

**Code of Practice on Preparing the
Research Excellence Framework 2014 (REF2014) Submission**

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1. **Background and Introduction**

- 1.1. Oxford Brookes University is committed to equality, diversity and inclusion and actively seeks to eliminate any form of unfair discrimination from its policies. It also complies with legislation in this important area, namely The Equality Act 2010 which makes it unlawful for a person to be treated less favourably than other people for a reason related to their disability, or on grounds of race, religion or belief, gender, gender reassignment, sexual orientation, age, marriage or civil partnership or pregnancy and maternity. The Act also makes it unlawful to discriminate indirectly against a person on any of the above grounds, for instance, by applying a provision, criteria or practice which puts the particular group to which that person belongs, and hence that person, at a disadvantage.
- 1.2. In addition, under the Fixed-term and Part-time Employees Regulations, fixed-term and part-time employees have the right not to be treated by an employer any less favourably than the employer treats a comparable 'permanent' employee. This is recognised by Oxford Brookes through its HR policies including those on redeployment, the bridging finance that is available to contract researchers, the pro rata allocation of research time to part-time employees who are active researchers, and their access to university research funds and support, for example, 'Your First Three Years' (a centrally-run programme which providing induction and training at a general level for researchers new to Brookes), Faculty mentoring and support, Central and Faculty Research Support Funds, Staff Development Funds and Opportunities.
- 1.3. The UK higher education funding bodies encourage higher education institutions to submit the work of all their excellent researchers in REF 2014, including those whose individual circumstances significantly constrained their ability to produce four outputs during the REF publication period. These circumstances include issues covered by equality and employment legislation.
- 1.4. In addition, the funding bodies require all HEIs to conduct an equality impact assessment (EqIA) on their policy and procedures for selecting staff for the REF. The EqIA will be used to inform the Code of Practice and will be kept under review as submissions are prepared. Details about the EqIA will be published as part of the University's annual Equality and Diversity Report.
- 1.5. All HEIs are required to submit their Codes of Practice to the Higher Education Funding Council for England (HEFCE) by 31 July 2012. The Equality and Diversity Advisory Panel (EDAP) will examine them and make recommendations to HEFCE as to whether or not they are fit for purpose. HEFCE will undertake action against those HEIs where the requirements of the guidance on Codes of Practice have not been met. All Codes of Practice will be published by the HEFCE REF Team.
- 1.6. The REF process will require information about individuals to be returned to HEFCE. This will include data about members of staff, their outputs, research income, student data, impact and information relating to the research environment of the Unit of Assessment (UoA). Data on staff, students, outputs and income will all be derived from central data sources such as the Human Resources staff database, Higher Education Statistics Agency (HESA) annual returns and RADAR (the University's repository of outputs). Only that data which is required by the HEFCE REF Team will be collected and it will be shared only with appropriate personnel who have a specific responsibility for managing REF-related data.
- 1.7. The "Assessment Framework and Guidance on Submissions" document (REF 02.2011) July 2011 states that Codes of Practice should demonstrate fairness to staff by addressing the following principles (para 204):
 - Transparency: processes for selecting staff should be transparent. Information on those processes should be readily accessible in terms of format, and communicated to all staff including those who are absent and methods of publication.

- Consistency: policies in relation to the selection of staff must be consistent across the University and implemented uniformly.
 - Accountability: Responsibilities should be clearly defined and individuals/bodies involved in selecting staff for REF submissions should be identified by name or role.
 - Inclusivity: The code should promote an inclusive environment, enabling the HEI to identify all eligible staff who have produced excellent research for submission to the REF.
- 1.8. The University values the contribution of all staff, whether this is through teaching, research, knowledge transfer or administration.
- Engagement in REF research represents one aspect of the contribution that staff may make and the University wishes to be as inclusive as possible by submitting the work of all its excellent researchers.
 - This includes those whose volume of research output has been limited by individual/special circumstances. In this regard, it will consider each case on its merits and, where appropriate, be informed by the REF Guidance and by panel statements on criteria and working methods which give advice on the treatment of different individual circumstances.
- 1.9. A decision not to select someone for submission in REF2014 should not be seen as a reflection of the value that the University places on that person.
- It is not a requirement that all members of staff who undertake research should be submitted. Not being returned in the REF does not automatically mean that a person will be deemed research-inactive.
 - The REF Guidance notes that each HEI must decide which individuals to select for submission, in accordance with its internal code of practice. Staff selected for submission must be listed in one of the two possible categories (para 77 REF 02.2011, Assessment framework and guidance on submissions).
 - 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 (31 October 2013), and whose primary employment function is to undertake either 'research only' or 'teaching and research' (para 78 REF 02.2011, Assessment framework and guidance on submissions).
 - 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 (31 October 2013). (para 82 REF 02.2011, Assessment framework and guidance on submissions).

2. Management and Responsibilities

- 2.1. The ***Vice-Chancellor*** has ultimate responsibility for the REF submission
- 2.2. The ***Pro Vice-Chancellor, Research and Knowledge Transfer***: In practice, the V-C delegates responsibility for managing the REF process to the Pro V-C. The Pro V-C chairs the REF Subcommittee, which oversees the REF process, manages the REF Audits and makes the final decision on the form of the REF return. The final decision will be made in consultation with the Ref Subcommittee. The Pro V-C also chairs the University's Research and Knowledge Transfer Committee, which receives regular updates on progress with the REF.
- 2.3. ***REF Subcommittee***: This is chaired by the Pro V-C and is made up of the four Faculty Associate Deans, Research and Knowledge Transfer (ADRKT), the Chief Information Officer and the Research Support Manager. The University's representative on a REF Panel has been co-opted and it is expected that Research Leads/Unit of Assessment Coordinators in Faculties will attend as and when appropriate.

- 2.4. Deans of Faculty have delegated their Faculty responsibility for the REF to the relevant Faculty ADRKT. **The Associate Deans** are responsible for ensuring that:
- When a REF Audit takes place all research-active staff have the opportunity to submit outputs for consideration by the Faculty REF Audit panel comprising ADRKT, Research Leads, KT Lead and UoA Coordinators, if different from Research Leads;
 - Following the review of outputs, the Faculty team will present their recommendations on output scores at a REF Audit meeting chaired by the Pro V-C. This meeting will lead to an approved REF Audit Report, which will be communicated to the REF Subcommittee and to members of staff in individual feedback meetings with the UoA coordinator/Research Lead and a more general Faculty feedback meeting chaired by the Pro V-C;
 - Each Faculty has an internal peer review group which has reviewed the quality of outputs during the internal audits processes. The Groups include the ADRKT, Research Leads/UoA Coordinators and other appropriately qualified colleagues in the discipline. The Groups will normally have used a range of bibliometric measures to assess quality (including, but not limited to, journal ranking lists, citations, journal impact factors, publisher, status of the journal in the field, external assessment etc) but all outputs will have been read by the internal panel. Where outputs have been externally assessed, this will have been done before the decisions are made in the 2013 REF Audit;
 - The role of external assessment is to provide another tier of evidence for the internal peer review process. External assessment will be used to judge outputs in areas less familiar to the internal peer reviewers, or where the decisions on rating outputs are not clear-cut. External assessors will be selected and agreed within the UoA, by the Research Leads/UoA Coordinators and will only be asked to comment on the star rating of outputs. They will not be asked to provide a judgement on whether an individual ought to be returned and the external assessors will not be given any information relating to individual staff circumstances.
- 2.5. Role of UoA Coordinators; Role of Research Leads (if different)
Research Leads or Unit of Assessment Coordinators are responsible for ensuring, in conjunction with the relevant Head of Department, that all research-active staff in their Departments are provided with the opportunity to submit up to 4 outputs for consideration by the REF Audit. In practice, this will be coordinated by the Research Manager. They will assist in the review of outputs and are responsible for providing individual feedback to staff when the Audit is completed.
- 2.6. The Role of the **Impact Reading Panels**. There are four impact reading panels, one for each of the four main panels (A, B, C, D) set up by the REF. The Impact Reading Panels will assess the Impact Case Studies provided by each UoA. The Panels are to be made up of knowledgeable researchers and staff within the University with experience of impact outside academia and will also include external assessors from outside the University who have experience of how academics influence the external world. Membership of the Panels has been discussed at the Ref Subcommittee and has been agreed. The Impact Reading Panels will make recommendations to the ADRKTs and the REF Subcommittee.
3. **Criteria for decision-making**
- 3.1. The decision for including an individual will be based on the star rating of their outputs, which has been generated by the assessment process described below in section 4.
- 3.2. The following criteria, which will apply across the University and at all levels of decision making, will be used in determining which individuals to submit to REF2014:
- quality of outputs: the University will not normally submit an individual with a profile which has a grade point average of less than 2.75 (eg three 3* outputs and one 2* output). This will be reviewed on a UoA basis, to ensure the most appropriate submission;

- quantity of outputs: the normal expectation is that an individual will be submitted with four outputs (irrespective of whether any of these are double-weighted) which have been published between 1 January 2008 – 31 December 2013. An individual with fewer than 4 outputs may be submitted if:
 - individual circumstances are judged to have affected the number of outputs produced and the sub-panel's criteria make provision for a reduced number of outputs [as described in 5.1];
 - one (or more) of the outputs is judged to be of exceptional scale and scope and the sub-panel's criteria makes provision for a reduced number of outputs in such cases;
 - they are Early Career Researchers (defined in para 85 REF 02.2011, Assessment framework and guidance on submissions and para 72 REF 01.2012 Panel criteria and working methods.)
- other factors relating to the overall profile of the submission eg an individual's fit within the Unit of Assessment.

3.3. In addition to submitting individuals with the appropriate quality and quantity of outputs (see ref 3.2 above), the REF requires that a given number of Impact Case Studies are also returned. The number of Case Studies is determined by the number of FTEs returned in each UoA and the content of the Case Studies is described in the REF documentation (See REF guidance part 3, section 3, REF 02.2011, Assessment framework and guidance on submissions). The following criteria, which will apply across the University and at all levels of decision making, will be used in determining which Case Studies to submit to REF2014:

- The underpinning research on which the impact is based, must be at least 2* or 'equivalent'. Where the underpinning research is deemed 'equivalent', UoAs must be clear of the rationale behind the decision for assigning the relevant quality level. The trail which links the underpinning research to the impact must be explicit and well evidenced. The internal peer review group assessing outputs will be responsible for assessing the quality of the underpinning research;
- Gathering of evidence to support the underpinning research and the impact claimed is the responsibility of the UoA. It must be retained and made available should the panels wish to test the evidence of submitted impact case studies;
- The reach and significance should be judged by the submitting UoA to be very considerable ie likely to achieve a 3* rating;
- It is the intention to return the highest quality Case Studies, irrespective of the individual or research group to which they relate. All Case Studies will be rated, using the judgements of the appropriate Impact Reading Panel. The Case Studies that rate most highly using the 4*, 3*, 2*, 1*, u/c rating used by the REF will be returned. If all else is equal in terms of the rating of a Case Study, preference will be given to the inclusion of Case Studies relating to members of staff or research groups which are being returned, over those who are not. The final decision will rest with the Pro-VC.

4. **The Decision-making process**

4.1. The following process for making decisions on REF submissions will apply across the University and at all levels. Those with responsibility for making decisions must:

- endeavour to ensure that they possess all the relevant facts relating to individuals about whom they will make decisions;
- ignore irrelevant information;
- ensure that any relevant individual circumstances are taken into account;
- keep full records of all decisions that affect individuals.

4.2. Where a decision is taken not to submit an individual, that person will be informed of the decision, the basis for it, and their right to appeal against the decision. If the individual believes that the decision has been potentially discriminatory, they can appeal against that decision. There is no right to appeal on the grounds of academic or strategic judgement. The appeal process is set out in section 6 below.

4.3.

REF Audits:

- Audits have classified individuals as certain, likely, possible, or unlikely to be 'considered for inclusion'.
- The first REF audit took place in 2010 and included all academic staff, including, for example, those who had fractional contracts or who were on sabbatical or maternity leave.
- REF Audit 2011 included those staff who were considered as potential candidates for inclusion ie those who had been rated as certain, likely or possible in Audit 2010 or whose profile had developed or who were new to the institution.
- REF Audit 2012 will provide an update on 2011 providing the opportunity for staff who have achieved new outputs or those who are new to the institution to submit outputs for consideration. Staff will again be classified into certain, likely and possible, although it is hoped that the potential for staff to be submitted to REF 2014 will be much clearer than in 2010 or 2011. The draft Code of Practice will be used to inform the Audit, and may be revised in the light of the outcomes of the Audit.
- REF Audit 2013 will be aiming to describe the detail of the final submission in terms of individuals to be returned and on the basis of this Audit, individuals will receive letters from the Pro V-C stating whether they are to be included or if not, what they have to achieve in order to be considered for inclusion.
- Outputs published after the Audit would be subject to an appropriate review process, which would be dictated by the time available, but they would all, at a minimum, be read internally.

5. **Individual circumstances**

5.1. The REF "Assessment Framework and Guidance on Submissions" document (REF 02.2011) says that Category A and C staff may be returned with fewer than four outputs without penalty in the assessment, if one or more of the following circumstances significantly constrained their ability to produce four outputs or to work productively throughout the assessment period: (para 69 REF 01.2012, Panel criteria and working methods, replacing para 92 REF 02.2011 Guidance on submissions):

a. Clearly defined circumstances, which are:

- i. Qualifying as an Early Career Researcher (See REF guidance paragraphs 85-86, REF 02.2011, Assessment framework and guidance on submissions.);
- ii. Part-time working;
- iii. Maternity, paternity or adoption leave. Researchers may reduce the number of outputs by one, for each discrete period of:
 - Statutory maternity leave or statutory adoption leave taken substantially during the period 1 January 2008 to 31 October 2013, regardless of the length of the leave (para 75 REF 02.2012, Panel criteria and working methods). (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' as described at sub-paragraph b below, so that the full range of circumstances can be taken into account in making a judgement about the appropriate number of outputs that may be reduced without penalty);
 - Additional paternity or adoption leave lasting for four months or more, taken substantially during the period 1 January 2008 to 31 October 2013;
- iv. Secondments or career breaks outside of the higher education sector, and in which the individual did not undertake academic research.

The calculation used to work out the permitted reduction in the number of outputs is explained in para 73, REF 01.2012, Panel criteria and working methods.

b. Circumstances that are more complex and require a judgement about the appropriate number of outputs that can be reduced without penalty. These circumstances are:

- i. Disability. This is defined in Part 4, Table 2 under 'Disability';
- ii. Ill health or injury;
- iii. Mental health conditions;
- iv. Constraints related to pregnancy, maternity or paternity, in addition to a clearly defined period of 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 breastfeeding; constraints on the ability to travel to undertake fieldwork due to pregnancy or breast-feeding.);
- v. Childcare or other caring responsibilities eg caring for elderly relatives;
- vi. Gender reassignment;
- vii. Other circumstances relating to the legally protected characteristics under the Equality Act.

5.2. For clearly defined circumstances, the panel criteria statements will provide a methodology to determine the number of outputs that may be reduced without penalty in the assessment, depending on the duration of the circumstance (or combination of these). For more complex circumstances, the institution will need to make a judgement on the appropriate reduction in the number of outputs submitted, and, when the submission is made, HEFCE's REF Equality and Diversity Advisory Panel will consider these cases on a consistent basis across all UoAs.

5.3. For more complex circumstances, there is a requirement to detail robust procedures for staff to disclose their circumstances in confidence. Some staff have already contacted their ADRKT but if they do not wish to do this, a form will be provided which they can use to alert the University to any complex circumstances, This will be part of the communication process (see section 9 below) and the data will be handled in confidence by the Research Support Manager in RBDO. The Pro V-C, ADRKTs, and the Human Resources Business Partnership Manager (Equality and Diversity), will meet regularly through 2013 to review cases being made for inclusion with complex circumstances to ensure they meet the REF guidance. The Research Support Manager will attend to record the decisions.

6. **Appeals Process**

6.1. An individual has the right to appeal about the decision to submit them or not in REF2014, on the grounds of potential discrimination relating to the nine protected characteristics of the Equality Act 2010, such as gender or disability, or an individual circumstance, such as part-time work or absence due to maternity leave, which has not been taken into account.

6.2. Appeals cannot be used to contest the academic or strategic judgement of the decision-maker. Hence, disagreement with the decision alone would not be appropriate grounds for an appeal.

6.3. Once the REF Audit 2013 has been completed and decisions made regarding individuals, the Pro V-C will write to all academic staff advising them that either i) they are included in the REF return or ii) they cannot be returned unless a set of circumstances which the letter will outline are met. It is anticipated that the decisions will be made by the end of April and staff will be informed by the end of May regarding their position. They will be given two months to submit an appeal, this period dating from the time of the letter. Appeals will be heard over the period July-Sept 2013. If for any reason, a member of staff has not been able to appeal during that period (because of ill health or maternity leave) then their circumstances will be considered on a case-by-case basis.

The Appeals Panel will be made up of the Pro V-C and the ADRKTs: an ADRKT can sit on a panel relating to their own Faculty in order to provide the requisite information, but they will be required to withdraw from the panel when the decision is being made to ensure impartiality.

The Vice-Chancellor or a representative from the Board of Governors will convene an appropriate Panel to appeal against any decisions made by the Pro V-C.

- 6.4. It may be the case that individuals' outputs have a profile that is of high enough quality for consideration to be returned, but cannot be returned as the University has decided not to return to a particular UoA because of a lack of critical mass in that UoA. In such a case, the letter to be written to the individuals concerned will make it clear that the reason for omission is a strategic one, not the quality profile of the individual's outputs.
- 6.5. It may be the case that an individual's outputs have a profile that is of high enough quality for consideration to be returned, but cannot be accommodated within any of the UoAs to which the University is returning because of a lack of fit of subject area. In such a case, the letter to be written to the individual will make it clear that the reason for omission from the return is because of subject area fit, not the quality profile of the individual's outputs.
- 6.6. Exceptionally, it might be the case that an individual meets the grade point average of 2.75 (ref 3.2 above) but is not returned because their inclusion would mean that the number of FTEs to be returned in a particular UoA would increase the number of case studies required. In such a case, the letter to be written to the individual will make it clear that the reason for omission from the return is because of the number of case studies required, not the quality profile of the individual's outputs.

7. **Training**

- 7.1. Training has been delivered to: the Pro V-C, members of the REF Subcommittee (which includes all the ADRKT), UoA Coordinators, Research Leads, Research Managers, members of RBDO (who will be providing the administrative support for the REF return) and those involved in the EqIA. The training was designed with a specific focus on the REF and made use of case studies to enable the participants to:
- understand how to promote equality and diversity in the process for the selection of staff for inclusion in the REF and ensure that the university complies with its legal obligations within the context of its general and specific equality duties;
 - practice the implementation of the code of practice with reference to case studies set in the context of selection of staff for inclusion in the REF;
 - facilitate and share a common understanding of how to deal with equality related staff personal circumstances in the context of the REF;
 - understand how to use equality impact assessments to promote equality within the context of the REF and research careers.
- 7.2. The training was delivered by the Director for the Centre for Diversity Policy Research and Practice (www.brookes.ac.uk/services/hr/cdprp) with Professor Lucy Vickers from the School of Law. They have both collaborated on equality and diversity work in connection with RAE2008.
- 7.3. Training took place in April 2012 using information from the Equality Challenge Unit, and informed by the EqIA HR data.

8. **Equality Impact Assessment (EqIA)**

- 8.1. The University will be undertaking an Equality Impact Assessment to determine how the draft Code of Practice and the REF Audit 2012 might affect the nature of the likely return to the REF. EqIAs are planning tools that enable HEIs to build equality into their mainstream mechanisms of policy-making, including change management proposals and processes. There are several tangible benefits in conducting equality analysis prior to making policy decisions, including higher quality decisions as a result of more complete management information, reduced cost as a result of not having to revisit policy that is not fit for purpose, and enhanced reputation as an organisation that is seen to understand and respond positively to diversity. Most importantly, through

equality analysis we are able to take into account the needs of our different groups of staff, students and others with whom we come into contact. By responding to diverse needs through inclusive policy and practice, we can increase satisfaction, engagement and loyalty.

- 8.2. The University will adopt a four step approach to equality analysis:
- i. Collate the evidence required to undertake effective analysis, and analyse it from an equality perspective;
 - ii. Identify any actual or likely adverse impacts and consider how these can be reduced;
 - iii. The REF Sub-committee will consider the actions identified to address the adverse impacts identified and agree appropriate actions to address the equality issues;
 - iv. Record and implement the actions identified.

Each of the protected characteristics detailed within the Equality Act 2010, will be considered as part of the EqIA process.

- 8.3. The data collection for the EqIA will be led by the Human Resources Business Partner (Equality and Diversity), with input from colleagues in the Directorate of Human Resources as/if appropriate. The HR Business Partner will attend a REF Subcommittee meeting to present the data, where there will be discussion of the data in the context of the REF Audit 2012 and responses sought to any issues it raises. Although there is no requirement for the University to make the findings of its EqIA public details will be included in its annual Equality and Diversity report.

9. **Communication Strategy**

- 9.1. The Code of Practice will be available on the University's REF website (www.brookes.ac.uk/res/support/staff/ref2014). It will also be sent to the University Research and Knowledge Transfer Committee and the four Faculty Research and Knowledge Transfer Committees.
- 9.2. The ADRKTs will ensure that the Code is widely disseminated within their Faculties and sent to staff who may be on leave of absence. In addition, once the Code is agreed, and before the end of 2012, the Pro V-C will write to all academic members of staff in the University and tell them where they can access the code. At this stage, the Pro V-C will also refer to the form which can be used to disclose complex circumstances (ref 5.3 above) and notify staff that, should they wish, and before they may choose to complete the form, they can have an informal, confidential discussion with the Human Resources Business Partner (Equality and Diversity). The Pro V-C will then write again to all staff to say whether they are included in the REF return or not, as outlined in the Appeals Process (section 6 above).