

University of Chester

Code of Practice on the Selection of Staff for REF 2014

Introduction

1. The purpose of this Code of Practice is promoting equality and diversity when preparing submissions to the REF, through the fair and transparent selection of staff. The intention is to include all eligible staff in submissions who are conducting excellent research which is judged likely to contribute to the overall research profile of the University, as well as promoting equality, complying with legislation and avoiding discrimination. Guidance from the REF team on the legislative context for the Code of Practice can be found in Appendix A.

Principles Underpinning this Code of Practice

2. The University's code of practice is designed to reflect the following key principles:
- a. **Transparency:** All processes for the selection of staff for inclusion in REF submissions should be transparent. This code of practice will be made available in an easily accessible format and publicised to all academic staff across the institution, including on Sharepoint, and will be drawn to the attention of those absent from work. Briefings, open to all relevant staff, will disseminate the code of practice and explain the processes related to selection of staff for submission. From April 2013, it is proposed to publish the code of practice on the University's corporate website.
 - b. **Consistency:** The code of practice sets out the principles to be applied to all aspects/stages of the process at all levels within the institution where decisions will be made.
 - c. **Accountability:** Responsibilities are clearly defined in the code, and individuals and bodies that are involved in selecting staff for REF submissions are identified by role. Operating criteria and terms of reference for individuals, committees, advisory groups and any other bodies concerned with staff selection will be made readily available to all individuals and groups concerned.
 - d. **Inclusivity:** The code is designed to promote an inclusive environment, enabling all eligible staff who have produced excellent research for submission to the REF to be identified.

Criteria for Selection

3. All eligible staff¹ will be given an opportunity to be considered for inclusion through the database of outputs collected as part of the Annual Review of Research process. All eligible staff will be required to provide a full and accurate record of activities within the reporting period, including copies of research outputs (on request) in an agreed format.

- a. The selection of staff will be made primarily on the basis of the quality of the research outputs produced during the qualifying period (1st January 2008 to 31st December 2013).
- b. The decision for inclusion or exclusion of individuals and units of assessment (UOAs) will be based upon the University's understanding of the likely impact of the assessment results on funding and reputation. This may mean that threshold criteria vary between UOAs.
- c. The criteria to be used to select staff will take account of:
 - The absolute quality of individual outputs
 - The average quality of an individual's outputs
 - The average quality of outputs across a UOA
 - The existence of 'missing' outputs (which will automatically be graded as unclassified)
 - The number of outputs, taking into account special circumstances (see paragraphs 19-24)
- d. The University will assess the quality of outputs on the basis set out in the published guidance on submissions and panel criteria. Members of staff may be asked to provide information that demonstrates the quality of the cited output in terms of originality, significance and rigour.
- e. The inclusion of double-weighted outputs will be made on a case by case basis where the output will be considered as acceptable to a panel based on its volume and/ or significance. The use of 'reserve' outputs, where permitted, will be expected.
- f. If it is proposed that two or more members of staff in a UOA submit the same co-authored output, a decision will be taken in line with the relevant panel criteria.
- g. The University anticipates seeking advice from external experts to help resolve difficult cases.

4. Selection of research outputs will be made through a transparent and consultative process as described above.

¹ **Eligibility of staff.** Category A staff are defined as academic staff with a contract of employment of 0.2 FTE or greater and on the payroll of the submitting HEI on the census date, and whose primary employment function is to undertake either 'research only' or 'teaching and research'; Category C staff are defined as individuals employed by an organisation other than an HEI, whose contract or job role (as documented by their employer) includes the undertaking of research, and whose research is primarily focused in the submitting unit on the census date

5. The University may decide not to submit a particular UOA based on information gathered in preparation of a draft submission to that UOA, where it believes there is a:

- Lack of critical mass appropriate to the discipline; or
- Lack of appropriate quality profile; or
- Potential negative effect on the institution's reputation from a poor submission.

6. This may result in an individual with high-quality research outputs not being included in a REF submission if the profile of their UOA is not deemed suitable. Such decisions will also take into account the wider impact of non-submission on the department, Faculty or the University.

Timescale for Selecting Staff

7. The following timetable of activities leading to the selection of staff has been identified:

| Activity | Timescale |
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| Preparation of the Code of Practice – draft for consultation | Sept 2011 - Jan 2012 |
| Approval of the Code of Practice by University Council | March 2012 |
| Submission of the Code of Practice to REF team | April 2012 |
| Development & delivery of equality & diversity training resources and events for decision makers and advisors | Jan – March 2012 (ongoing as required) |
| Data collection through Annual Reviews of Research and staff survey (including special circumstances) | July 2011 – March 2012 |
| Initial decisions on possible UOA s & confirmation of staff under active consideration for inclusion | April 2012 |
| Draft submissions (including external advice on output quality where necessary) | May 2012 – February 2013 |
| Confirm University business objectives and set final selection criteria (and publish internally) | March 2013 |
| Selection of staff and refine submissions | April - June 2013 |
| Feedback to individuals on selection criteria and inclusion | July 2013 |
| Appeals process | August – September 2013 |
| Revision of submissions if necessary after appeal decisions | October – November 2013 |

Staff and Committees

Decision making structure

| Group of Decision Makers | | |
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| Position | Role in decision making structure | Rationale |
| Vice-Chancellor | <p>Final approval of:</p> <ul style="list-style-type: none"> - overall REF strategy and selection criteria - UOAs to which the University will submit - selection of staff within each UOA - content of submissions <p>Advised by Dean of Research and Research Committee.</p> | By virtue of position as head of the institution |
| Dean of Research | <p>Formulation of overall REF strategy. Recommending final draft of Code of Practice on the selection of staff (for approval by University Council).</p> <p>In consultation with faculty Deans, recommending to the Vice-Chancellor:</p> <ul style="list-style-type: none"> - UOAs to which the University will submit - selection of staff within each UOA - final form and content of submissions <p>Commissioning external advice on submissions.</p> <p>Approval of the reduction in number of outputs for individual circumstances (and consulting with Deans over complex circumstances).</p> <p>Providing feedback to staff not selected for inclusion.</p> | Responsible for oversight of research across institution and the development and implementation of related strategies and policies. Post holder is required to be an experienced researcher with detailed knowledge of REF requirements and experience of previous research assessment exercises |
| Faculty Deans | <p>Approval of UOA coordinators* and oversight of their activities.</p> <p>Advising Dean of Research on Code of Practice on the selection of staff.</p> <p>In consultation with Dean of Research, recommending:</p> <ul style="list-style-type: none"> - UOAs to which the University will submit - selection of staff within each UOA - final form and content of submissions - reduction in the number of outputs for complex individual circumstances | Responsible for strategy and oversight of research within faculty |

* *UOA coordinators* – experienced researchers who liaise with staff, prepare and edit impact and environment statements and impact case studies, provide advice on the selection of research outputs, provide advice on the selection of external assessors, and collate and check information appropriate to the relevant planned submission, but not part of formal decision making structure.

| Advisory structure | | |
|---------------------------|--|---|
| Committee/Group | Role | Formation and Membership |
| Research Committee | Provides advice on REF strategy, policy and process including consultation on the Code of Practice and selection criteria. Receives information on the UOAs to which the University will submit, the selection of staff, and content of submissions Monitors (via subgroup) implementation of the Code of Practice and other relevant policies | See Appendix B |
| Senate | Receives and confirms reports from Research Committee | See Appendix B |
| REF Steering Group | Provides advice on procedural aspects of preparing REF submissions | Convened by Dean of Research Membership: Dean of Research (Chair) 4 members of academic staff with experience of managing or preparing previous research assessment submissions and technical advisors |
| Technical advisors | Provide technical advice on REF regulations and internal processes. Populate the submission database and respond to REF team queries/audit. | Staff in the Research & Knowledge Transfer Office dealing with the REF |

8. The members of staff involved in preparing data for submission (i.e. decision makers and advisory staff) will be required to undertake training on the processes and policies of selection (further details of training on policies are detailed in paragraph 46-47).

Key Committees

9. The following University committees will be involved with the REF: Senate, Research Committee and REF Steering group.

10. Senate and Research Committee have been in existence for a number of years as part of the university's normal decision making process. Terms of reference and membership are available to all staff via the University's intranet and are detailed in Appendix B. The REF Steering Group has been formed with the express purpose of drawing upon the operational and strategic experience of staff involved in previous Research Assessment Exercises.

11. Where the committees consider reports from other committees or designated staff reporting to them, the basis of the discussion will be clearly set out by the relevant Chair, and records of discussions kept. The primary role of the committees will be to advise on

strategy, policy and process. Should a committee need to discuss individual performance and the individual is absent, the committee will be made aware of all relevant facts relating to the individual, taking due regard of the confidentiality of disclosed individual circumstances.

12. To ensure members are well informed about their own and the university's legal obligations regarding equality, a briefing pack on Equality will be made available along with a training event set out following the recommendations from ECU.

Equality Impact Assessment

13. An Equality Impact Assessment of this Code of Practice will be completed as part of the University's approval process. This initial assessment will draw upon information and evidence of the impact of the Code of Practice in place for RAE2008.

14. The Equality Impact Assessment (EIA) will be an informed analysis of data on staff who are eligible for selection in respect of all the protected characteristics for which data is available. The analysis will be thorough and systematic to determine whether the university's staff selection policy for the REF may have a differential impact on particular groups.

15. The EIA will be reviewed at key stages of the selection process to ensure that any necessary changes to prevent discrimination or promote equality are taken prior to the submission deadline. This will be done by comparing data for the following groups:

- all academic staff;
- members of staff who have self-selected for consideration;
- eligible members of staff who are being considered for submission;
- final selection of staff for submission to REF2014; and
- staff selected for submission to RAE2008.

16. This process of analysis will identify whether there are any discrepancies in the percentages of staff in protected groups at each stage. If discrepancies are found, they will be investigated to identify possible barriers to participation and opportunities to advance equality.

17. To ensure that the University engages and consults with protected groups the code of practice will be published on SharePoint. HRMS will then notify the protected groups of this so that there is opportunity to provide feedback.

18. The Equality Impact Assessment will be published after the submissions have been made, as a matter of good practice. The published information will include the outcomes of any actions taken to prevent discrimination or to advance equality.

Disclosure of Individual Staff Circumstances

19. Guidance has been produced on how REF panels will deal with individual

circumstances that constrained an individual's ability to produce four outputs or work productively throughout the assessment period (see REF 01.2012 'Panel criteria and working methods', paragraphs 63-91).

20. The University will implement procedures to enable staff to disclose their circumstances with an appropriate degree of confidentiality. Particular regard will be paid to the disclosure of sensitive issues such as ongoing illness or mental health conditions. Eligible staff will be asked to complete a form about their individual circumstances. To enable individuals to disclose circumstances in confidence, this process will be managed centrally, not in UOAs.

21. Examples of complex individual staff circumstances (see REF 02.2011 sub-paragraph 92b' for an explanation) will be available on the ECU web-site www.ecu.ac.uk/our-projects/REF, indicating the appropriate reduction in outputs for particular circumstances. The University will use the template (adapted as necessary) employed for these examples, when preparing submissions.

22. At each selection stage, the University will formally monitor the process for identifying individuals whose circumstances might need special consideration, and will maintain records of the evidence used to inform decisions and actions.

23. The University will take into account, using Tables 1 and 2 of the 'Panel criteria and working methods' (REF 01.2012) and examples provided by the ECU, those circumstances listed in REF 02.2011, paragraph 92. To summarise, the circumstances are:

- i. Qualifying as an Early Career Researcher (ECR) (i.e. starting their career as an independent researcher on or after 1st August 2009).
- ii. Part-time working.
- iii. Maternity, paternity or adoption leave. (May include, but not limited to: medical issues associated with pregnancy or maternity; health and safety restrictions in laboratory or field work during pregnancy or breastfeeding; constraints on the ability to travel to undertake fieldwork due to pregnancy or breast-feeding.)
- iv. Secondments or career breaks outside of the higher education sector, and in which the individual did not undertake academic research.
- v. Disability.
- vi. Ill health or injury.
- vii. Mental health conditions.
- viii. Childcare or other caring responsibilities.
- ix. Gender reassignment.
- x. Other circumstances relating to the protected characteristics (i.e. age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation).

24. The University's procedures for disclosure and consideration of individual circumstances will be standard across all UOAs. The procedure will be as follows:

- a. Data on research outputs collected through the Annual Reviews of Research will be used to identify eligible staff under consideration and these staff will be sent an 'Individual staff circumstances disclosure form'.
- b. Forms are returned to the Research & Knowledge Transfer Office or may be marked 'confidential' and returned directly to the Dean of Research.

- c. Technical Advisors in the Research & Knowledge Transfer Office will collate information on individual circumstances, seek verification and clarification as required.
- d. Once verified, the published criteria will be applied to those with 'clearly defined circumstances' and a judgement reached by the Dean of Research (with assistance from the Technical Advisors) on the required number of outputs. The Dean of Research may consult with Faculty Deans and Technical Advisors regarding the strength of cases involving 'complex circumstances' in order to establish whether any reduction in the number of outputs is justified for that individual and the number of outputs required.
- e. Reductions in the number of outputs will then be taken into account in applying the selection criteria. Advisors (including UOA co-ordinators) will be informed of the existence of individual circumstances and the number of outputs required, but will not normally be informed of the nature of the individual circumstances.

Fixed Term and Part-time Staff

25. The University's policy on the use of fixed-term contracts is based on the principles of equality and fairness. The policy is intended to ensure that the University complies with all relevant employment legislation. The Policy on Fixed-Term Contracts is published here: http://ganymede.chester.ac.uk/view.php?title_id=648929

26. Similarly, the University follows employment legislation with regards to part-time staff. The University's Diversity & Equality policy includes details of rights for part time workers and can be found at the following address: <http://www.chester.ac.uk/sites/files/chester/Diversity%20and%20Equality%20Policy.pdf>

27. The Policy on Fixed-Term Contracts and Diversity & Equality Policy apply to all full time and part time employees of the University including employees on fixed term contracts and both teaching and non-teaching staff, to provide equal opportunities for research and development.

28. The university aims to ensure that all staff have access to training and have adequate resources (including time) to achieve excellence through research. The university offers all staff support to make original and worthwhile contributions to research and to have the quality of their work recognised by peers and policy makers. Details of staff development and training programmes are available to all staff on the University intranet (SharePoint), along with additional support documents and grant information.

29. The University is committed to the provision of staff development for all staff working in the University, and actively encourages, enables and supports staff in obtaining further qualifications, training and experience which will facilitate personal and professional development enabling individuals and groups to achieve their full potential, perform their roles more effectively and contribute ultimately towards the University's achievement of its aims and objectives. The University facilitates this staff development through annual performance and development reviews.

30. Support is offered by the University's Research & Knowledge Transfer Office to all staff when applying for research grants. In addition, the University has established over a number of years internal grant schemes to support research and knowledge transfer

activities that will enhance staff research capacity and outputs, and contribute to the development and sustainability of the University's research base. Eligibility criteria for internal grants are based solely on the quality of proposals (and in certain schemes on the subject area), not on the type or FTE of the applicants contract. Where possible, the University has a flexible approach which enables staff to roll over grants from one academic year to the next when they are affected by special circumstances.

31. Deans of Faculty, Heads of Subject and other line managers responsible for workload planning are required to ensure that:

- Duties are allocated in a fair and open manner and performance monitored so that all staff are seen to be contributing fully to the activities of the University;
- There is a reasonable distribution of activity among all academic staff, thus providing equality of opportunity.

32. Equality impact assessments have been conducted on the RAE2008 and for internal research grant schemes. A report on these assessments for Research Committee did not indicate any disadvantages in research opportunities for any particular group of individuals.

Feedback and Appeals

33. The University will inform staff who are not selected of the reasons behind the decision by 30th June 2013. The procedure for providing feedback will be managed centrally. Private meetings with the Dean of Research will be available during July 2013 to provide personal feedback on how the selection criteria led to the decision. Staff who wish to appeal will be expected to have sought formal feedback through this process before submitting their appeal.

34. The procedure set out below will allow members of staff to appeal after they have received feedback, and for that appeal to be considered by the University before the final selection is made.

35. A person may appeal against the decision not to include them for submission on one or more of the following grounds only:

- a. That there were procedural irregularities in the conduct of the decision of such a nature as to cause reasonable doubt as to whether the same conclusion would have been reached if those irregularities had not occurred;
- b. That individual circumstances were not fully taken into account;
- c. That there is evidence of bias or unlawful discrimination;
- d. That some additional evidence is available which could not, for good reason, have been made available at the time of considering submissions.

36. An appeal (including any additional evidence) should be lodged by 15th August 2013 with the selected senior member of the university's management who has relevant research experience, who shall determine by 26th August 2013 whether grounds for appeal exist which warrant consideration by the REF Appeals Board. If it is determined that

grounds for appeal exist, the case will be referred to the REF Appeals Board.

37. The REF Appeals Board will be convened by the University Secretary and will consist of two members of the University Council who can ensure externality and have appropriate research experience - staff currently holding these positions can be found in Appendix B. The Board may seek specialist advice in support as required. Board members are independent of the decision making process of selecting staff and will receive appropriate training. The REF Appeals Board will decide if there is sufficient evidence to warrant reconsideration of the individual by the Group of Decision Makers according to the published procedure and criteria.

Data Protection

38. REF submissions require the University to collate some personal data on academic staff. The University will only share information which it is under an obligation to provide.

39. Employees of University of Chester have a right of access to personal data held by any department; therefore all records prepared or relied on during the REF submission process should be accurate and defensible, particularly as regards any matters of opinion rather than fact.

40. Further information relating to the use of personal data can be found in the Data Protection Policy and The Freedom of Information Act on the University's compliance page on Sharepoint.

Programme of Communication

41. The University is committed to communicating the Code of Practice, panel criteria, University timetable, selection criteria and selection decisions as widely as possible. This has and will continue to be achieved through events (such as Impact workshops and panel criteria briefings), discussion at appropriate committee meetings, announcements on the University intranet, survey of all staff via email (and letters to absent staff) and meetings with individuals.

42. Initial briefings began early in 2011 regarding impact and continued through 2011 after the publication of the draft panel criteria. Explicit mention of the developing Code of Practice was made during briefings and the effect the requirements of the Code of Practice would have upon the University's own timetable.

43. A draft of the University's Code of Practice was used for consultation during January and February 2012, culminating in approval by the University Council in March 2012. During the consultation period, the draft Code of Practice was available on the intranet and was drawn to the attention of staff via the REF survey and on the special circumstances disclosure form.

44. Briefings on the Code of Practice and selection process have been available at different University sites in order to make the information as accessible as possible to all eligible staff.

45. The final selection criteria will be published on the University intranet and individual staff who are not selected will receive feedback on the reasons behind the decision.

Equality Training for Decision Makers and Advisors

46. The University has drawn upon expertise in equality & diversity legislation and staff training within its Human Resource Management Service and the resources made available by the ECU to develop and deliver a half-day training session for decision makers and internal advisors (such as the Technical Advisors within the Research & Knowledge Transfer Office and UOA co-ordinators). The session focuses upon case studies and is supplemented by an information pack for reference, which will also be sent to any external advisors that the University uses.

47. Participation in training sessions for decision makers and all formal internal advisors is compulsory. The first training sessions will be running through the spring term of 2012, and may be repeated if staff change or if the equality impact assessments indicate that further tailored sessions are needed to address particular issues.

Appendix A – HEFCE guidance on Codes of practice

Extract from 'Assessment framework and guidance on submissions' (REF 02.2011):

The legislative context

190. 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.

191. 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.

192. 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.

193. 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.

194. 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.

195. 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.)

196. The scope of equality legislation in Northern Ireland is similar to the Equality Act. In addition, it is unlawful to discriminate against people on the grounds of political opinion. Section 75 of the Northern Ireland Act 1998 also places a statutory obligation on the Department for Employment and Learning Northern Ireland and HEIs in Northern Ireland in carrying out their public functions to have due regard to the need to promote equality of opportunity:

- between persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation;
- between men and women generally;
- between persons with a disability and persons without; and
- between persons with dependants and persons without.

Funding bodies' legal responsibilities

197. In order to demonstrate compliance with the public sector equality duty and section 75 of the Northern Ireland Act, the higher education funding bodies need to consider and understand the impact of their policies on equality. The funding bodies have considered the equality impact of the RAE in the development of the REF, and equality has been embedded into all relevant elements of the REF. The funding bodies will analyse the selection rates by staff characteristics at sector level to inform their future work.

HEIs' legal responsibilities

198. As both employers and public bodies, HEIs need to ensure that their REF procedures do not discriminate unlawfully against individuals because of age, disability, gender identity, marriage and civil partnership, race, religion or belief, sex or sexual orientation or because they are pregnant or have recently given birth. In addition, in Northern Ireland, HEIs must ensure that their procedures do not discriminate on the grounds of political opinion.

199. When developing their REF procedures, HEIs will also need to be mindful that under the fixed-term employee and part-time workers regulations, fixed-term employees and part-time workers have the right not to be treated by an employer any less favourably than the employer treats comparable employees on open contracts or full-time workers. The relevant regulations are:

- a. Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000
- b. Part-time Workers (Prevention of Less Favourable Treatment) Regulations (Northern Ireland) 2000
- c. Fixed-term Employees (Prevention of Less Favourable Treatment) Regulations 2002
- d. Fixed-term Employees (Prevention of Less Favourable Treatment) Regulations

(Northern Ireland) 2002.

200. As public sector organisations, in order to show compliance with the requirements of the public sector equality duty of the Equality Act 2010, HEIs in England, Scotland and Wales need to consider and understand the effect of their REF policies on equality. Equalities legislation in Northern Ireland and Wales places a specific duty on HEIs to conduct equality impact assessments on new and existing policies. Consequently, the funding bodies require all HEIs to conduct equality impact assessments on their policies for selecting staff for the REF.

Summary of legislation

201. A summary of the equality legislation with which institutions have to comply generally, and which they should take into account when preparing REF 2014 submissions is included in Table 2. Panel chairs, members and secretaries have received a briefing about this legislation (see 'Equality briefing for REF panels' available at www.ref.ac.uk under 'Publications'). The briefing instructs them to develop working methods and assessment criteria that encourage HEIs to submit the work of all of their excellent researchers, including those whose ability to produce four outputs or work productively throughout the assessment period had been constrained for reasons covered by equality legislation.

Table 2: Summary of equality legislation

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| Age | <p>All employees within the higher education sector are protected from unlawful age discrimination in employment under the Equality Act 2010 and the Employment Equality (Age) Regulations (Northern Ireland) 2006. 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 the 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> |
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| Disability | <p>The Equality Act 2010, the Disability Discrimination Act (1995) (Northern Ireland only) and the Disability Discrimination (Northern Ireland) Order 2006 prevent 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>The definition of disability is different in Northern Ireland in that a list of day-to-day activities is referred to. There is no list of day-to-day activities for England, Scotland and Wales but 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> <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> |
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| Gender reassignment | <p>The Equality Act 2010 and the Sex Discrimination (Northern Ireland) Order 1976 protect 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> <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 and the Sex Discrimination (Northern Ireland) Order 1976 as amended, 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> |
| Political opinion | <p>The Fair Employment and Treatment (Northern Ireland) Order 1998 protects staff from unlawful discrimination on the grounds of political opinion.</p> <p>HEIs should be aware of not making any judgements about the selection of staff for REF submissions based on their political opinion.</p> |

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| Pregnancy and maternity | <p>Under the Equality Act 2010 and the Sex Discrimination (Northern Ireland) Order 1976 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 and the Race Relations (Northern Ireland) Order 1997 protect HEI 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 and the Fair Employment and Treatment (Northern Ireland) Order 1998 protect HEI 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 values that has an effect on how its adherents conduct their lives.</p> |

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| <p>Sex (including breastfeeding and additional paternity and adoption leave)</p> | <p>The Equality Act 2010 and the Sex Discrimination (Northern Ireland) Order 1976 protect HEI 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> |
| <p>Sexual orientation</p> | <p>The Equality Act 2010 and the Employment Equality (Sexual Orientation) Regulations (Northern Ireland) 2003 protect HEI 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> |
| <p>Welsh Language</p> | <p>The Welsh Language Act 1993 places a duty on public bodies in Wales to treat Welsh and English on an equal basis. This is reinforced by the provisions of the Welsh Language (Wales) Measure 2011.</p> <p>The arrangements for the assessment of outputs in the medium of Welsh by the REF panels are set out in paragraphs 128-130.</p> |

Guidance to institutions

202. It is a requirement of the REF that each submitting institution establishes a code of practice on the selection of staff for REF submissions. The guidance here provides a common framework for institutions’ development of policies and procedures within the

REF, but does not generate obligations beyond those that HEIs will in any case need to address. It is the responsibility of HEIs to ensure that their codes of practice, and the manner in which they participate in the REF, are lawful.

203. Institutions that conduct mock REF exercises might consider using them as an opportunity to apply their draft code and refine it further. Where external advisors are used in such exercises, institutions should brief them about their developing REF codes of practice and, in particular, provide guidance about the appropriate level of detailed comment by external advisers on individuals. Mock exercises should include equality impact assessments as part of the process, and the implications of these should be considered when preparing the final submission.

Terms of Reference and Composition of Senate and its Committees

1 The Senate

Terms of Reference

Subject to the provisions of the Articles, to the overall responsibility of the Council, and to the responsibilities of the Vice-Chancellor, the Senate shall be responsible:

- i) subject to the requirements of validating and accrediting bodies, for: general issues relating to the research, scholarship, knowledge transfer, teaching and learning and courses at the institution, including: approval/amendment of the Principles and Regulations; the criteria for the admission of students; the appointment and removal of internal and external examiners; policies and procedures for assessment and examination of the academic performance of students; the content of the curriculum; academic standards and the validation and review of courses; procedures for the award of qualifications and honorary academic titles; and procedures for the expulsion of students for academic reasons;
- ii) for considering the development of the academic activities of the University and the resources needed to support them and for advising the Vice-Chancellor and the Council thereon;
- iii) for advising on such other matters as the Council or the Vice-Chancellor may refer to the Senate.

The Senate may establish such committees as it considers necessary for purposes enabling it to carry out its responsibilities provided that each establishment is first approved by the Vice-Chancellor and the Council. The number of members of any such committee and the terms on which they are to hold and vacate office shall be determined by the Senate. The Chair of such Committees must be a member of Senate.

Composition

There shall be a Senate not exceeding **thirty** members.

Chair: Vice-Chancellor
University Secretary (DVC)
Senior Pro-Vice-Chancellor
Pro-Vice-Chancellor (Academic)
Pro-Vice-Chancellor (Student Experience and Corporate Development)
Pro-Vice-Chancellor and Provost of the Warrington Campus
Dean of Applied Sciences
Dean of Arts and Media
Dean of Business, Enterprise and Lifelong Learning
Dean of Education and Children's Services
Dean of Health and Social Care
Dean of Humanities
Dean of Social Science
Dean of Academic Quality and Enhancement

Dean of Students
Dean of International Development/Director of International Office
Representative of the Graduate School
Director of Registry Services
Director of Learning and Information Services
Two Academic staff members of the Council
One full-time staff representative nominated by each academic Faculty (7)
Students' Union President
Students' Union Vice President

The Vice-Chancellor may nominate a deputy chairman from among the members of the Senate to take the chair in his or her place. The period of appointment of members and the selection or election arrangements shall be subject to the approval of the Council.

The Dean of Chapel shall be a permanent observer member(s) of Senate.

The Senate may determine such other observer members as is appropriate from time to time:

Associate Dean of Academic Quality and Enhancement/Director of Widening Access and Participation
Head of Learning and Teaching
Director of Undergraduate Modular Programmes

2 Research, Postgraduate and Knowledge Transfer Committee: Terms of Reference

On behalf of Senate to:

- 2.1 maintain an overview and act as a forum for discussion as appropriate of all matters of strategy and policy relating to postgraduate taught and research degrees;
- 2.2 in relation to postgraduate taught programmes, consider and make recommendations for the dissemination of good practice and maintenance of standards of awards and monitor action taken on the following, as appropriate:
 - (a) student feedback and survey results, statistical indicators and other measures of performance;
 - (b) annual reviews and other monitoring reports and compliance with procedures;
 - (c) student retention, progression and achievement and other key aspects of the student learning experience;
 - (d) information relating to operation of quality assurance and enhancement processes;
- 2.3 stimulate, promote and co-ordinate the University's research and knowledge transfer (KT) activities;
- 2.4 develop, monitor implementation of and make recommendations on University strategies, processes and associated operating plans to enhance research and KT activities;
- 2.5 oversee compliance with and monitor operation of procedures pertaining to the registration, progression, supervision, transfer, suspension and extension of registration and assessment of students for higher degrees by research;
- 2.6 be responsible for approval of the general arrangements under which candidates' research is undertaken, including arrangements for academic supervision, research training and postgraduate studies and the provision of adequate facilities to enable candidates to conduct and complete the research programme efficiently and safely;
- 2.7 ensure that research supervisors receive appropriate training, that interests of research students are protected, and that the standard of awards is maintained.

- 2.8 make recommendations to Senate on the allocation and deployment of resources needed for research and KT;
- 2.9 approve research budgets and the distribution of quality-related (QR) income, and to monitor research expenditure;
- 2.10 review sections of annual and periodic reviews pertaining to research and KT;
- 2.11 consider matters relating to the organisational structure of research and KT activities and the presentation of these to external bodies;
- 2.12 allocate bursaries to Faculties;
- 2.13 produce an annual research and KT report for the University;
- 2.14 be responsible for responding to external bodies in relation to research and KT;
- 2.15 receive plans and reports from and maintain oversight of Research Units of Assessment, Recognised Research Groups and Research Centres, and to monitor and advise Senate on their performance;
- 2.16 prepare the Research Excellence and related submissions on behalf of Senate;
- 2.17 keep under continuous review external developments on matters within the Committee's terms of reference and:
 - (a) identify opportunities for their effective application to the University and to advise Senate, Faculties and staff as appropriate; and
 - (b) arrange any appropriate training or other support;
- 2.18 monitor and advise on strategic risks relevant to the work of the Committee;
- 2.19 have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between those who share a characteristic which is protected by the Equality Act 2010 and those who do not;
- 2.20 make recommendations in respect of the above as appropriate.

Composition

- Chair:* Dean of Research
 Senior Assistant Registrar (Manager): Policy and Implementation
 Senior Assistant Registrar (Manager): Monitoring and Review
 A representative of Academic Quality and Enhancement (AQE)
 Deputy Director LIS (Academic and User Services)
 Up to two representatives nominated by each Faculty who shall have appropriate experience of completed research degree supervision and examining research; a wide range of research experience and research based publications; a breadth of subject expertise to reflect the range of disciplines in which students are registered as far as is reasonably practicable; and familiarity with the University's regulations for research and taught postgraduate degrees
 Two Postgraduate Student Representatives
 Up to two co-opted members (approved by Senate)
- Ex-officio:* The Vice-Chancellor
 SMT member with responsibility for Research

Reporting Relationship

The Research Committee reports directly to the Senate

REF Steering Group

Terms of Reference:

The REF Steering Group will be convened by Dean of Research to provide advice on procedural aspects of preparing REF submissions.

Membership:

Dean of Research (Chair)

4 members of academic staff with experience of managing or preparing previous research assessment submissions

Technical Advisors from Research & Knowledge Transfer Office

REF Appeals Board

Terms of Reference

The REF Appeals Board will decide if there is sufficient evidence to warrant reconsideration of the individual by the Group of Decision Makers according to the published procedure and criteria.

The Appeals Board does not consider matters of policy or strategy relating to the setting of selection criteria or for inclusion or exclusion of units of assessment.

Membership

The Board will be convened by the University Secretary, [REDACTED].

Membership of the REF Appeals Board will be confirmed in June 2013. Current members of the University Council who satisfy the criteria in paragraph 37 of 'externality' and 'appropriate research experience' are:

[REDACTED] and [REDACTED]

Appendix C – Decision Making and Advisory Structures.

Decision Makers

Vice Chancellor

[REDACTED]

Dean of Research

[REDACTED]

Faculty Deans

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Not Decision Makers

Technical Advisors

[REDACTED]
[REDACTED]
[REDACTED]

Internal Academic Advisors

Specialist External Advisors

Committees

Senate
Research Committee
REF Steering Group

UOA Co-ordinators

UOA 3: [REDACTED]
UOA 4: [REDACTED]
UOA 17A: [REDACTED]
UOA 17B: [REDACTED]
UOA 19: [REDACTED]
UOA 22: [REDACTED]
UOA 25: [REDACTED]
UOA 26: [REDACTED]
UOA 27: [REDACTED]
UOA 29: [REDACTED]
UOA 30: [REDACTED]
UOA 33: [REDACTED]
UOA 34: [REDACTED]
UOA 35: [REDACTED]