be returned as Category A staff in our submission, except where "exceptionally, they are named as principal investigator or equivalent on a research grant or significant piece of research work on the census data and satisfy the definition of Category A

⁴ Output scores will be determined through reference to the outputs level descriptors in the Panel Criteria and Working Methods (REF01.2012), using the 1*-4* scale described in Annex A of the Guidance on Submissions (REF2.2011).

Code of Practice for Staff Selection

- staff in paragraph 78 [of the Guidance on Submissions]. Research assistants must not be listed as Category A staff purely on the basis that they are named on one or more research outputs”.
- ii. Where **REF leads** and **Heads of School** consider that a member of staff meets this exceptional condition outlined above (and hence may be described as an “independent researcher”), they should put forward a short written case outlining the reasons why to the appropriate **REF Advisory Panel** for consideration.
 - iii. A pro forma is supplied for such applications at appendix 7.
 - iv. The **REF Advisory Panels** will make recommendations to the **REF Steering Group** on all such applications.
 - v. The **REF Steering Group** will review all recommendations to ensure consistency of practice across the four **REF Advisory Groups**, and confirm decisions to the **REF Leads** and **Heads of School** concerned.
 - vi. These discussions may or may not take place at the same meeting which considers the quality of outputs of such individuals. This will be at the discretion of the Chairs of the **REF Advisory Panels**.

4.3 Exceptional Circumstances

- i. The Guidance on Submissions makes provision for two kinds of exceptional circumstances, as outlined in the table below:

	Categories	Guidance on Submissions reference
Clearly defined circumstances	Early Career Researchers	92(a) (i) Definition of ECR: paras 85-86
	Part-time working	95(a)(ii)
	Qualifying periods of maternity, paternity or adoption leave	95(a)(iii)
	Secondments or career breaks outside of the HE sector, and in which the individual did not undertake academic research	95(a)(iv)
	Category A staff who are junior clinical academics. These are defined as clinically qualified academics who are still completing their clinical training in medicine or dentistry and have not gained a Certificate of Completion of Training (CCT) or its equivalent prior to 31 October 2013.	Panel Criteria and Working Methods (PCWM), Generic Statement, paragraph 86(a)
	Category C staff who are employed primarily as clinical, health or veterinary professionals (for example by the NHS), and whose research is primarily focussed in the submitting unit.	PCWM, Generic Statement, paragraph 86(b)
Complex Circumstances	Disability	190(b)(i)

Code of Practice for Staff Selection

	Ill Health or Injury	190(b)(ii)
	Mental health conditions	190(b)(iii)
	Constraints related to pregnancy or maternity, in addition to a clearly defined period of maternity leave.	190(b)(iv)
	Childcare or other caring responsibilities	190(b)(v)
	Gender reassignment	190(b)(vi)
	Other circumstances related to the protected characteristics listed in paragraph 190 of the GoS.	190(b)(vii)

- ii. Provisions in the Guidance on Submissions are that staff with clearly defined circumstances may reduce the number of outputs they submit in line with the two tariffs outlined in the Panel Criteria and Working Methods (one tariff is for early career researchers; the other for part-time working and secondments).
- iii. In the case of maternity leave and statutory adoption leave, a reduction of one output may be made for each period of leave substantially taken during the assessment period. Additional paternity or adoption leave lasting four months or more and taken substantially during the assessment period will be treated in the same way. Other circumstances related to maternity, paternity or adoption leave may also be eligible for reductions in outputs as outlined in paragraphs 80-81 of the Panel Criteria and Working Methods.
- iv. In the case of Junior Clinical Staff and Category C staff as referred to in the table above, the number of outputs may be reduced by up to two, without penalty.
- v. In the case of staff with complex circumstances, the Guidance on Submissions indicates that institutions should make a case for a proposed reduction in number of outputs submitted, with additional guidance to be provided by the Funding Councils' REF Equalities and Diversity Advisory Panel.

At the University of Birmingham, the approach to these provisions will be as follows:

- i. All eligible staff will be contacted at least 4 times between Autumn 2011 and the submission deadline, to notify them of these provisions and invite them to identify whether they believe themselves to fall into any of the categories described above. **College Heads of HR** will act as the initial contact point for staff. A standard declaration form will be provided to staff to ensure the necessary information is collected.
- ii. Where individuals are unsure of their position, they may request advice from the REF team or their College HR team.
- iii. Drawing on the Funding Councils' approach to handling such circumstances when they form part of institutional submissions, there will be different processes for staff with *clearly defined circumstances*, and for staff with *complex circumstances*.
- iv. In the case of *staff with clearly defined circumstances* (Early Career Researchers, part-time working, secondments or career breaks outside academia, junior clinical staff and those

Code of Practice for Staff Selection

- category C staff described above), and for maternity/paternity and adoption leave, cases will be assessed by the **College Heads of HR** and the **Deputy Director, Research Planning**, meeting as a group to ensure consistency of approach across the institution. A decision will be reached on whether the technical conditions have been met for a recommendation to the relevant **REF Advisory Group** to be made to allow a reduction in the number of outputs to be submitted. Should this be the case, the relevant **REF lead** and **College Director of R&KT** will be informed, as well as the individuals concerned, and the number of outputs required clearly specified.
- v. Where such recommendations are made, it may be appropriate for staff to be submitted with more than the specified number of outputs, should it be the case that they have also published more outputs at the appropriate quality level. However, it will not be acceptable for such staff not to be included in the return in question on the basis that they have not produced an adequate volume of research, if they are able to produce sufficient outputs to meet the recommended reduced number. They may be excluded if these outputs do not meet the quality threshold (see paragraph 4.3.13 below).
 - vi. Judgements on the quality of outputs produced by such staff and the recommendation on whether they should be submitted will be reached in the normal way, as outlined below.
 - vii. For staff whose cases fulfil the criteria for *complex circumstances*, a **University Equality and Diversity Advisory Panel** will be established, chaired by Professor Martin Stringer, the Chair of the University's Equality Executive Group, and comprising representatives of both senior staff and ECRs from all Colleges. This Panel will review all such cases to ensure consistency of approach across the institution and will reach decisions on the number of outputs such staff should submit, taking into account guidance from the Funding Councils' REF team and REF EDAP (as specified in paragraph 94 of the Guidance on Submissions). These decisions will then be conveyed to the relevant **REF lead** and **College Director of R&KT (copied to the Deputy Director, Research Planning)**, as well as to the individuals concerned.
 - viii. It is recognised that complex circumstances are likely to be sensitive and strict confidentiality will be maintained throughout the process, with information being presented to the U-EDAP in an anonymised form. REF Advisory Panels will be informed of the outcome of U-EDAP discussions, but not of the full details of the cases. Sufficient detail will however be recorded to enable the REF team to prepare the required 300 word statement as part of the submission for each such member of staff.
 - ix. Judgements on the quality of outputs produced by such staff and the recommendation on whether they should be submitted will be reached in the normal way, as outlined below.
 - x. There will be at least two rounds of meetings to review staff circumstances: in Spring/Summer 2012 and Spring 2013. Further ad hoc meetings will be held where circumstances come to light which need to be dealt with outside these scheduled meetings.

Code of Practice for Staff Selection

4.4 Selection Decisions

- i. Readers will examine the proposed best four outputs (or fewer where appropriate) in sufficient detail to contribute to the formation of a reliable set of scores, and will use the four Main Panels' quality criteria and level descriptors for outputs as a guide. **REF leads**, working with their **Heads of School**, will then prepare an outputs quality profile for each eligible academic within the submitting unit under their remit, taking into account any decisions/recommendations with respect to independent researchers and staff with exceptional circumstances as outlined above where these are available.
- ii. Where more than one school is to submit to a UOA, all relevant **Heads of Schools** will be involved in the above process. Should there be disagreements at this stage, they should be referred to the **REF Steering Group**.
- iii. Each **of the four REF Advisory Groups**, chaired in this instance by the appropriate **Head of College**, will review proposals from each submitting unit under their remit.
- iv. These groups will then make recommendations to the **REF Steering Group**, taking into account the developing return for each UOA under their remit as well as the quality profiles and any submission recommendations from **Heads of School** and **REF leads**.
- v. Formally, **REF Steering Group** will recommend the submission decisions for each UOA to **UEB**.
- vi. In the case of significant disagreements between interested parties which cannot be resolved by the **REF Steering Group**, **UEB** will make the final ruling.
- vii. Their own output quality scores, together with the recommendation on whether to submit or not, will be communicated to each member of staff concerned, by **REF leads** and/or **Heads of School** or departments, depending upon local management arrangements. Where staff need to produce more/ higher graded outputs to be submitted, this will be made clear to them at the earliest possible opportunity, and advice and guidance given to help them to do this.
- viii. Two full rounds of meetings of the **REF Advisory Groups** at which selection decisions are considered will take place: in Spring 2012 and Spring 2013. Recommendations in Spring 2012 may be provisional, as not all outputs will have been published by this point; recommendations in Spring 2013 will, in the majority of cases, be final. The formal appeals process (outlined below) will commence after March /April 2013 for any staff unhappy with the final decision with respect to their inclusion/exclusion.
- ix. There will be an interim round of meetings in Autumn 2012 to review previously identified marginal cases, and to deal with staff where exceptional circumstances have been disclosed and a decision regarding any reduction in outputs agreed.
- x. Any outstanding issues following the meetings in Spring 2013 will be decided in a final round of meetings in July/August 2013 – it is expected that these will be few in number. Relevant members of staff or their approved deputies **must** be available for these meetings, and will be notified of timings well in advance of the meetings. A further appeals round will be held after these meetings to deal with any outstanding staff selection issues.

Code of Practice for Staff Selection

4.5 Feedback

- i. Feedback to staff must be appropriate and timely, which means it must:
 - Be provided face to face, in such a way that there is no possibility that staff are unclear about what they are being told. Where, exceptionally, a member of staff is not available for face to face feedback, alternative arrangements may be made.⁵
 - Indicate what ratings outputs have been given, and whether external readers have been used, what the proposed selection decision is, and any further actions the individual needs to take to improve their portfolio either to result in a positive selection decision or to improve the overall profile of the submitting unit.
 - Indicate at what stage of the selection process the individual is (ie is the decision provisional or final).
 - Provide information about the appeals system, should the individual concerned wish to invoke it.
 - Must be provided within one month of the **REF Steering Group's** confirmation of the **REF Advisory Groups'** recommendations, and in the case of the August 2013 meetings, should be provided within one week of the **REF Steering Group** meeting (less if possible) .
- ii. Feedback may be provided by Heads of School, Heads of Departments, REF leads, research group leads or others as appropriate depending upon local management arrangements.
- iii. Written records should be kept by whoever conducts the feedback meetings.
- iv. The following should not be communicated to individual members of staff:
 - Who read an individual's outputs (unless readers are happy for this information to be shared)
 - What decisions have been made about other members of academic staff

4.6 Appeals

- i. A two stage process will pertain:
 - *Informal resolution* (an attempt to reach agreement prior to formal appeal) - all requests prior to March 2013 must go through this stage first.
 - *Formal appeal* – may be invoked by the individual if s/he is not satisfied with the result of informal resolution. Individuals may elect to go straight to this stage after Spring 2013 to ensure their case is properly heard before the submission deadline.
- ii. The informal resolution process will involve the Deputy Pro-Vice-Chancellors for Education and Cultural Engagement facilitating informal discussions between all interested parties in an

⁵ The use of Skype could be considered, where a member of staff is out of the country, for example.

Code of Practice for Staff Selection

- attempt to identify a solution acceptable to all parties without the need for formal appeal.
Should this process be unsuccessful, the individual may then invoke the formal appeals process.
- iii. The formal appeals process is outlined in Appendix 6 below.
 - iv. All reasonable efforts will be made by the University to conclude appeals before the final submission is made.

4.7 General concerns about the operation of the process

- i. General concerns about the operation of the process should be made in the first instance to the Deputy Director, Research Planning, who will investigate as necessary and discuss significant problems with the PVC (R&KT).

Code of Practice for Staff Selection

5. Responsibilities

5.1 Staff

The table below outlines the responsibilities of staff involved in the staff selection process.

Post	Definition of role within selection process	Rationale for why this post is undertaking this role	Where this role fits into the institutional management framework for the REF	Procedure for identification
Vice-Chancellor	As chair of UEB, confirms recommendations of REF steering group.	As Chief Executive for the University, takes ultimate responsibility for the process.	Has overall responsibility for the REF	As determined by the University of Birmingham governance structure which is laid out in the University's Legislation (in particular the Ordinances).
Provost & Vice-Principal ⁶	Chair of the Appeals Panel	Senior member of VC's management team but otherwise independent of REF process	Outwith the staff selection process for REF and therefore able to handle Appeals	As above. Specifically, this post is otherwise independent of the REF process and possesses the necessary level of authority for this role.
Pro-Vice-Chancellor (R&KT)	As chair of REF Steering Group, approves recommendations from REF Advisory Groups and makes final recommendations to UEB.	Formal responsibility for Research portfolio at the University, including delegated authority from the VC for management of the REF.	Day to day responsibility for the REF for the institution as a whole (delegated by the VC).	As determined by the University of Birmingham governance structure which is laid out in the University's Legislation (in particular the Ordinances).
PVC (Education)	Deputy Chair of the Appeals Panel	Senior member of VC's management team but otherwise not involved in REF process	Outwith the staff selection process for REF and therefore able to handle Appeals	As for the VP.

⁶ NOTE: subsequent to the publication of the Code of Practice, Professor Tickell moved from the role of PVC (R&KT) and became Provost. From that point, the PVC (Education) had oversight of the Appeals process.

Code of Practice for Staff Selection

PVC (Estates and Infrastructure)	Will deputise for the PVC (R&KT) for REF matters should the latter be incapacitated.	Senior member of VC's management team with previous experience of College Director of R&KT and Head of School. Not otherwise involved in the REF process.		Combination of previous experience as Head of School and a College Director of R&KT, together with current level of authority.
DPVC (Staffing)	Chair of University Equality and Diversity Panel	Has delegated responsibility for Equality and Diversity issues at the University	Responsible for advising the REF Steering Group and UEB on E&D issues and the REF and Staff Special Circumstances	As determined by the University of Birmingham governance structure which is laid out in the University's Legislation (in particular Ordinance 3.7).
DPVCs (Education and Cultural Engagement)	Instrumental in carrying out the Informal resolution process	Not otherwise engaged in REF processes therefore seen as independent.	First, informal stage of the appeals process.	As determined by the University of Birmingham governance structure which is laid out in the University's Legislation (in particular Ordinance 3.7).
Heads of College	As chairs of REF Advisory Groups, make recommendations to REF Steering Group with respect to selection decisions. As members of REF Steering Group, contribute to the process of making recommendations to UEB with respect to selection decisions.	Accountable (to the Vice-Chancellor) for the delivery of academic performance in the Colleges.	Overall responsibility for the management of REF within their Colleges	As determined by the University of Birmingham governance structure which is laid out in the University's Legislation (in particular Ordinance 3.9).

Code of Practice for Staff Selection

<p>College Directors of R&KT</p>	<p>Have a coordinating and advisory role within Colleges and as members of REF Advisory Group, make recommendations to REF Steering Group with respect to selection decisions. As members of REF Steering Group, make recommendations to UEB with respect to selection decisions.</p>	<p>Have responsibility within Colleges for the research portfolio</p>	<p>Day-to-day responsibility for management of REF within their Colleges, as delegated by their Head of College</p>	<p>As determined by the University of Birmingham governance structure which is laid out in the University's Legislation (in particular Ordinance 3.11). Appointed by Heads of College and the PVC (R&KT) through a competitive application process, on the basis of their research standing and leadership skills.</p>
<p>Heads of School/Heads of Departments</p>	<p>Make initial selection proposals to REF Advisory Groups.</p>	<p>Have line management responsibility for the staff in question</p>	<p>Overall responsibility for the management of REF within their Schools, reporting to the Heads of College</p>	<p>As determined by the University of Birmingham governance structure which is laid out in the University's Legislation (in particular Ordinance 3.10).</p>
<p>REF leads</p>	<p>Coordinate review of outputs within UOAs; advise Heads of School on selection decisions.</p>	<p>As senior academics within the submitting unit, have the experience and, knowledge to carry out this role.</p>	<p>Day-to-day responsibility for REF within their Schools, as delegated by their Head of School.</p>	<p>Identified by Heads of School on the basis of their research standing within the submitting unit. Appointments are subject to scrutiny by the Head of College and PVC (R&KT) prior to confirmation.</p>

Code of Practice for Staff Selection

Deputy Director, Research Planning (Planning Office)	Part of group that judges applications from staff with respect to clearly defined circumstances. Member of REF Steering Group.	Role based on technical knowledge of the REF	Responsible for the project management of the REF (reporting to the Director of Strategic Planning and the PVC(R&KT)). Not directly involved in staff selection decisions.	Undertaking this role as a result of technical knowledge derived from her professional role in the institution.
College Heads of HR	Part of group that advises on applications from staff with respect to clearly defined circumstances and within Colleges support College management in the communication of decisions to staff.	Role based on detailed knowledge of staff circumstances and access to appropriate records to evidence such cases. Each role has designated responsibility to provide HR advice and guidance to HoC and senior management.	Act only in an advisory capacity with respect to staff contract details; not directly involved in staff selection decisions.	Undertaking this role as a result of legal and management practice knowledge derived from their professional role in the institution.

Code of Practice for Staff Selection

5.2 Committees

The following Committees are involved in the process of Staff Selection for the REF:

University Executive Board	
How the Committee has been formed	Existing executive body of the University with oversight for strategy.
Membership	Vice-Chancellor (in the chair); Provost and Vice-Principal; Pro-Vice-Chancellor (R&KT); Pro-Vice-Chancellor (Education); Pro-Vice-Chancellor (Estates and Infrastructure); the five Heads of College; Registrar and Secretary; Director of Finance; Director of HR. The Provost and Vice-Principal and the PVC Education will withdraw when UEB reviews REF Steering Group recommendations in order to ensure that they can participate in Appeals processes.
Position within the REF advisory/decision-making process	See diagram under 5.3 below
Steps taken to ensure members are aware of their own and the institutions legal obligations regarding equality	Briefing by Director of HR.
Modus Operandi	
The criteria to be used in carrying out the committee's functions	University's institutional submission threshold (11* or pro rata'd).
The method by which these criteria are communicated	11* quality threshold widely disseminated to all academic staff from June 2011 onwards via email, discussions with the UCU and discussions within Colleges.
The timescale for selecting staff	See table at 5.4 below
The method and timescale by which feedback will be provided in respect of the decisions made	N/A
The appeals mechanism	The Appeals process outlined in appendix 6

Code of Practice for Staff Selection

REF Steering Group	
How the Committee has been formed	Established by UEB on 11 April 2011.
Membership	PVC (R&KT); five Heads of College; five College Directors of R&KT; the Dean of Medicine: Deputy Director, Research Planning; Assistant Director of HR
Position within the REF advisory/decision-making process	See diagram under 5.3 below
Steps taken to ensure members are aware of their own and the institutions legal obligations regarding equality	Briefing by University Equality and Diversity Adviser
Modus Operandi	
The criteria to be used in carrying out the committee's functions	11* quality threshold established by UEB/Council
The method by which these criteria are communicated	See above under UEB
The timescale for selecting staff	See table at 5.4 below
The method and timescale by which feedback will be provided in respect of the decisions made	REF Steering Group will confirm its decisions in writing to the members of the REF Advisory Groups, within one week of meeting.
The appeals mechanism	The Appeals process outlined in appendix 6

Four REF Advisory Groups (mapped against each of the REF Main Panels)	
How the Committee has been formed	Approved by REF Steering Group at its meeting on 2 November 2011
Membership	Each Advisory Group is chaired by the relevant College Director of R&KT and comprises the REF leads for the UOAs covered by the REF Advisory Groups, and Heads of the relevant Schools where considered appropriate by the Chair, with College Heads of HR in attendance. Supported by the University's REF team and/or the College Research Support Office.
Position within the REF advisory/decision-making process	Report to REF Steering Group (see diagram at 5.3 below)
Steps taken to ensure members are aware of their own and the institutions legal obligations regarding equality	Detailed briefing by University Equality and Diversity Adviser

Code of Practice for Staff Selection

REF Advisory Groups continued	
Modus Operandi	
The criteria to be used in carrying out the committee's functions	11* quality threshold
The method by which these criteria are communicated	See above under UEB
The timescale for selecting staff	See table at 5.4 below
The method and timescale by which feedback will be provided in respect of the decisions made	Within one week of receiving written feedback from REF Steering Group approving the REF Advisory Groups' recommendations, the Chair of the REF Advisory Group (the HoC) will instruct Heads of Schools in writing to provide appropriate feedback to members of staff. Initial feedback should be provided within 2 weeks of Heads of Schools receiving this instruction, although meetings with individuals may take longer to arrange.
The appeals mechanism	The Appeals process outlined in Appendix 6

University Equality and Diversity Advisory Panel	
How the Committee has been formed	Approved by UEB on 2 April 2012.
Membership	DPVC and Chair of the Equality Executive Group (in the Chair) Representatives from each of the Colleges, including both professorial and early career staff The University's Equality and Diversity Advisor
Position within the REF advisory/decision-making process	Independent of other bodies to maintain independence of deliberations; advises REF Advisory Groups and REF Steering Group. Reports to UEB
Steps taken to ensure members are aware of their own and the institutions legal obligations regarding equality	Briefing by University's Equality and Diversity Adviser
Modus Operandi	
The criteria to be used in carrying out the committee's functions	Rules on complex circumstances as established in the Guidance on Submissions and the Panel Criteria and Working Methods Guidance provided by the REF EDAP
The method by which these criteria are communicated	Via this document and further briefing to be carried out by the University's REF team and E&D Advisor.

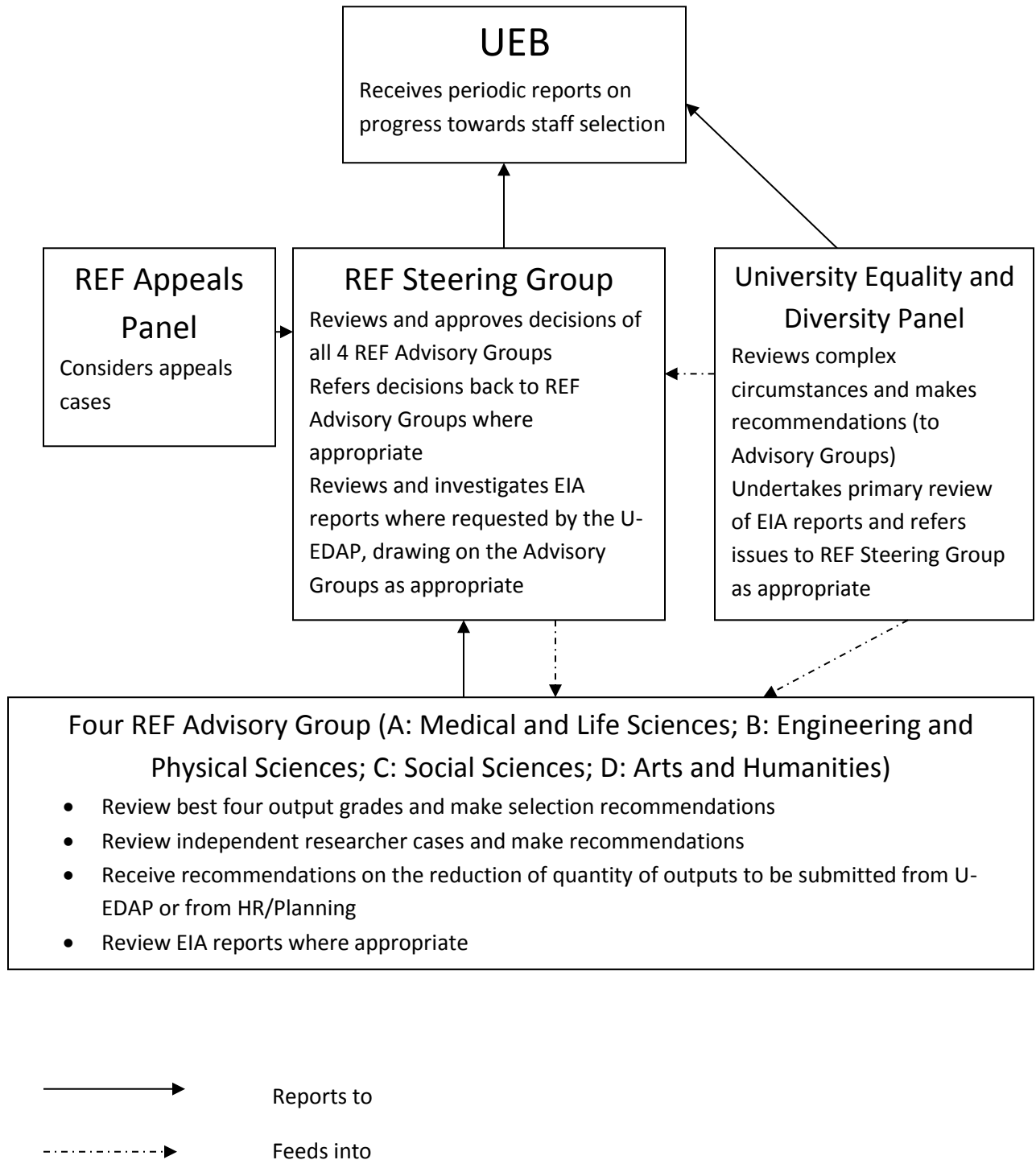
Code of Practice for Staff Selection

University Equality and Diversity Advisory Panel continued	
The timescale for selecting staff	See table at 5.4 below
The method and timescale by which feedback will be provided in respect of the decisions made	In writing, to the individual, copied to the Chair of relevant REF Advisory Group and the Deputy Director of Research Planning indicating the number of outputs a member of staff should submit but not giving any background to the decision, which has to remain confidential. Within 2 weeks of the panel meeting.
The appeals mechanism	The Appeals process outlined in Appendix 6

Appeals Panel	
How the Committee has been formed	Approved by UEB on 2 April 2012.
Membership	Chair (a senior member of staff not otherwise involved in REF decision-making): the Provost & Vice-Principal. (PVC Education to deputise as appropriate). 3 members of staff, drawn from a panel nominated by Colleges (no appellant will be heard by a member of staff drawn from their own College). Supported by a panel of staff drawn from RCS and other offices.
Position within the REF advisory/decision-making process	Independent of other groups, to preserve independence of decisions
Steps taken to ensure members are aware of their own and the institutions legal obligations regarding equality	Briefing from University Equality and Diversity Adviser
Modus Operandi	
The criteria to be used in carrying out the committee's functions	11* quality threshold Exceptional circumstances criteria
The method by which these criteria are communicated	Via this document and briefing of panel members.
The timescale for selecting staff	Formal meetings may take place at any point after March 2011 as required. See table at 5.4 below.
The method and timescale by which feedback will be provided in respect of the decisions made	In writing to the member of staff concerned, cc'd to the REF lead, Head of School and Deputy Director Research Planning (and other relevant staff depending upon the nature of the outcome). Within one week of the Appeals Panel meeting.

Code of Practice for Staff Selection

5.3 Diagram of Committee Structure for Staff Selection for the REF



Code of Practice for Staff Selection

5.4 Timetable

		AUTUMN 2011	WINTER 2011
		First call for staff to identify special circumstances	
SPRING 2012	SUMMER 2012	AUTUMN 2012	WINTER 2012
First full round of REF Advisory Group meetings REF Steering Group Second call for staff special circumstances	University Equality and Diversity Panel training and (provisionally) first meeting	Interim round of REF Advisory Group meetings REF Steering Group Third call for staff special circumstances	Second meeting of the University Equality and Diversity Panel
SPRING 2013	SUMMER 2013	AUTUMN 2013	
Second full round of REF Advisory Group meetings REF Steering Group (Appeals may commence)	Final call for staff special circumstances, followed by U-EDAP Final recommendations on staff selection (REF Advisory Groups/REF Steering Group) Appeals	(Appeals to conclude) Submission deadline: 29 th November 2011	

Code of Practice for Staff Selection

6. Equality Impact Assessments

6.1 What is an Equality Impact Assessment?

The Equality and Human Rights Commission's Guide "Equality Impact Assessment Guidance"⁷ states:

"An equality impact assessment (EIA) is a tool that helps public authorities make sure their policies, and the ways they carry out their functions, do what they are intended to do and for everybody.

EIAs help public authorities meet the requirements of the equality duties and identify active steps they can take to promote equality. Carrying out an EIA involves systematically assessing the likely (or actual) effects of policies on people in respect of disability, gender and racial equality, and, where authorities choose, wider equality areas. This includes looking for opportunities to promote equality that have previously been missed or could be better used, as well as negative or adverse impacts that can be removed or mitigated, where possible. If any negative or adverse impacts amount to unlawful discrimination, they must be removed."

6.2 Requirements with respect to REF

The University is required to conduct a thorough and systematic equality impact assessment on its policy and procedures for selecting staff for the REF, to determine whether its staff selection policy for the REF might have a differential impact on particular groups. This process should:

- Inform the Code of Practice and the 11* benchmark
- Be informed by an analysis of data relating to all eligible staff and covering all the protected characteristics for which data is held: **we will do this by analysing data covering all protected characteristics we collect, (gender, race, age and disability) for all staff identified as eligible to be returned, at University, College and UOA level. We will also look at contract status (PT/FT and fixed/open contracts) and pregnancy and maternity cases.**
- If possible involve engagement and consultation with those affected: **we will do this, inter alia, by working with REF leads and their constituencies and by consulting with the Athena Swan Working Group.**
- Take place at key stages during the REF staff selection process: **we will do this by conducting assessments at the key points in the staff selection process [Spring 2012 and 2013], during the appeals process, and prior to making the final submission.**
- Enable us to identify where inadvertent discrimination may occur: **we will do this by examining any disparities in data and investigating these, in order to either provide a justification for such disparities or amend practice.**

⁷ Equality and Human Rights Commission, November 2009, p6.

Code of Practice for Staff Selection

- Enable us to identify where policies and practices have positive impact: **we will do this by examining any disparities in data and investigating these, in order to enable us to understand and promote good practice.**

6.3 What we will do with the EIA outcomes

- We will discuss EIA outcomes in a range of different fora (eg REF Advisory Groups, the U-EDAP, the REF Steering Group and UEB).
- We will make changes to our policies and practices if we identify that they clearly result in unlawful discrimination.
- If we identify potential discrimination, we will either justify this within the constraints of law or take action to change the policy or practice. The U-EDAP will be asked to consider such issues and make recommendations to the REF Steering Group. UEB will formally ratify any decision of the REF Steering Group on this matter.
- If we identify positive benefit, we will seek to extend this more widely through discussions at REF Advisory Groups and if appropriate more widely within Colleges.
- We will publish the results of our EIAs internally and externally, via our intranet and website.

Code of Practice for Staff Selection

Appendix 1

The Legislative Context

1. The Equality Act 2010 harmonised and consolidated previous anti-discrimination legislation. The Act covers the protected characteristics of:
 - a. age
 - b. disability
 - c. gender reassignment
 - d. marriage and civil partnership
 - e. pregnancy and maternity
 - f. race
 - g. religion or belief
 - h. sex
 - i. sexual orientation.
2. As well as prohibiting direct discrimination the Act prohibits indirect discrimination – following a policy that, although applied equally to everyone, is harder for those with a protected characteristic to comply with. Indirect discrimination is not a breach of the Act if it is a proportionate means of achieving a legitimate aim. Direct discrimination on the grounds of age will not be unlawful if it is a proportionate means of achieving a legitimate aim.
3. With the exceptions of marriage and civil partnership and pregnancy and maternity, protection from discrimination extends to people who are perceived to have or are associated with someone who has a protected characteristic. For example, if a researcher is treated less favourably because they care for their disabled parent, that could be unlawful disability discrimination.
4. Similarly to previous legislation, it is lawful to treat a disabled person more favourably than a non disabled person, and public bodies including HEIs are required to make reasonable adjustments for disabled people.
5. The Equality Act places requirements on the funding bodies as public sector organisations and on HEIs as public sector organisations and employers. Most of the Act, as it relates to public functions and employment, came into force in October 2010. The Act covers England, Scotland and Wales. Apart from minor provisions, Northern Ireland is not covered by the Act.
6. The public sector equality duty of the Act came into force in April 2011. Under the public sector equality duty, the higher education funding bodies and HEIs in England, Scotland and Wales, in carrying out their functions, must have due regard to the need to:
 - Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act.
 - Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.
 - Foster good relations between persons who share a relevant protected characteristic and person who do not share it.

(In this context a ‘relevant’ protected characteristic is one other than marriage and civil partnership.)

Code of Practice for Staff Selection

Summary of equality legislation

Age	<p>All employees within the higher education sector are protected from unlawful age discrimination in employment under the Equality Act 2010. Individuals are also protected if they are perceived to be or if they are associated with a person of a particular age group. (These provisions in the Equality Act 2010 are partially in force, but should be fully in place by April 2012.)</p> <p>Age discrimination can occur when people of a particular age group are treated less favourably than people in other age groups. An age group could be for example, people of the same age, the under 30s or people aged 45-50. A person can belong to a number of different age groups.</p> <p>Age discrimination will not be unlawful if it is a proportionate means of achieving a legitimate aim. However, in the context of the REF, the view of the funding bodies is that if a researcher produces excellent research an HEI will not be able to justify not submitting them because of their age group.</p> <p>It is important to note that early career researchers are likely to come from a range of age groups. The definition of early career researcher used in the REF (see paragraph 85) is not limited to young people.</p> <p>HEIs should also note that given developments in equalities law in the UK and Europe, the default retirement age will be abolished from 1 October 2011 in England, Scotland, Wales and Northern Ireland.</p>
Disability	<p>The Equality Act 2010 prevents unlawful discrimination relating to disability. Individuals are also protected if they are perceived to have a disability or if they are associated with a person who is disabled, for example, if they are responsible for caring for a disabled family member.</p> <p>A person is considered to be disabled if they have or have had a physical and/or mental impairment which has ‘a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities’. Long-term impairments include those that last or are likely to last for at least 12 months.</p> <p>Cancer, HIV, multiple sclerosis and progressive/degenerative conditions are disabilities too, even if they do not currently have an adverse effect on the carrying out of day-to-day activities.</p> <p>Day-to-day activities are taken to mean activities that people, not individuals, carry out on a daily or frequent basis.</p> <p>While there is no definitive list of what is considered a disability, it covers a wide range of impairments including:</p>

Code of Practice for Staff Selection

	<ul style="list-style-type: none"> • sensory impairments • impairments with fluctuating or recurring effects such as rheumatoid arthritis, depression and epilepsy • progressive impairments, such as motor neurone disease, muscular dystrophy, HIV and cancer • organ-specific impairments, including respiratory conditions and cardiovascular diseases • developmental impairments, such as autistic spectrum disorders and dyslexia • mental health conditions such as depression and eating disorders • impairments caused by injury to the body or brain. <p>It is important for HEIs to note that people who have had a past disability are also protected from discrimination, victimisation and harassment because of disability.</p> <p>Equality law requires HEIs to anticipate the needs of disabled people and make reasonable adjustments for them. Failure to make a reasonable adjustment constitutes discrimination. If a disabled researcher’s impairment has affected the quantity of their research outputs, they may be submitted with a reduced number of outputs (see paragraphs 90-100 and the panel criteria).</p>
Gender reassignment	<p>The Equality Act 2010 protects from discrimination trans people who have proposed, started or completed a process to change their sex. Staff in HE do not have to be under medical supervision to be afforded protection because of gender reassignment and staff are protected if they are perceived to be undergoing or have undergone gender reassignment. They are also protected if they are associated with someone who has proposed, is undergoing or has undergone gender reassignment.</p> <p>Trans people who undergo gender reassignment will need to take time off for appointments and in some cases, for medical assistance. The transition process is lengthy, often taking several years and it is likely to be a difficult period for the trans person as they seek recognition of their new gender from their family, friends, employer and society as a whole.</p> <p>The Gender Recognition Act 2004 gave enhanced privacy rights to trans people who undergo gender reassignment. A person acting in an official capacity who acquires information about a person’s status as a transsexual may commit a criminal offence if they pass the information to a third party without consent.</p> <p>Consequently, staff within HEIs with responsibility for REF submissions must ensure that the information they receive about gender reassignment is treated with particular care.</p>

Code of Practice for Staff Selection

	<p>Staff whose ability to work productively throughout the REF assessment period has been constrained due to gender reassignment may be submitted with a reduced number of research outputs (see paragraphs 90-100, and the panel criteria). Information about the member of staff will be kept confidential as described in paragraph 98.</p>
Marriage and civil partnership	<p>Under the Equality Act 2010 individuals are protected from unlawful discrimination on the grounds of marriage and civil partnership status. The protection from discrimination is to ensure that people who are married or in a civil partnership receive the same benefits and treatment in employment. The protection from discrimination does not apply to single people.</p> <p>In relation to the REF HEIs must ensure that their processes for selecting staff do not inadvertently discriminate against staff who are married or in civil partnerships.</p>
Pregnancy and maternity	<p>Under the Equality Act 2010 women are protected from unlawful discrimination related to pregnancy and maternity.</p> <p>Consequently, researchers who have taken time out of work, or whose ability to work productively throughout the assessment period because of pregnancy and/or maternity may be submitted with a reduced number of research outputs, as set out in paragraphs 90-100 and in the panel criteria documents.</p> <p>In addition, HEIs should ensure that female researchers who are pregnant or on maternity leave are kept informed about and included in their submissions process.</p> <p>For the purposes of this summary it is important to note that primary adopters have similar entitlements to women on maternity leave.</p>
Race	<p>The Equality Act 2010 protects staff from unlawful discrimination connected to race. The definition of race includes colour, ethnic or national origins or nationality. Individuals are also protected if they are perceived to be or are associated with a person of a particular race.</p> <p>HEIs should be aware of not making any judgements about the selection of staff for REF submissions based on their race or assumed race (for example, based on their name).</p>
Religion and belief including non-belief	<p>The Equality Act 2010 protects staff from unlawful discrimination to do with religion or belief. Individuals are also protected if they are perceived to be or are associated with a person of a particular religion or belief.</p> <p>HEIs should be aware of not making any judgements about the selection of staff for REF submissions based on their actual or perceived religion or belief, including non-belief. ‘Belief’ includes any structured philosophical belief with clear</p>

Code of Practice for Staff Selection

	values that has an effect on how its adherents conduct their lives.
Sex (including breastfeeding and additional paternity and adoption leave)	<p>The Equality Act 2010 protects staff from unlawful discrimination to do with sex. Employees are also protected because of their perceived sex or because of their association with someone of a particular sex.</p> <p>The sex discrimination provisions of the Equality Act explicitly protect women from less favourable treatment because they are breastfeeding. Consequently the impact of breastfeeding on a women’s ability to work productively will be taken into account, as set out in paragraph 90-100 and the panel criteria documents.</p> <p>From 3 April 2011, partners of new mothers and secondary adopters will be entitled to up to 26 weeks of additional paternity and adoption leave. People who take additional paternity or adoption leave will have similar entitlements to women on maternity leave and barriers that exist to taking the leave, or as a result of having taken it, could constitute unlawful sex discrimination. Consequently researchers who have taken additional paternity and adoption leave may be submitted with a reduced number of outputs, as set out in paragraphs 90-100 and in the panel criteria documents.</p> <p>HEIs need to be wary of selecting researchers by any criterion that it would be easier for men to comply with than women, or vice versa. There are many cases where a requirement to work full-time (or less favourable treatment of people working part-time or flexibly) has been held to discriminate unlawfully against women.</p>
Sexual orientation	<p>The Equality Act 2010 protects staff from unlawful discrimination to do with sexual orientation. Individuals are also protected if they are perceived to be or are associated with someone who is of a particular sexual orientation.</p> <p>HEIs should be aware of not making any judgements about the selection of staff for REF submissions based on their actual or perceived sexual orientation.</p>

Code of Practice for Staff Selection

Appendix 2

University Executive Board (UEB)

Membership⁸

<i>Vice-Chancellor (in the Chair)</i>	Professor David Eastwood
<i>The Vice-Principal</i>	Professor Michael Sheppard/Professor Adam Tickell
<i>Pro-Vice-Chancellor (R&KT)</i>	Professor Adam Tickell/Professor Malcolm Press
<i>Pro-Vice-Chancellor (Education)</i>	Professor Karen O'Brien/Professor Jeff Bale
<i>Pro-Vice-Chancellor (Estates and Infrastructure)</i>	Professor John Heath
<i>Pro-Vice-Chancellor and Head of the College of Arts and Law</i>	Professor Michael Whitby
<i>Pro-Vice-Chancellor and Head of the College of Engineering and Physical Sciences</i>	Professor Richard Williams
<i>Pro-Vice-Chancellor and Head of the College of Life and Environmental Sciences</i>	Professor Malcolm Press/Professor Kevin Chipman
<i>Pro-Vice-Chancellor and Head of the College of Medical and Dental Sciences</i>	Professor Lawrence Young/Professor Eric Jenkinson
<i>Pro-Vice-Chancellor and Head of the College of Social Sciences</i>	Professor Edward Peck
<i>The Registrar</i>	Mr Lee Sanders
<i>The Director of Finance</i>	Ms Gill Ball
<i>The Director of Human Resources</i>	Ms Heather Paver

For the purposes of REF Staff Selection discussions, the Vice-Principal and the PVC (Education) will absent themselves so as to be eligible to act as chairs to REF Appeals Panels.

Terms of Reference

UEB shall:

- a. consider and take decisions in respect of any aspect of the University's strategy, operation or management (including for the avoidance of doubt, matters of academic implication and allocation of financial, physical and human resources) within the authority delegated by the Council and specified in terms of reference approved by the Council from time to time;
- b. make recommendations to the Vice Chancellor, the Council, the Senate or any other body within the University on any matters not within the Board's authority to determine;
- c. monitor the Colleges' individual and collective implementation of University strategies and policies and direct the College Boards as necessary.

⁸ Where postholders changed during the period, this is shown by listing both individuals concerned.

Code of Practice for Staff Selection

The Council has approved the following terms of reference and mode of operation for the UEB:

Purposes

- To provide strategic management and leadership of the University, under the Council's direction and within the Council's scheme of delegation.
- To foster good communication and inter-collegiate activity in the University and to promote transparency in decision-making.

Terms of reference

1. To ensure the effective strategic management of the University's financial, human and physical resources.
2. To develop, consider and recommend to the Council or Senate, as appropriate, new and revised University strategies, plans and policies.
3. To take executive responsibility for ensuring the effective communication and implementation of University strategies, plans, policies and the decisions of the Board throughout the University.
4. To set and monitor achievement of performance targets and benchmarks for all areas of the University.
5. To ensure the efficient and effective operation of the University and that value for money is achieved.
6. To make financial decisions and allocations related to any area of University activity, within the limits of the authority delegated by the Council and acting on behalf of other committees of the Council where there is an urgent matter which requires a decision before the next meeting of that committee.
7. To review, monitor and respond to external and internal developments relevant to the University.
8. To keep under review the implications of the University's risk register and to identify action required to mitigate threats and to exploit opportunities.
9. To receive and respond to reports on any matters and to provide advice where necessary to other bodies within the University, including the Council and the Senate.
10. To receive reports and proposals from College Boards and Heads of Colleges and in particular to consider recommendations regarding:
 - membership of College Boards
 - the appointment of the Heads of the principal academic units within Colleges

Code of Practice for Staff Selection

- the appointment of the Directors responsible for research and knowledge transfer and for matters of teaching and learning, quality assurance and programme development within each College
- the establishment, restructuring or dissolution of the principal academic units within Colleges (making recommendations to the Council in this regard in cases where the provisions of Statute 24 (part II) apply.)

11. To consider and approve any restructuring or re-organisation of the University, or parts of the University, or to make a recommendation to the Council in this regard in cases where the provisions of Statute 24 (part II) apply.

12. To consider proposals for establishment or dissolution of University Research Institutes and to review their effectiveness.

13. To monitor compliance across the University with national legislation as it affects the University's activities including (but not limited to) issues of equality, health and safety, data protection and freedom of information and to ensure that the University responds to the requirements of such legislation passed from time to time.

14. To consider recommendations from College Boards for:

(a) the establishment of posts or filling of vacancies at the level of Professor and to establish Electoral Boards as required;

(b) promotions and conferment of titles at the level of Senior Lecturer / Senior Research Fellow or above.

[Note: for these purposes, the Board will convene as the Promotions and Titles Committee, with the following composition:

The Vice-Chancellor

The Vice-Principal

The Pro-Vice-Chancellors

The Heads of Colleges

The Registrar and Secretary

The Director of Finance

The Director of Human Resources]

15. To consider all such other matters delegated to the Board by the Council or as considered appropriate to ensure the University's success.

Duties of members

- To act in the best interests of the institution as a whole, taking priority over the interests or obligations an individual may have in relation to a particular constituency within the University
- To take collective responsibility for implementation of the Board's decisions

Code of Practice for Staff Selection

- To act in good faith and with integrity
- To exercise due care and diligence
- To disclose and avoid any conflicts of interest
- To respect the confidentiality of those matters so classified
- Not to use their position to gain advantage for themselves or others

Members are also expected to observe the 7 principles of public life identified by the Committee on Standards in Public Life (the Nolan Committee): selflessness, integrity, objectivity, accountability, openness, honesty, leadership.

Code of Practice for Staff Selection

Appendix 3

REF Steering Group

Terms of Reference and Membership

Membership

<i>Pro-Vice-Chancellor (R&KT) in the Chair</i>
<i>The Five Heads of College</i>
<i>Additional member with clinical expertise (the Dean of Medicine)</i>
<i>The Five College Directors of R&KT</i>
<i>Deputy Director, Research Planning</i>
<i>The Assistant Head of HR</i>
<i>Secretary</i>

Terms of Reference

The REF Steering Group will, through regular reports from its Chair to the Vice-Chancellor and to UEB, provide advice on the University's REF strategy and oversee all aspects of its submission.

The REF Steering Group will:

- a. Advise the Vice Chancellor on the University's overall strategy towards the REF
- b. Determine submission strategy and tactics where individuals or groups could be submitted to more than one UoA
- c. Periodically advise the VC on the submission status of individuals and actions taken by the Heads of College
- d. Determine and support the University's strategy on impact
- e. Develop a strategy to maximise impact scores
- f. Monitor support for the REF by the REF Support Group
- g. Commission external reviews of UoAs
- h. Have responsibility for the University's Code of Practice on submissions
- i. Review and agree each UoA's submission to the REF

Code of Practice for Staff Selection

Appendix 4

REF Advisory Groups

Membership

There are four REF Advisory Groups with membership as follows:

Medical and Life Sciences (mapping to Main Panel A)

<i>Chair</i>	One of the Heads of College, as appropriate
<i>Heads of the Colleges of Medical and Dental Sciences and Life and Environmental Sciences</i>	Lawrence Young/Eric Jenkinson Malcolm Press/Kevin Chipman
<i>The Dean of Medicine</i>	Paul Stewart
<i>Directors of R&KT, Medical and Dental Sciences and Life and Environmental Sciences</i>	Jon Frampton Kevin Chipman/Chris Miall
<i>REF leads for each of the following UOAs:</i>	
	<i>UOA 1 Clinical Medicine</i>
	<i>UOA 2 Public Health, Health Services and Primary Care</i>
	<i>UOA 3 Allied Health Professions, Dentistry, Nursing and Pharmacy</i>
	<i>UOA 4 Psychology, Psychiatry and Neuroscience</i>
	<i>UOA 5 Biosciences</i>

Engineering and Physical Sciences (mapping to Main Panel B)

<i>Chair</i>	
<i>For the purposes of staff selection:</i>	Richard Williams
<i>For all other meetings of the Group:</i>	Steve Decent/Martin Freer
<i>Director of R&KT, Life and Environmental Sciences</i>	Kevin Chipman/Chris Miall
<i>REF leads for each of the following UOAs:</i>	
	<i>UOA 7 Earth Systems and Environmental Sciences</i>
	<i>UOA 8 Chemistry</i>
	<i>UOA 9 Physics</i>
	<i>UOA 10 Mathematical Sciences</i>
	<i>UOA 11 Computer Science and Informatics</i>
	<i>UOA12 Aeronautical, Mechanical, Chemical and Manufacturing Engineering</i>
	<i>UOA 13 Electrical and Electronic Engineering; Metallurgy and Materials</i>
	<i>UOA 14 Civil and Construction Engineering</i>
	<i>UOA 15 General Engineering</i>

Social Sciences (mapping to Main Panel C)

Code of Practice for Staff Selection

<i>Chair</i>	
<i>For the purposes of staff selection:</i>	Edward Peck
<i>For all other meetings of the Group:</i>	Chris Skelcher
<i>Director of R&KT, Life and Environmental Sciences</i>	Kevin Chipman
<i>Director of R&KT, Arts and Law</i>	Matthew Hilton
<i>REF leads for each of the following UOAs:</i>	
	<i>UOA 17 Geography, Environmental Studies and Archaeology</i>
	<i>UOA 18 Economics and Econometrics</i>
	<i>UOA 19 Business and Management Studies</i>
	<i>UOA 20 Law</i>
	<i>UOA 21 Politics and International Studies</i>
	<i>UOA 22 Social Work and Social Policy</i>
	<i>UOA 25 Education</i>
	<i>UOA 26 Sport and Exercise Sciences, Leisure and Tourism</i>

Arts and Humanities (mapping to Main Panel D)

<i>Chair</i>	
<i>For the purposes of staff selection:</i>	Michael Whitby
<i>For all other meetings of the Group:</i>	Matthew Hilton
<i>REF leads for each of the following UOAs:</i>	
	<i>UOA 27 Area Studies</i>
	<i>UOA 28 Modern Languages and Literature</i>
	<i>UOA 29 English Language and Literature</i>
	<i>UOA 30 History</i>
	<i>UOA 31 Classics</i>
	<i>UOA 32 Philosophy</i>
	<i>UOA 33 Theology and Religious Studies</i>
	<i>UOA 34 Art and Design: History, Practice and Theory</i>
	<i>UOA 35 Music, Drama, Dance and Performing Arts</i>

Each group will be supported by a member of the Research Planning Team and the relevant College Head(s) of HR and College Research Support Partner(s) will be in attendance.

Terms of Reference

Each REF Advisory Group will:

- a. Review quality gradings and selection proposals put forward for each UOA and agree staff selection recommendations to put forward to the REF Steering Group, taking into account the University's Code of Practice, the University's 11* quality threshold, and decisions with respect to the number of outputs staff with exceptional circumstances should submit;

Code of Practice for Staff Selection

- b. Review applications from Heads of School/REF leads for research assistants to be returned as Category A staff (“independent researcher” requests) and agree which meet the criteria and should be accepted, taking into account the regulations in Guidance on Submissions, and balancing the need for consistency of approach against justifiable disciplinary differences.
- c. Act as a peer review forum for draft Impact Case Studies and Impact templates (REF 3a/b) and Environment templates (REF5);
- d. Review each UOA’s submission in its entirety to ensure consistency of content/message.

Code of Practice for Staff Selection

Appendix 5

University REF Equality and Diversity Panel

Membership

<i>Chair (DPVC Staffing)</i>
<i>Five representatives, one from each College (professorial and early career staff)</i>
<i>The University's Equality and Diversity Advisor</i>

Secretary: Ms E Collins, Planning Office

Terms of Reference

- a. To review all staff complex circumstances applications, taking into account the Guidance on Submissions and any further advice issued by the Funding Council's Equality and Diversity Panel, to determine if (a) they fit the complex circumstances criteria and (b) how many outputs they should submit.
- b. To review and advise on the outcomes of Equality Impact Assessments and appropriate next steps.

Code of Practice for Staff Selection

Appendix 6

Appeals Panel

Membership

<i>Chair</i> <i>The Vice Principal or the PVC (Education),</i> <i>depending upon availability</i>	Professor Michael Sheppard or Professor Karen O'Brien/Professor Jeff Bale
<i>Three members of staff selected from a panel nominated by Colleges, and not including a representative from the appellant's college:</i>	

The panel will be supported by a panel of secretaries drawn from RCS and other offices.

Terms of Reference

To review and make recommendations on appeals submitted by members of academic staff.

Code of Practice for Staff Selection

Appendix 7

REF STAFF SELECTION APPEALS PROCESS

The following principles and procedures will be observed by the University when dealing with complaints from members of academic staff on the grounds of process, in particular that circumstances outlined in section 4.3 of the Code of Practice on Staff Submissions were not properly taken into account when deciding whether they should be included in the appropriate REF submission.

1. Principles

In considering requests for appeal, the University will observe the rules of natural justice and procedural fairness, namely that whoever takes decisions should be impartial, that each party must be given reasonable notice of the case, and that each party has access to all the information in good time before a review hearing takes place.

Confidentiality with respect to complex circumstances will be maintained as far as possible, ie the Appeals Panel will normally review anonymised documentation for such cases so that decisions can be taken on a consistent basis with the Equality and Diversity Panel.

2. Grounds for Review

The University will consider requests for appeal from members of academic staff against the decision not to include them in the University's REF return, made on the grounds that there were factual omissions or procedural errors with respect to the way that circumstances as outlined in section 4.3 of the Code of Practice on Staff Submissions were taken into account when the decision was reached.

3. REF Staff Selection Appeal Panel

The membership of an REF Staff Selection Appeal Panel shall consist of a chair (either the Vice-Principal or the PVC (Education)), depending upon availability, and three persons drawn from a panel nominated by the Colleges. The Panel will not include any representative from the individual's College.

Secretarial support will be drawn from a panel comprising members of the professional services not otherwise involved in the staff selection process.

4. Submissions

Members of academic staff will be notified of the guidelines for the appeals process, including the deadline by which applications must be submitted and the person to whom such submissions should be made. This information will be on the University's REF website, and all members of staff will be informed of the appeals mechanism when they are provided with feedback about whether they have been selected for submission.

Code of Practice for Staff Selection

A written summary (not more than two sides of A4) is required of facts which the individual wishes the Panel to take into account, together with evidence that these were not appropriately considered by the School/College in question, or by the University's Equality and Diversity Advisory Panel (EDAP), or by the REF Advisory Group in question, plus any appropriate appendices, including doctor's certificates, where appropriate.

The Head of School concerned (and Head of College if appropriate), or the Chair of the EDAP, or appropriate REF Advisory Group, will be asked to provide written comments on the member of staff's submission.

The Head of School/Chair of the EDAP/Chair of REF Advisory Group's response (and that of the Head of College where appropriate) will be copied to the member of staff for any further comment.

5. Process

The Appeals Panel will normally conduct the appeal on the basis of the submitted paperwork, and may, exceptionally, convene a meeting with the individual if this is deemed necessary, for example where further discussion and clarification of the case is clearly essential. In cases where a meeting with the individual is convened, the Head of School (or a representative), or the Chair of the EDAP or the Chair of the REF Advisory Group as appropriate will be present at the meeting. The Head of College (or a representative) may be present depending upon the circumstances of the case.

The meeting will follow the following procedure:

- The individual, the Head of School (or representative)/Chair of the EDAP/Chair of the REF Advisory Group and the Head of College (or representative) will each have the opportunity to make a statement
- Members of the Appeals Panel will have the opportunity to question the individual and the Head of School (or representative)/Chair of the EDAP/Chair of the REF Advisory Group
- The individual, the Head of School (or representative) /Chair of the EDAP/Chair of the REF Advisory Group and the Head of College (or representative) may each, through the Chairperson, question the other
- The Appeals Panel may request any final clarification of issues raised and the Chairperson shall request the individual to indicate whether s/he has any further points s/he wishes to clarify

The members of the Appeals Panel will, in the absence of all other persons except the Secretary to the Appeals Panel, determine what advice to give to the Head of School or Chair of the EDAP or Chair of the REF Advisory Group and identify a recommended course of action which is appropriate, taking into consideration the University's Code of Practice for the Submission of Staff and the Guidance on Submissions (REF 02/2011).

A written record of the proceedings shall be kept by the Secretary to the Appeals Panel.

The final decision on whether a particular individual should be included in the University's submission to the REF 2014 will be taken in the light of the advice from the Appeals Panel by the REF Steering Group, together with the relevant Head of School and Chair of the relevant REF Advisory Group. The final decision will then be reported to the individual.

Code of Practice for Staff Selection

Appendix 8

Pro Forma for Independent Researcher applications

*The Guidance on Submissions, paragraphs 80 and 81, states that research assistants are not normally eligible to be returned as Category A staff in a REF submission, except where “exceptionally, **they are named as principal investigator or equivalent on a research grant or significant piece of research work on the census data** and satisfy the definition of Category A staff in paragraph 78 [of the Guidance on Submissions]. Research assistants must not be listed as Category A staff purely on the basis that they are named on one or more research outputs”.*

Name of candidate	
ID number	
Department/School	
Grounds for considering the candidate as an independent researcher <i>(addressing the points in the blue box above)</i>	
Proposed UOA	
Name/signature of REF lead(s)	
Name/signature of Head of School	
Date	
Recommendation of REF Advisory Board	
Name/signature of Chair	
Date	
Decision of REF Steering Group	
Name/signature of Chair	
Date	