

**Code of Practice  
on the Preparation of Submissions for the  
Research Excellence Framework  
REF 2014**

February 2014

(Version 1.13)

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## 1. Introduction

The University of Bradford is committed to supporting a research culture in an environment that values and celebrates the diverse nature of its population. This Code of Practice confirms the University's commitment to equality of opportunity and is consistent with University Policy and relevant legislation (see section 4).

## 2. Scope

This Code of Practice is concerned with issues of equal opportunities in the context of the selection of staff for inclusion into the Research Excellence Framework 2014 (REF) and sets out the processes selection. This Code of Practice operates across the institution and is applicable to all staff directly involved in research activity and others associated with the research function of the University.

It should be noted that the University's performance measurement and management of individual members of staff is independent of the REF exercise, having a broader remit and being guided by the University's Corporate, Financial and Research strategies.

## 3. Principles

The University's commitment to equality of opportunity is documented in the 'Equality and Diversity Policy' and the 'Equality and Diversity Strategy'. Commitment to principles of fairness, inclusivity, consistency, accountability and transparency as detailed in the University's equality and diversity policy, the Higher Education Funding Council England (HEFCE) REF 'Assessment Framework and Guidance on Submissions' (Ref 02.211) and the HEFCE REF 'Panel Criteria and Working Methods' (Ref 01.2012) will be applied to all processes regarding the selection of staff for inclusion in the REF submission. Web addresses and links to each of these documents can be found in section 16 of this document.

The University of Bradford is committed to implementing an inclusive selection process which is free from discrimination, harassment, or victimization on the grounds of age, disability, gender reassignment, marriage and civil partnership, race, religion or belief, sex, sexual orientation or because of pregnancy or maternity, or any other inappropriate distinction.

The University and the University's research community as a whole shares responsibility for the successful application of this Code of Practice. Specific responsibility for implementation and for ensuring that the selection and submission of staff for the REF is free from discrimination and in line with the principles set out in this Code of Practice rests with senior members of University staff involved with the REF selection processes.

This Code of Practice will be made accessible to all and will be applied consistently across the University. However, in order to recognise the contribution of a diverse research community, the

University of Bradford will ensure that variations of working practices are considered appropriately.

Managerial decisions, including cross-Unit of Assessment (UoA) decisions, concerning the selection of staff members for inclusion in the REF submission will be at the discretion of the University and will be in line with this Code of Practice and the University's Corporate and Financial Strategies.

## 4. Legal Framework

The University of Bradford will comply with all the legal duties that follow from:

- Equality Act 2010;
- Public Sector Equality Duty of the Act (April 2011);
- Employment Rights Act (1996)<sup>1</sup>;
- Protection from Harassment Act (1997);
- The Data Protection Act (1998)<sup>2</sup>;
- The Human Rights Act (1998);
- Public Interest Disclosure Act (1998)<sup>3</sup>;
- Maternity and Parental Leave etc. Regulations (1999), and the Maternity and Parental Leave (Amendment) Regulations (2002);
- Part-time Workers (Prevention of Less Favourable Treatment) Regulations (2000);
- Employment Act – including Fixed-Term Employees (Prevention of Less Favourable Treatment) Regulations (2002).

## 5. Discrimination

Any staff member who believes that they may have been the victim of discrimination, whether it be direct discrimination, indirect discrimination, lawful discrimination, discrimination through association, harassment, or victimisation in relation to the REF submission shall have full rights of protection under the University's 'Dignity and Respect Policy' and 'Procedures for Grievances from Staff' as described in the University's 'Equality and Diversity Policy'.

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<sup>1</sup> UB 'Employment Law Requirements':

<http://brad.ac.uk/admin/personnel/policies&procedures/index.htm> (July 2001).

<sup>2</sup> Data Protection Act (1998) at <http://www.opsi.gov.uk/ACTS/acts1998/19980029.htm>.

<sup>3</sup> <http://www.brad.ac.uk/admin/personnel/PublicInterestDisclosure.htm>.

Further information on the procedure for dealing with complaints made in relation to decisions about the inclusion or non-inclusion of staff in the REF submission can be found in section 14 of this Code of Practice.

For definitions of discrimination, harassment, victimisation, please see section 15 of this documents. A summary of relevant Legislation can be found at Annex 1 of this document.

## **6. Selection of Staff**

Decisions concerning inclusion or non-inclusion of staff members into a particular UoA of the REF submission should be both transparent and easily auditable, with the decision making process clearly communicated to staff. All such decisions will be subject to the following criteria:

### **6.1 Eligibility**

Eligibility of staff for inclusion within the REF submission will primarily be based upon University strategy, quality of research and contractual status as set out in the HEFCE REF documentation, specifically the 'Assessment Framework and Guidance on Submissions' (Ref 02.2011) and the 'Panel Criteria and Working Methods' (Ref 01.2012).

### **6.2 Quality of Research Activity**

Quality of research activity carried out during the REF assessment period will be measured in terms of research outputs, which will include publications, contribution to the research environment, and demonstrable research impact.

### **6.3 Volume of research outputs**

It is expected that up to four outputs per research-active member of staff will be included within a submission, unless otherwise stated in the REF 'Assessment Framework and Guidance on Submissions' (Ref 02.2011) and/or the REF 'Panel Criteria and Working Methods' (Ref 01.2012), notwithstanding Individual Circumstances, both Clearly Defined and Complex Circumstances as described by HEFCE (see section 6.4).

### **6.4 Individual Circumstances**

In line with the REF 'Assessment Framework and Guidance on Submissions' and 'Panel Criteria and Working Methods' documentation, cases can be made as part of the REF submission on behalf of staff whose circumstances during the assessment period have prevented them from being able to submit the expected four research outputs. See section 9 of this document for further information.

## 6.5 Research Monitoring

All decisions relating to the selection and submission for REF will be evidence based and will take account of information gathered as part of existing research monitoring procedures. This will include a Mock Review in November 2011, a further full Mock Review in November 2012 as well as interim reviews throughout the submission period.

The outcome of the review processes will be considered in detail by the REF Steering Group (see section 7.2) and will be further informed by consultation with the Deans, Associate Deans Research (and Knowledge Transfer), UoA Coordinators, and the Research and Knowledge Transfer Committee (RKTC). In some cases additional advice may be sought from external advisors. All decisions will be made in the context of the HEFCE REF published 'Panel Criteria and Working Methods' (Ref 01.2012) for each UoA and the University's Corporate, Financial and Research strategies.

## 6.6 Submission Status

The University of Bradford recognises the need for greater selectivity in REF based on recent changes to the way research will be funded by HEFCE from 2012-2013. The emphasis on selectivity means it is unlikely that all eligible academic staff will have publications returned in the REF submission. Decisions on inclusion into the REF will be determined largely by the need to maximise the overall benefit to the University from the submission in terms of quality research funding and research quality ratings. To this end the University of Bradford will include only its most excellent research, focussing predominantly on inclusion of outputs which are deemed to be of 3\* and 4\* estimated quality as defined by the REF 2014 'Assessment Framework and Guidance on Submissions' (Ref 02.2011).

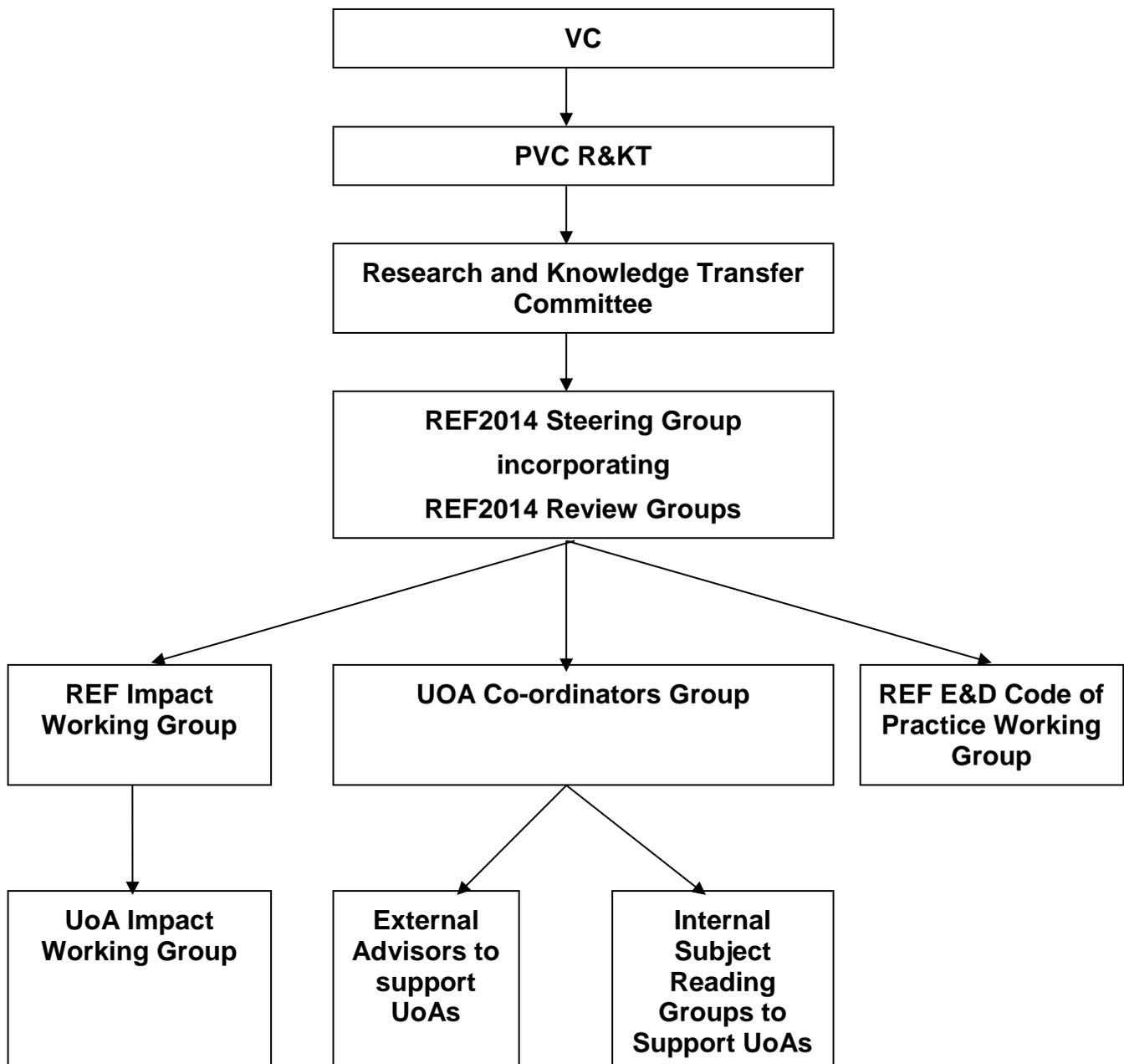
The University's performance measurement and management of individual members of staff is independent of the REF exercise, having a broader remit and being guided by the University's Corporate, Financial and Research strategies. This is encapsulated in the University-wide Research Active Framework currently being finalised. There are different reasons why staff research may not be included in the REF submission, and all staff remain equally eligible to apply for research leave and funding support, and all staff will be considered equally in allocation of School duties or promotion prospects.

The Mock Reviews will help to highlight where efforts could be focussed and where support is needed to maximise opportunity for submission to the REF. Where there is a significant likelihood of non-inclusion into the REF, the member of staff concerned will receive feedback as soon as practically possible following completion of each of the Mock Reviews. Individuals can access the existing appeals procedure in cases where it is alleged that a decision has involved discrimination (section 14).

## 7. Roles and Responsibilities

Responsibility for the preparation and approval of the REF submission process and the making of key decisions will be carried out by existing designated senior officers of the institution and designated committees and working groups. This section sets out the roles and responsibilities of the individuals and groups involved in the preparation and approval of submissions for REF. In particular, this section focuses on the responsibilities of individuals and groups regarding matters of inclusion or non-inclusion of individual staff members in the REF submission. Below is a schematic presentation of groups involved in the preparations for REF. The reporting structure is described in sections 7.1 to 7.9 and an overview provided in Figure 1 below:

*Figure 1: Overview of reporting structures*



## 7.1 Research and Knowledge Transfer Committee (RKTC)

This Committee has statutory responsibility to review, monitor, encourage and facilitate the University's Research and Knowledge Transfer strategy, including the consideration and endorsement of the University's REF strategy. The Committee will advise on strategy and policy to ensure that the REF strategy is in line with the aims and objectives of the University's Research and Knowledge Transfer strategy and will be responsible for making a formal recommendation of the final REF submission to the University Senate and Council. The group will:

- Endorse University REF strategy and ensure its fit with the aims and objectives of the University's Research and Knowledge Transfer Strategy;
- Consider recommendations in respect of REF planning and preparations across the University, including responsibility for formal establishment of working groups and sub-committees in respect of REF 2014 preparation;
- Consider the University's submission to REF 2014 across all UoAs;
- Provide input to the development and endorsement of this Code of Practice, receive reports on its effectiveness throughout the institution; as a prerequisite of this role all members of RKTC have received appropriate briefing on legal obligations regarding equal opportunities;
- Contribute to the review of all draft UoA submissions to ensure quality and that staff are selected in accordance with University policy and strategy (including this Code of Practice).

The constitution and membership of the RKTC comprises the senior office holders for research from across the University as follows:

- Pro-Vice Chancellor for Research and Knowledge Transfer & Chair
- Deputy Chair
- Deputy Vice Chancellor
- Pro-Vice Chancellor Learning and Teaching
- Associate Dean for Research and Knowledge Transfer, School of Life Sciences
- Associate Dean for Research and Knowledge Transfer, School of Engineering, Design and Technology
- Associate Dean for Research School of Management
- Associate Dean for Research and Knowledge Transfer, School of Computing, Informatics and Media
- Associate Dean for Research and Knowledge Transfer, School of Health
- Associate Dean for Research, School of Social and International Studies

- Dean for the School of Lifelong Education and Development
- Professor of Diversity
- Representative of Directors of R&KT Investment Centres
- Director of Research and Knowledge Transfer Support
- Director of Finance, or nominee
- Head of Research Support Unit
- Research Planning Officer

## 7.2 REF2014 Steering Group

The REF Steering Group has overall responsibility for establishing the REF strategy and managing the University's submission. The Steering Group will report regularly to the Vice Chancellor, Senior Management Team and RKTC, as appropriate. The group will:

- Provide leadership for the University's participation in the REF;
- Make recommendations on and co-ordinate the details of planning and preparations across the University for REF;
- Assure the quality and robustness of the University's submission to REF across all UoAs;
- Provide resolution of disputes concerning: the allocation of staff to UoAs, the selection of Impact Case Studies, attribution of research income and/or student numbers, any other REF related matters (except with regard to those covered by the appeals procedure);
- Oversee the development and approval of this Code of Practice and the monitoring of its effectiveness throughout the institution. As a prerequisite of this role all members of the Group have received appropriate REF Selection Training, including briefing on legal obligations regarding equal opportunities;
- Assure the quality of the University's submission and review all draft UoA submissions, ensuring that staff selection processes are in accordance with University policy and strategy (including this Code of Practice).
- Provide feedback following review of draft submissions to UoA Coordinators at the earliest possible opportunity.

*Note:* when considering individual performance, the Steering Group will expect to be made aware of all the relevant information relating to the individual.

The constitution and membership of the Group is *ex officio* and is under the direction of the PVC Research and Knowledge Transfer and comprises of the senior office holders for research from across the whole University as follows:

- Pro-Vice Chancellor for Research and Knowledge Transfer & Chair
- Deputy Vice Chancellor
- Two Deans'
- Chair of the Professors Group
- Other invited Senior Academic representation, by invitation
- Research Planning Officer

**REF Review Groups:** Three Review Groups will support the REF Steering Group in achieving the best possible outcome from the exercise for the University as a whole. The Review Groups are chaired by the Pro-Vice Chancellor for Research and Knowledge Transfer.

The role of the Review Groups is to assess submissions as they develop, provide feedback to UoA Coordinators and to advise the REF Steering Group on the final submission. They will base their assessments on the published REF criteria. This will be communicated via Deans and ADR's to UoA Coordinators. UoA Coordinators are responsible for communication with their UoA constituency. After draft submissions have been presented to them, Review Groups will provide brief feedback to assist UoA Coordinators in developing the submission. Feedback may be written and/or verbal, but all feedback to individuals should be auditable (i.e. verbal feedback should be followed-up in writing).

### 7.3 Unit of Assessment Co-ordinators

The REF Steering Group has approved the appointment of senior members of staff with substantial research experience to act as UoA Co-ordinators. Each UoA Co-ordinator was appointed on the recommendation of the Dean(s) of School in which the UoA is based. The Co-ordinators will be responsible for:

- Overseeing the development of and preparing the draft submission for their UoA, including the details of eligible staff included or excluded for consideration of approval by the Dean, ADR(KT), REF Steering Group and RKTC;
- Taking account in preparing the draft UoA submission of guidelines set out by RKTC and the REF Steering Group, including this Code of Practice and associated information on their legal obligations regarding equal opportunities;
- Liaising with the relevant Dean and Associate Dean for Research and Knowledge Transfer during the preparation of the draft UoA submission. They will report via their ADR's to the Review Group responsible for the Unit of Assessment;
- Providing timely and auditable feedback to staff in relation to their submission status. For staff where non-inclusion in the final submission is a possibility, feedback as early as is reasonably possible should be given and followed-up in writing to provide an auditable record of the decision;

- Considering amendments to the draft submission in the light of additional information provided by staff members following the provision of feedback regarding their non-inclusion from the draft submission or their possible non-inclusion in the final submission.

A table of the University of Bradford's Units of Assessment is provided below:

	<b>Main Panel</b>	<b>UoA</b>	<b>Academic Area</b>	<b>Academic Co-ordinator</b>
School of Health	A	3	Allied Health Professions (Nursing)	Prof. Maryann Hardy / Prof. N Small
School of Life Sciences	A	3	Allied Health Professions (Medical Bioscience)	Prof. David Whitaker / Prof. Marina Bloj
School of Life Sciences	A	3	Allied Health Professions (Optometry)	
School of Life Sciences	A	3	Allied Health Professions (Pharmacy)	
School of Life Sciences (AGES)	C	17	Archaeological Sciences	Prof. Carl Heron
School of Computing, Informatics and Media	B	11	Computer Science and Telecommunications	Prof. Apostol Vourdas
School of Engineering, Design and Technology	B	12	Mechanical, Aeronautical, and Manufacturing	Prof. Iqbal Mujtaba
School of Engineering, Design and Technology	B	14	Civil Engineering	Prof. Dennis Lam
School of Management	C	19	Business and Management	Prof. Nelerine Cornelius
School of Social and International Studies	C	21	Politics and International Studies	Prof. Neil Cooper
School of Social and International Studies	C	22	Social Work and Social Policy	Dr. Ian Burkitt

#### 7.4 REF Equality and Diversity Working Group

This is a special cross-institutional working group that reports to the REF2014 Steering Group. The REF Equality and Diversity Practice Working Group has the sole purpose of considering circumstances described in the REF guidance as 'complex'. This will be a very small group so that the greatest possible level of confidentiality of those involved is maintained. This group will seek to encourage staff to disclose all extenuating circumstances, in confidence, so that all relevant information can be taken into account. A consistency of approach will be taken, the working group ensuring compliance across all UoA's in terms of the basic principles of fairness and natural justice. The group will be responsible for:

- Considering complex personal circumstances which may affect an individual's contribution to REF;

- Assisting the REF Steering Group to reach judgments on the appropriate reduction in the number of outputs submitted by individuals with complex circumstances;
- Providing confidential reports to the Chairperson of the REF Steering Group;
- Undertaking and delivering bespoke training in line with the guidance provided by the Equality Challenge Unit (ECU).

The constitution and membership of the Equality & Diversity Practice Working Group comprises the senior office holders for research from across the University as follows:

- Member of Council – Chair
- Professor of Diversity
- A Dean of School who is unconnected to the cases to be considered (invited as appropriate)

## 7.5 Dean of School

The Dean of each School will be responsible for:

- Liaising with UoA Coordinator(s) and Associate Dean(s) for Research (and Knowledge Transfer) on the preparation of draft REF submissions;
- Taking appropriate action where it has been brought to their attention that members of staff have 'complex' circumstances (confidential/special) that need to be taken into consideration, such as those specified in, but not limited to, part 4 of the 'Assessment Framework and Guidance on Submissions' (Ref 01.2012);
- Ensuring the provision of feedback to staff in relation to their submission status; or for staff where non-inclusion in the final submission is a possibility, ensuring feedback is provided as early as is reasonably possible;
- Providing an audit trail in respect of discussions relating to selection or non-selection of staff.

## 7.6 Associate Deans for Research (and Knowledge Transfer)

Will be responsible for:

- Oversee REF preparation within Schools and report on progress to PVC and Research and Knowledge Transfer Committee as appropriate
- Disseminate University REF strategy within School and address concerns or queries as appropriate
- Provide strategic support and guidance to UoA coordinators as well as monitoring their adherence to the REF Code of Practice
- Liaising with UoA Coordinators and Deans of School on the preparation of draft REF submissions.

- Providing advice to UoA Coordinators and Deans of School regarding the decisions and recommendations of the REF Steering Group.

## 7.7 Research and Knowledge Transfer Support

Will be responsible for:

- Administration and communication in relation to REF Guidance and Software issues.
- Communicating on behalf of the University with the HEFCE and REF teams regarding any queries and/or changes pertaining to the guidance and software during the REF submission period.
- Co-ordination of the REF submission to HEFCE under the direction of the PVC R&KT.

## 7.8 External Advisors

The role of external advisors will be to support UoAs in the development of their REF submissions. It is expected that they will support the Steering Panel, the UoA Coordinators, Deans and Associate Deans of School in the selection and grading of individual outputs, reporting to the PVC Research and Knowledge Transfer on how prepared the UoA is for the REF. Their role is wholly advisory and the University will not be bound in any way by their recommendations.

Any involvement of external advisors in the REF selection process will be by nomination by the School responsible for the UoA and will be subject to approval by the RKTC and/or the REF Steering Group. Nomination for the role of external advisors will only be agreed where there is evidence that the person nominated has demonstrable experience of the REF process, either by serving on a relevant peer review panel, or as a high-profile researcher in a research-led University with an understanding of the UK research framework.

## 7.9 Appointment of Staff Involved in the Selection Decisions

**PVC R&KT** - In addition to the portfolio of two Deputy Vice Chancellors (Planning and Resources and Academic Development), both indefinite posts, the University of Bradford currently has two Pro-Vice Chancellor portfolios: Research and Knowledge Transfer, and Learning and Teaching. These are three-year appointments drawn from the senior academic staff of the University. Internal appointments are preceded by formal and informal consultation undertaken by the Vice Chancellor, including soundings among senior staff across the University and with the Chair of Council and are subject to approval by Senate and Council.

**Deans of School** are normally appointed for a five-year period (renewable) and are normally drawn from among Professors or Readers, although other grades of academic staff are not precluded from expressing interest in the role or in being appointed to serve as a Dean of School. Appointments are subject to approval by Senate and Council on the advice of the Vice Chancellor. The Vice Chancellor carries out formal and informal consultations, including

discussions with the outgoing Dean, senior staff in the School and other senior academic officers of the University. The views of all academic staff in the School are canvassed and considered.

**Associate Deans Research (and Knowledge Transfer)** are normally appointed for a three-year period (renewable), and are normally drawn from among Professors or Readers, although other grades of leading researchers within the School are not precluded from expressing interest in the role or in being appointed to serve as Associate Dean Research.

## 8. Training

All members of University staff are required to undertake training in Equality and Diversity in the form of an e-Learning module. The focus will be on equal opportunities issues and relevant current legislation.

In addition, every staff member who is involved in the selection of staff members for inclusion in the REF submission (see Section 7) is required to undertake bespoke training under the direction of the ECU guidance, in respect of REF selection processes.

## 9. Individual Circumstances

The Code of Practice makes clear the University's commitment for equality of opportunity for all staff in preparation of the REF submission.

All main panels and sub-panels for REF have produced guidance on how circumstances which might have had an effect on an individual's contribution can be handled i.e. 'Panel Criteria and Working Methods' Ref 01.2012.

All staff who wish to be included in the submission with fewer than the four outputs required are invited to complete a form detailing the circumstances that may have significantly constrained their ability to produce four outputs or to work productively throughout the assessment period.

The REF Guidance describes such circumstances in two categories:

- Those that can be 'clearly defined', and for such circumstances guidance has been provided by HEFCE in the form of a tariff whereby the number of outputs can be reduced without penalty. Table 2 below provides an outline of the recommended tariffs.
- Circumstances that are more 'complex' and, therefore, may require a judgement about the appropriate number of outputs that can be reduced without penalty. Such cases should be referred to the Chair of the Equality & Diversity Group who will consider complex personal circumstances in confidence.

The following circumstances are considered in accordance with the REF 'Assessment Framework and Guidance on Submissions' (Ref 02.2011) in the selection of staff members for submission.

## 9.1 Clearly Defined Circumstances

Examples of clearly defined circumstances where a reduced number of outputs per research active member of staff can be submitted without penalty may include, but are not restricted to, the following:

- Early Career Researchers. Individuals of any age who were first employed as a member of academic staff and qualified for submission for the REF as staff in Category A on or after 1 August 2009.
- Part- Time Working
- Maternity, paternity or adoption leave. Note that maternity leave may involve related constraints on an individual's ability to conduct research in addition to the defined period of maternity leave itself; these cases can be returned as 'complex'.
- Secondments or career breaks outside of the higher education sector, and in which the individual did not undertake academic research.

The tables below outline the REF Guidance in respect of the reductions to the number of outputs that may be returned per research active member of staff without penalty across the various categories:

Table 1: Early Career Researchers (ECR)

<b>Start Date</b>	<b>Number of Outputs that may be reduced without penalty</b>
Before 1 <sup>st</sup> August 2009	0
Between 1 <sup>st</sup> August 2009 and 31 <sup>st</sup> July 2010	1
Between 1 <sup>st</sup> August 2010 and 31 <sup>st</sup> July 2011	2
On or after 1 <sup>st</sup> August 2011	3

Table 2: Absence

<b>Total months absent from contracted work from 1<sup>st</sup> January 2008 to 31<sup>st</sup> October 2013</b>	<b>Number of Outputs that may be reduced without penalty</b>
0 to 11.99	0
12 to 27.99	1

28 to 45.99	2
46 or more	3

Table 3: Part-Time Staff

<b>Part-time working, secondments or career breaks</b>	<b>Number of Outputs that may be reduced without penalty</b>
Total months absent between 1 January 2008 and 31 October 2013 due to working part-time, secondment or career break	
0 to 11.99	0
12 to 27.99	1
28 to 45.99	2
46 or more	3

## 9.2 'Complex' Circumstances

More complex circumstances that require a judgement about the appropriate number of outputs that can be reduced without penalty will be considered by a special cross-institutional working group of the REF2014 Steering Group.

The cross-institutional working group is required to maintain the greatest possible level of confidentiality concerning the personal affairs of staff. See section 7.4 of this document for further details of the remit of the Equality and Diversity Code of Practice Working group.

Circumstances described for the purposes of REF as 'Complex' may include, but are not restricted to, the following:

- Disability: defined in 'Guidance on Submissions' (Part 4, Table 2: 'Disability'; February 2011);
- Ill-health or injury;
- Mental health conditions;
- Constraints related to pregnancy or maternity, in addition to a clearly defined period of maternity leave. These may include but are not limited to: medical issues associated with pregnancy or maternity; health and safety restrictions in laboratory or field work during pregnancy or breast feeding; constraints on the ability to travel to undertake fieldwork due to pregnancy or breast feeding;
- Childcare or other caring responsibilities;

- Gender re-assignment;
- Other circumstances relating to the protected characteristics listed in paragraph 190 of 'Assessment Framework and Guidance on Submissions (REF 02.2011, July, 2011).

## 10. Fixed-term, Part-time and Contract research staff

The University is committed to the principles of *The Concordat to Support the Career Development of Researchers* (an agreement between the Funders and Employers of researchers in the UK – see web link below) and strive to promote equality of opportunity for those on fixed-term and part-time contracts.

<http://www.rcuk.ac.uk/researchcareers/researcherdevelopment/Pages/Concordat.aspx>

The selection criteria will take account of such individual circumstances of staff members in the decision making procedure for submission, in line with the REF 'Panel Criteria and Working Methods' (REF 01.2012). This will relate to the proportion of time in post across the REF assessment period as a whole (FTE), and how this might have affected an individual's capacity to produce the expected volume of research outputs.

## 11. Equality Impact Assessment and Analysis

The University will monitor the equality profile of eligible staff included and not included in the REF submission as they develop, and will undertake an equality impact assessment and analysis (EIAA) at each stage of the process.

EIAAs will be conducted following each Mock Review at UoA and institutional levels and will compare those staff eligible for selection against those actually selected in terms of their protected characteristic. Following each Mock Review, the University will investigate any potential *prima facie* imbalance and consider ways in which the information obtained may be used to inform positive change. The EIAA will also be reviewed when considering appeals and when preparing the final submission.

The University will carry out the EIAA over four stages as recommended by HEFCE and ECU, these stages include:

- Developmental stage of the Code of Practice: this includes the selection of staff that is based upon the principles of transparency, consistency, accountability and inclusivity so staff are clear about who makes the decisions, when these are made and the steps taken to ensure there has been fairness in the process – as outlined in this document.
- Analyse the equality data after the Mock Reviews to further improve the Code and, if needed, to develop and implement an action plan. Timetable for Mock Reviews:

May/June 2012
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October/November 2012
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April/May 2013
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September/October 2013
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- Analyse the outcomes of the appeals decision and final submission to the REF and publish this information externally (on the University web pages).
- Review the REF 2014 selection process and implement recommendations to improve equality, diversity and inclusion for the next submission.

## 12. Confidentiality

The University will handle sensitively all equal opportunities monitoring information concerning staff members that is gathered as part of this process and will safeguard any information disclosed in line with the REF requirements and the Data Protection Act 1998.

All main and sub panel members, panel secretaries, and specialist advisers employed by HEFCE, along with all University of Bradford staff involved in the selection process, are bound by a duty of confidentiality governing information gathered as part of this process and/or contained within documents that form part of the REF submissions and/or panel discussions. Further details in this respect can be found in Annex D of the 'Panel criteria and Working Methods' statements (REF 01.2012).

## 13. Review

The effectiveness of this Code of Practice will be reviewed following the Mock Review scheduled for November 2011 and again following further interim review in April 2012. Review will be undertaken by the Equality and Diversity Executive Group in conjunction with the REF Steering Group. The Code of Practice will also be updated as appropriate as changes in assessment requirements and criteria occur.

If statutory employment law changes, this policy is held automatically to have been amended by that change and it will be updated as soon as practically possible.

## 14. Appeals

In line with the University's commitment to equality of opportunity, appeals on grounds of discrimination against staff relating to the process of selection for inclusion in the submission to REF will be taken seriously, whether on the grounds of age, disability, gender reassignment, marriage and civil partnership, race, religion and belief, sex, sexual orientation, or because of pregnancy or maternity, or any other inappropriate distinction.

It should be noted that a member of staff raising an appeal may only do so in terms of process issues and/or personal circumstances relating to their selection for non-inclusion in the REF submission. Staff do not have the right of appeal against the academic judgment of those involved in the process of selection.

The University is committed to protecting individuals from any form of victimisation arising from their making any appeal or taking other action in line with the Dignity and Respect Policy.

Those members of staff involved in any part of the process of selection of staff for inclusion in the University's REF submissions are required to observe this REF Code of Practice, consulting a senior colleague in case of doubt. The individuals handling appeals will be independent of the decisions about selecting staff and will receive appropriate training. Any proven breach of the Code by any staff member may result in an investigation and appropriate action taken.

Data on appeals and their outcomes will be monitored and considered by the Equality and Diversity Executive Group (EDEG) in accordance with the principles laid down in Section 14 of this document.

### 14.1 Appeals Procedure

Every eligible staff member involved in research activities will receive feedback from the relevant UoA Coordinator on the likelihood of their inclusion in the REF submission as soon as is practical following each Mock Review.

At this initial feedback stage each staff member will have the opportunity to provide additional information within 10 working days about their own circumstances.

Following the consideration of any new information provided by the staff member, the outcome in respect of inclusion or non-inclusion in the submission will be confirmed by their UoA Coordinator (in consultation with the Dean/ADR(KT) as appropriate).

In the event of borderline cases where a decision cannot be reached at UoA or School level, the case will be referred to the REF Steering Group.

If non-inclusion in the submission is confirmed and the staff member believes there is evidence of discrimination, they may decide to pursue the matter further. Appeals of this kind must be raised within one calendar month of non-inclusion being confirmed.

The REF Appeals Procedure will consist of 3 Stages:

At **Stage 1**, other than in exceptional circumstances, the persons designated to deal with the matter will be the PVC T&L and a Dean from a school other than that of the staff member.

Following consideration at Stage 1, in the event that non-inclusion in the submission is again confirmed, the member of staff may decide to pursue the matter further.

**Stage 2** will involve the case going to a REF Appeals Panel. The membership of the appeals panel will have the following composition:

- Head of HR
- Trade Union Representative, or other arrangement as in all cases of appeal;
- Independent Dean (not connected to School under review).

**Stage 3:** If the individual would like to take the matter further they retain the right, under Statute, to lodge a formal grievance with the University. Details of process can be found at:

<http://www.bradford.ac.uk/human-resources/information-for-staff/policies-procedures-processes/discipline-and-grievance/>

## 15. Definitions

The following definitions are contained in the guidelines of the Advisory, Conciliation and Arbitration Service (ACAS). Ref: <http://www.acas.org.uk/index.aspx?articleid=3017>

### 15.1 Discrimination

**Direct Discrimination** occurs when someone is treated less favourably than another person because of a protected characteristic they have or are thought to have, or because they associate with someone who has a protected characteristic.

**Associative Discrimination** is direct discrimination against someone because they associate with another person who possesses a protected characteristic. This means that those providing care for someone due to a protected characteristic would be protected because of their association.

**Perceptive Discrimination** is direct discrimination against an individual because others think they possess a characteristic. It applies even if the person does not actually possess that characteristic – for example if a woman is not offered a job because she is perceived to be pregnant.

**Indirect Discrimination** is considered to occur when there is a condition, rule, policy or even a practice that applies to everyone but disadvantages people who share a protected characteristic. Indirect discrimination can be justified if it can be shown to be a proportionate means of achieving a legitimate aim.

### 15.2 Harassment

This corresponds to unwanted and persistent behaviour which causes a person distress. The conduct can violate a person's dignity or create an intimidating, hostile, degrading, humiliating or offensive environment, as described in the University's 'Dignity and Respect Policy'.

### 15.3 Victimisation

This is a form of harassment. It occurs if a person is punished or treated unfairly because they have made a complaint or a grievance, or are believed to have made a complaint or raised a grievance, or supported someone who has made a complaint.

### 15.4 Positive Action

This is the intentional introduction of actions to eliminate or reduce discrimination or the effects of discrimination, with the aim of ensuring the fair treatment of all individuals and different groups of individuals.

### 15.5 Equality Duty

Higher Education Institutions (HEIs), in the exercise of their functions, must have due regard for to the need to:

- Eliminate discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010;
- Advance equality of opportunity between people from different groups. This involves considering the need to: remove or minimise disadvantages suffered by people due to their protected characteristics; meet the needs of people with protected characteristics; encourage people with protected characteristics to participate in public life or in other activities where their participation is low.
- Foster good relations between people from different groups. This involves tackling prejudice and promoting understanding between people from different groups.

## 16. Associated Documents

The University of Bradford's Equal Opportunities Policies and Policy statements, including information and links on the following can be found on the University's website at:

<http://www.brad.ac.uk/admin/equalopp/policies/>

- Policy Statement on Equal Opportunities;
- Human Resources web pages;
- Equality and Diversity Policy;
- Equality and Diversity Strategy;
- Dignity and Respect Policy;
- Race Equality Policy Statement;
- Policy on Religion and Belief;
- Procedures for Grievances from Staff.

HEFCE REF documentation is located at <http://www.ref.ac.uk>:

- REF2014 Equality briefing for panels (July, 2011);
- REF2014 Assessment Framework and Guidance on Submissions (July, 2011);
- REF2014 Panel criteria and Working Methods statements (January, 2012).

## 17. Programme of Communication

The REF2014 Steering Panel, under the direction of the PVC RKT, and on behalf of the University, will ensure appropriate dissemination of the Code of Practice is undertaken. The programme of communication will take various forms including, but not restricted to, the following:

- Publication on the University's Web Page;
- Programme of dissemination workshops;
- Training workshops targeting colleagues involved in the selection process;
- Programme of regular 'drop in' surgeries;
- Research Forum Meetings;
- R&KT Newsletter.

In addition the Code of Practice will be posted out to all eligible members of staff that are on long periods of absence (e.g. maternity leave or long term illness).

### 17.1 Contact Details

For further information or guidance regarding any of the issues covered in this Code of Practice, please contact the Head of Research Support (Tamsin Holt) in the first instance (tel: 01274 235184, email: [t.l.holt@bradford.ac.uk](mailto:t.l.holt@bradford.ac.uk)).