

Code of Practice on the Selection of Faculty for the Research Excellence Framework (REF 2014)

1. Context and Intention

- 1.1. The Research Excellence Framework (REF) is the new system for assessing the quality of research in higher education institutions in the UK, and replaces the Research Assessment Exercise (RAE), last conducted in 2008. The Higher Education Funding Council for England (HEFCE) has made it a mandatory requirement for each Higher Education Institution (HEI) involved in preparing submissions to the REF to develop a Code of Practice that will “aid institutions in including all their eligible staff in submissions who are conducting excellent research”. HEFCE requires that all procedures involving the selection of faculty are clear, fair, and transparent, promote equality, and comply with legislation to avoid discrimination.
- 1.2. HEFCE requires the head of each participating HEI to confirm that the HEI has – in preparing its submission and selecting staff for inclusion – developed, documented, and adhered to an appropriate Code of Practice, which takes into account the Equality Act 2010 and relevant employment law. HEIs are required to submit their Code of Practice to HEFCE by the 31st July 2012. The Equality and Diversity Advisory Panel (EDAP) will examine them and advise the UK funding bodies on their adherence to the REF 2014 *Assessment framework and guidance on submissions*. All submitted codes of practice will be published as part of institutions’ submissions, after the conclusion of the REF exercise.
- 1.3. The Code of Practice applies to all those responsible for the selection of faculty, and to those engaged in the formulation, preparation and approval of the School’s submission to the REF 2014. It provides a framework within which recommendations and decisions on the selection of faculty for inclusion in the REF will be made. It also acts as the dissemination vehicle for communicating the basis on which selection is made.
- 1.4. The School and hence this Code of Practice recognises the obligations of an employer under the Equality Act 2010 and in doing so promotes equality and diversity by not discriminating against the following nine protected characteristics:
 - Age
 - Disability
 - Gender reassignment
 - Marriage and Civil Partnership
 - Pregnancy and maternity
 - Race
 - Religion or belief
 - Sex

- Sexual orientation

In practice the School recognises the need to:

- Adhere to the 2010 Equality Act by eliminating unlawful discrimination, harassment and victimisation
- Advance equality of opportunity between individuals who share a protected characteristic and those who do not
- Foster good relations between individuals who share a protected characteristic and those who do not.

The School's *Diversity Policy* can be found on the RFO portal pages.

- 1.5. In drawing up this Code of Practice the School has taken into account the guidance of the REF Equalities and Diversity Group (EDAG) to HEFCE (contained in Part 4 of the REF 2014 *Assessment framework and guidance on submissions*) and of the REF 2014 *Equality Briefing for Panels, Chairs, Members, Observers, Advisors and Secretaries*.

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2. Principles

- 2.1. London Business School aims to submit to the REF 2014 all eligible staff who are conducting excellent research, including those whose ability to produce four outputs or work productively throughout the assessment period has been constrained for reasons covered by equality legislation.
- 2.2. Faculty will be eligible for inclusion on the basis of the quality of their research, taking into account the criteria for research quality relevant to the Main Panel C and the Business and Management Unit of Assessment.
- 2.3. Consideration will be given to any personal circumstances that may apply to an individual as detailed in section 6 of this document. Selection will not discriminate on the grounds of race, gender, disability, age, sexual orientation, religion or belief, as well as fixed term or part-time status promoting an inclusive environment which identifies all eligible staff who have produced excellent research.
- 2.4. Discussions on submissions will take place in accordance with the School's *Diversity Policy and Code of Practice* and decisions will be appropriately recorded, taking into account legislation for the management of any data protection issues, and that sensitive personal information is disclosed to the fewest number of people as possible.
- 2.5. This Code of Practice will be published via the Research Support pages on Portal and will also be communicated on a regular basis to all faculty including those who are on periods of leave.

3. Roles and Responsibilities

- 3.1. The process of consideration and approval of faculty for inclusion within the Business and Management Unit of Assessment (UoA) will involve the staff of the Research & Faculty Office, REF Taskforce, Executive Committee and Management Board. The terms of reference and members of the School's Executive Committee and Management Board are detailed in Appendix A and Appendix B. The terms of reference and membership of the School's REF 2014 Taskforce are detailed below:

3.1.1. REF Taskforce

- The School's Executive Committee has convened the REF 2014 Taskforce to provide strategic leadership on the shaping of the School's REF submission. The REF Taskforce will support the administration, preparation and drafting of the School's submission to the REF 2014.
- The REF 2014 Taskforce will recommend and document faculty selection decisions - *inclusion, provisional and excluded*. The recommendations will note the following:
 - a) Identify for the *provisional* category the conditions to be met before a final recommendation is made.
 - b) Give the reasons why individuals have been placed in the *excluded* category.

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- The REF Taskforce will review and recommend the associated outputs for inclusion in the School's submission, seeking guidance from the relevant individual and Subject Area Chair where appropriate. The REF Taskforce will advise individual members of faculty of the recommendation being made about them, and, for those in the *provisional* category, the conditions to be met by Friday **13th September 2013.**
- The Taskforce recommendations of faculty and their associated outputs for inclusion will be considered and endorsed by Executive Committee, and ultimately approved by Management Board.
- The Taskforce comprises the following members:
 - Professor Madan Pillutla (Chair)
 - Professor James Dow
 - Professor David Myatt
 - Rosemary Vipond, Director, RFO
 - Christine Wilson , Assistant Director, Research, (Secretary)

4. Training

4.1 All those involved in the REF 2014 decision-making process will have undergone training on the current Equality Act 2010 and relevant employment law prior to final decisions being made to ensure they have a suitable level of understanding of the relevant legislative context. The training will take the form of briefing sessions and/or written guidance and will include the use of case studies as recommended by the *Equality Challenge Unit* and information from HEFCE (contained in Part 4 of the REF 2014 *Assessment framework and guidance on submissions*).

5. Selection of Faculty

5.1 The RFO manages the REF process and is responsible for the administration, preparation and drafting of the School's submission to the REF 2014.

5.2 A list of all faculty on a 'research' or a 'research and teaching' contract will be produced by the Faculty Support Team and updated at the start of each academic year. The collection of all data required by the REF is coordinated by the RFO who will liaise with all members of the REF Taskforce and subsequently the School's Executive Committee and Management Board.

5.3 On the basis of the list of faculty provided by the Faculty Support Team, each member of faculty is requested to:

- submit details of at least four publications for submission to the REF;

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- indicate to the Assistant Director, HR, Faculty Support Team, on the form provided whether there are any 'individual faculty circumstances' which have prevented the publication of four outputs of the desired quality for submission (details of individual circumstances can be found below under section 6).
- It is the responsibility of individual members of faculty to provide a copy of their outputs when requested, either for external or internal assessment, or for the REF submission.

5.4 Faculty will be selected on the basis of the quality of their research during the period **1 January 2008 to 31 December 2013**. This will be assessed on the basis of the three standard measures of quality put forward by HEFCE for REF 2014, namely **Originality, Significance and Rigour**. Faculty may be asked to provide evidence as to how their submitted outputs relate to these quality measures (note that this is requested in REF2 of the submission).

6. Individual Circumstances

- 6.1. All decisions on submission of faculty to the REF 2014 will be made in accordance with the principles and criteria for inclusion and exclusion as detailed in this Code of Practice.
- 6.2. This will include consideration of individual circumstances, as published in paragraphs 64-91 of the *Addendum: Assessment framework and guidance on submissions (REF 02.2011)* and supplemented by the Main Panel C criteria and working methods.

It is expected that all members of faculty will have four research outputs, except where it is agreed that individual circumstances have prevented the publication of four outputs of the desired quality. In these cases where one or more individual circumstances are highlighted the quality of the research outputs will be assessed in the same manner as for those faculty without special circumstances.

Individual circumstances include:

- Qualifying as an early career researcher
- Absence from work due to working part-time, secondments or career breaks
- Qualifying periods of maternity, paternity or adoption leave
- Disability.
- Ill health or injury.
- Mental health conditions.

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- Constraints relating to pregnancy, maternity, paternity, adoption or childcare that fall outside of – or justify the reduction of further outputs in addition to – the allowances made in paragraph 75 of the *Addendum: Assessment framework and guidance on submissions (REF 02.2011)* .
- Other caring responsibilities (such as caring for an elderly or disabled family member).
- Gender reassignment.
- Other circumstances relating to the protected characteristics listed at paragraph 190 of the *Assessment framework guidance of submissions* or relating to activities protected by employment legislation.

6.3 The School has put in place procedures to enable staff to disclose their circumstances in an appropriate and confidential manner as follows:

- (i) All staff eligible for selection will be asked to complete a form about their individual circumstances. In order to ensure the appropriate level of confidentiality, all such forms should be returned to the Assistant Director, HR, Faculty Support Team.
- (ii) In the light of the information provided, the Assistant Director will recommend to the REF Taskforce the number of outputs to be submitted for those circumstances that are clearly defined.
- (iii) Where circumstances are deemed “complex” or combine clearly defined and “complex” circumstances, the advice of the Taskforce will be sought and it will be required to make a judgement on the appropriate reduction in the number of outputs submitted, in light of the worked examples provided by the HEFCE Equality Challenge Unit. The information that is received and reviewed in these instances will be treated as confidential and will therefore be restricted to as few people as possible.

7. Fixed term and part time faculty

7.1. The research activity of faculty on fixed term or part time contracts will be given the same consideration during the selection process as permanent members of faculty.

8. Appeals

8.1. Individual members of faculty have the right to appeal against a decision to exclude them from the School’s submission where due account has not been given to (a) their individual circumstances, or (b) their personal characteristics (e.g. race, gender, disability, age, sexual orientation, religion or belief as outlined in the Equality Act 2010). Appeals will not be considered on the grounds of professional judgement, including assessment of the quality of research outputs. Appeals should be submitted within 7 days of the decision to exclude them.

8.2. In the first instance, all appeals from faculty shall be submitted in writing, to both their Subject Area Chair and the Assistant Director (Research), RFO. The letter

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must set out the full grounds of the appeal. The appellant will be able to present their case to an independent panel consisting of the Deputy Dean (Faculty) and two senior members of faculty who are not involved in the REF selection process and are from a different Subject Area. The panel may also invite the Chair of the REF Taskforce to attend. The appeal will be dealt with and a decision on the outcome will be communicated to the appellant and their subject area chair within two weeks of receipt of the letter of appeal.

- 8.3. The Appeals Panel will have the ultimate power to reinstate the appellant into the School's REF 2014 Submission. All decisions taken by the Panel will be final and binding and there will be no further right of appeal under this procedure.

9. Equality Analysis Monitoring

- In accordance with the School's diversity code of practice (revised Summer 2012) the School will analyse the impact of its Code of Practice on the Selection of Faculty for the REF 2014 to ensure it does not discriminate against faculty on account of the protected diversity characteristics. In drawing up this code, consideration has already been given to the diversity-aware guidance the School provides to policy-makers in developing new policies. The School will also be monitoring the actual selection of faculty against the protected characteristics for which data is collected when the taskforce makes its initial and final selections of faculty in the autumns of 2012 and 2013.

The above process will inform this Code of Practice and will be kept under review during the period of the REF2014 exercise.

This policy shows due regard to the three aims of the Equality Duty and does not discriminate against anyone that shares a protected characteristic under the Equality Act 2010

Appendix A

Executive Committee

- The Executive Committee is responsible for ensuring both academic and non-academic strategic decisions at the School are implemented and ensuring the commercial viability of the School; and optimising the School's resources. It refers all fundamental academic or constitutional decisions to Management Board.
- The Executive Committee will review the recommended faculty population, associated outputs, the draft, and the final draft of the School's submission, recording reasons if there is any variance from the recommendations made. Any variance will be reported to Management Board and the REF Taskforce.
- The Executive Committee will review and endorse this Code of Practice.
- The membership of Executive Committee for 2011/12 academic year:
 - Andrew Likierman, Dean (Chair)
 - Wendy Alexander, Associate Dean, Degree Programmes & Careers Services
 - Richard Frost, School Secretary
 - Karen Napier, Associate Dean, Advancement
 - Randall S Peterson, Deputy Dean (Faculty)
 - Stephen Schaefer, Member without portfolio
 - Andrew Scott, Deputy Dean, (Programmes)
 - Sabine Vinck, Associate Dean, Executive Education
 - Rosemary Vipond, Director, RFO
 - Catherine Webster, Treasurer & Associate Dean, Operations

Appendix B

Management Board

- Management Board is responsible for both academic and non-academic strategic decision making at the school. This includes programmes; faculty; reputation and relationships; space and money. Management Board is also responsible for a number of areas of academic operational decision making where either the Dean; the Deputy Dean (Faculty); or the Deputy Dean (Programmes) seek their advice. The Board is subject, therefore, to the Governing Body, the main decision-making body of the School. It has power to set up and disband committees, working parties, etc. as dictated by the School's needs at any moment.
 - With respect to academic staff, in particular, the Board's role is to implement and review the Human Resources Policies document as adopted by the School with effect from 27 June 1990, and also to conduct periodic reviews of subject areas and research centres, teaching programmes, etc. (Its powers are set out in detail in Statute 9).
 - Management Board will be responsible for the final review and approval of this Code of Practice
 - Management Board will review the recommended faculty population, associated outputs, the draft, and the final draft of the School's submission, recording reasons if there is any variance from the recommendations made. Any variance will be reported to the REF Taskforce and individual faculty members concerned.
 - Management Board has overall responsibility for and the final approval of the School's submission to the REF 2014.
 - The membership of Management Board comprises the Dean, all members of Executive Committee, the seven Subject Area Chairs plus any other members whom the Dean may from time to time appoint. Current members are listed in Annex A.
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- The membership of Management Board for 2011/12 academic year:

Sir Andrew Likierman, Chair

Julian Birkinshaw

Francesca Cornelli

Richard Frost

Lynda Gratton

Bruce Hardie

Diane Morgan

Karen Napier

Randall S. Peterson

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Phanish Puranam
Kamalini Ramdas
Lucrezia Reichlin
Stephen Schaefer
Andrew Scott
Lakshmanan Shivakumar
Sabine Vinck
Catherine Webster

Secretary:

Rosemary Vipond

Minute Secretary:

Rachel Ramsey

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