



**Royal College of Art**

Postgraduate Art and Design

**Royal College of Art**

**Research Excellence Framework 2014:  
Code of Practice on the Selection of Staff**

**March 2012 [REVISED, 01/07/13]**

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## Notes

The funding bodies require that institutions' Codes of Practice be submitted to the HEFCE REF team by 31 July 2012.

- The HEFCE REF Equality and Diversity Advisory Panel (EDAP) will examine these Codes of Practice in advance of the REF submission deadline.
- Internally, the Code of Practice will be approved by the Pro-Rector (Academic) and reported to the Research Committee and the RCA Equality and Diversity Committee. It will be revised as necessary until 31 July 2012, following EDAP review in autumn 2012 and thereafter as necessary.
- All institutions' Codes of Practice will be published by HEFCE with the REF submissions at the end of the assessment process.
- The guidance from HEFCE requires the naming of individuals occupying posts involved in the activity of REF preparation. Names given in this version of the Code of Practice are correct as of March 2012. With changes of role and movement of staff any revisions will be incorporated into a new version in January 2013.
- A fuller account of RCA preparations for the REF is available on Space.

## DOCUMENT RECORD

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<b>History and Revisions</b>	<ul style="list-style-type: none"> <li>• Consultation with RCA Personnel Office, October 2011</li> <li>• Consideration and approval by RCA REF Working Group, March 2012</li> <li>• Consideration and approval by RCA Equality and Diversity Committee, RCA Joint Consultative Meeting, RCA Research Committee and RCA Senior Management Team, May 2012</li> <li>• Submitted to HEFCE, July 2012</li> <li>• Revised following comments by HEFCE, October 2012 [‘Document Record’ added, p.3; composition of RCA REF Working Group membership amended following staff changes, pp.9-10; amendments to wording of Section 13, ‘Impact Assessment and Monitoring’, p.13; composition of RCA REF Appeals Panel amended following EDAP recommendation, p.15]</li> <li>• Minor amendments made, July 2013 [Revised composition of REF Working Group (p.9) and Research Committee (p.10); corrected date of Research Committee October 2013 (p.15); amended Head of HR contact details (p.16)]</li> </ul>

## 1. Introduction

The Royal College of Art (RCA) is committed to celebrating diversity, eliminating discrimination and promoting equality of opportunity. It is the College's aim to encourage and support all staff and students to reach their full potential, and to create a positive and inclusive working and learning environment.

This Code of Practice sets out the steps the College will take to meet the requirements of the institutional mission, and to achieve equality in the selection of staff for inclusion within the RCA's submission for REF 2014, as required by HEFCE.

The RCA recognises the importance and value of a Code of Practice which details responsibilities, operating criteria and processes, and provides a framework for decision-making which ensures fairness to staff by addressing the following principles:

- a) **Transparency:** All processes for the selection of staff for inclusion in REF submissions should be transparent.
- b) **Consistency:** The policy in respect of staff selection will be consistent across the institution and implemented uniformly.
- c) **Accountability:** Responsibilities should be clearly defined, and individuals and bodies that are involved in selecting staff for REF submissions should be identified by name or role.
- d) **Inclusivity:** The code should promote an inclusive environment.

### *Implementation of Principles*

The implementation of this Code takes account of these principles in the following ways:

- a) **Transparency**
  - The Code is easily accessible and publicised to all academic staff across the institution, including on the College's web pages, the staff intranet (Space), and drawn to the attention of those absent from work.
  - The Code is actively disseminated and explained through relevant meetings of committees and groups involved in the selection of staff for the REF.
- 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, including how individual staff circumstances will be taken into account.
- c) **Accountability**
  - The Code will identify who will be involved in the selection process and identifies what training those staff will have undertaken.

- The Code describes the operating criteria and terms of reference for individuals, Committees, advisory groups and any other bodies concerned with staff selection.

**d) Inclusivity**

- The process of selection covered by the Code seeks to identify all eligible staff who have produced excellent research for submission to REF 2014.

This Code will be circulated electronically to all staff in April 2012 and is freely available to all staff on Space. Paper copies are available on request from the Research Office in the Stevens Building [email address and telephone number removed].

## **2. Scope of the Code of Practice**

This Code of Practice is applicable to all staff members, both full-and part-time, involved in research activities and its management.

## **3. Equality and Diversity**

The RCA is committed to equality of opportunity for staff and recognises and celebrates their diversity. Leadership and management in relation to equality are provided by the College's Equality and Diversity Committee and Personnel Department, and a corresponding commitment sought from every member of staff.

In practice this means that the RCA:

- is committed to providing an environment where all staff, including those falling within the protected characteristics contained within the 2010 Equality Act, are treated equally;
- has a research culture and environment in which diversity is celebrated;
- does not discriminate directly or indirectly against any member of staff;
- actively promotes equality and diversity.

The RCA is committed to providing a positive working and learning environment free from discrimination, harassment, or victimisation on the grounds of the protected characteristics detailed in the 2010 Equality Act, where all staff are treated with respect and dignity.

The RCA recognises the valuable contributions to research made by members of its diverse community.

The RCA ensures that all staff have equal access to the full range of institutional facilities. Reasonable adjustments to working practices are considered wherever possible in order to accommodate a more diverse community.

The whole research community of the RCA shares responsibility for the successful application of this Code of Practice. Specific responsibility falls to the REF Working Group, the Research Committee, the Director of Research and the Pro-Rector (Academic) in

ensuring that the selection and submission of staff members for the REF is free from discrimination, and in line with the principles set out in this Code of Practice.

This Code of Practice will be applied consistently across the RCA. Managerial decisions concerning the selection of staff members for inclusion within the REF submission will be at the discretion of the RCA and will be fully in accordance with this Code of Practice.

## **4. Definitions**

Direct discrimination: when factors unrelated to merit, ability or potential of a person or group are used as an explicit reason for discrimination against them.

Discrimination: when an individual or a group of people is treated less favourably than others because of factors unrelated to their merit, ability or potential.

Indirect discrimination: when there are rules, regulations or procedures in place that have a discriminatory effect on certain groups of people.

Positive action: the deliberate introduction of measures to eliminate or reduce discrimination or its effects. It is not about special treatment for any one particular group but the fair treatment of all people.

Victimisation: punishing or treating an individual unfairly because they have made a complaint, or are believed to have made a complaint, or to have supported someone who has made a complaint.

Public Interest Disclosure Act: protection to workers who disclose information outside the organisation in cases where the matter has been raised internally and not been resolved as a result (see also section 5, below).

## **5. Legal Framework**

The RCA will comply with all the legal duties put upon it by:

- Equality Act 2010
- Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000
- Employment Act 2002 including Fixed Term Employees (Prevention of Less Favourable Treatment) Regulations 2002 and Fixed Term Employees (Prevention of Less Favourable Treatment) (Amendment) Regulations 2008
- Public Interest Disclosure Act 1998

## **6. Grounds of Discrimination**

In line with the RCA's Equal Opportunities Policy, any staff member who believes that he/she may have been the victim of discrimination or victimisation in relation to the REF 2014 submission shall have full rights of protection under the RCA's Disciplinary, Appeals and Grievance Procedure for Academic Staff. All claims will be taken seriously. Further

information on the procedure for dealing with complaints made in relation to decisions about the inclusion or non-inclusion of staff members in the REF 2014 submission can be found in section 16, below.

## 7. Criteria for Selection of Staff

The RCA values the contribution of all staff, whether this is through teaching, research, knowledge transfer and/or administration. Engagement in activities defined by the REF as research represents one aspect of the contribution staff may make to the work of the RCA. In selecting staff for inclusion in REF 2014, the RCA will be as inclusive as possible, and will take into account individual circumstances which may have affected the member of staff's ability to produce four excellent outputs during the assessment period (approximately 33% of RCA contracted academic staff are full-time).

Following guidance issued by the funding councils, the following four key criteria will be employed by the RCA in making decisions about the inclusion or non-inclusion of staff members in the College's REF 2014 submission:

**(1) Eligibility:** eligible staff are those who hold a contract of academic employment with the RCA of 0.2 FTE or greater and who are on the payroll on the REF 2014 census date (31 October 2013) and whose primary employment function is to undertake either 'research only' or 'teaching and research'; and individuals who are employed by an organisation other than the RCA but whose research is closely linked with the RCA on the REF 2014 census date.

**(2) Quality of research activity:** the quality of research activity carried out during the REF 2014 assessment period in terms of research outputs (assessed in terms of originality, significance and rigour), impact (reach and significance) and contribution to the research environment. For outputs, the RCA will normally select staff whose research is predicted to be of 3\* and 4\* quality and, in the case of Early Career Researchers, 2\* or above.

**(3) Quantity (volume) of research outputs:** the REF expects that four outputs per research-active member of staff published or brought into the public realm between 1 January 2008 and 31 December 2013 should normally be included within a submission.

**(4) Individual circumstances:** individual circumstances that significantly constrain an individual's ability to produce four outputs or to work productively during the publication period will be taken into account:

**(a) Clearly-defined circumstances:**

- i. qualifying as an Early Career Researcher (ECR)<sup>1</sup>;
- ii. part-time working;

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<sup>1</sup> Staff who started their career as independent researchers on or after 1 August 2009. This is taken from the point at which they held a contract of employment of 0.2 FTE or greater, which included a primary employment function of undertaking 'research' or 'teaching and research', with any HEI or other organisation, whether in the UK or overseas, and they undertook independent research, leading or acting as principal investigator or equivalent on a research grant or significant piece of research work.

- iii. maternity, paternity or adoption leave;
- iv. secondments or career breaks outside of the higher education sector during which the individual did not undertake academic research.

**(b) Complex circumstances, including but not limited to disability, ill-health and injury:**

- i. any disability to which the Equality Act 2010 applies,
- ii. ill health or injury;
- iii. mental health conditions;
- iv. constraints related to pregnancy or maternity, in addition to a clearly defined period of maternity leave;
- v. childcare or other caring responsibilities;
- vi. gender reassignment.

(See also section 10, below).

### **7.1 Decision-Making Process**

All decisions relating to selection and submission will refer to the four criteria set out above. The RCA recognises that, for strategic reasons, not all eligible academic staff may be returned in the REF submission. Where there is a significant likelihood of non-inclusion, staff members concerned will be provided with feedback by the Director of Research on their individual submissions. An Appeals procedure has been formulated to apply in cases where it is alleged that a decision has involved unlawful discrimination (see also section 16, below).

The following processes for making decisions on submission to the REF will apply across the RCA. Those responsible for making such decisions will:

- a) endeavour to ensure that they have all the relevant facts relating to the individual about whom they will make a decision;
- b) ignore irrelevant information;
- c) ensure that any relevant individual circumstances are fully considered and taken into account;
- d) keep full records of all decisions which affect individuals.

It should be noted that exclusion from the REF submission will **not** be taken to imply that particular staff members are not research active or that their research outputs are inadequate.

Decisions on REF inclusion on the one hand, and support for research activities on the other, are separate and involve different criteria. In the former, the overriding intention must be to maximise the overall benefit to the RCA from its REF submission. In the latter, the concern is to harmonise individual research development with longer-term institutional interests.



## 8. Roles and Responsibilities of Committees and Staff

This section sets out the roles and responsibilities of staff and RCA Committees involved in the preparation and approval of the submission for REF 2014. It focuses on responsibilities in respect of the inclusion or non-inclusion of individual staff members within the RCA's submission.

Further details on the RCA's governance and management arrangements for Research, including the remit and membership of the Research Committee and its sub-committees, are set out in the RCA's Research Handbook and on *Space*:  
[web link removed].

### 8.1 Committees

#### 8.1.1 REF Working Group

Overall responsibility for preparing the REF 2014 submission is held by the REF Working Group, a sub-group of the Research Committee. Reporting to the Research Committee via the Director of Research, the Group comprises the following staff:

- Director of Research (Chair)
- Senior Research Manager
- School of Architecture Research Leader
- School of Communication Research Leader
- School of Design Research Leader
- School of Fine Art Research Leader
- School of Humanities Research Leader
- School of Material Research Leader
- Research Fellow, Helen Hamlyn Centre for Design

with the provision to co-opt senior member(s) of academic staff as required.

All meetings will be minuted by the REF Administrator.

Staff appointed to the group are senior staff within the RCA who are members of the Research Committee and who either have extensive research experience and/or experience of previous Research Assessment Exercises.

Each member of this group will receive appropriate equalities training tailored to the REF processes.

The remit of the REF Working Group is to:

- provide leadership for the RCA's participation in REF 2014;
- determine RCA REF 2014 planning and ensure its effective communication throughout the College;

- assure the quality and robustness of the RCA's submission to REF 2014, including approving and ensuring the implementation of the Code of Practice on the selection of staff;
- discuss and agree staff for inclusion in the REF 2014 submission, with due advice from external advisors if appropriate. Final approval of staff for inclusion in the submission lies with the Pro-Rector (Academic).

The membership and terms of reference of the REF Working Group are noted by the College Research Committee and communicated to staff through *Space*.

### **External Assessors**

Where external assessors contribute to the selection process, they will be fully briefed on the need to take account of this Code of Practice and be provided with a copy by the Research Office before undertaking their assessment. External assessors will not decide which staff are to be submitted to REF 2014, nor will they be given any information relating to individual staff circumstances. External assessors will be asked to comment on the quality of an individual's research/impact only.

### **8.1.2 Research Committee**

The REF Working Group will report to the Research Committee as required, which will determine RCA REF 2014 strategy and endorse the REF 2014 submission prior to final approval by the Pro-Rector (Academic). The Research Committee will:

- determine RCA REF 2014 strategy, and ensure its effective communication throughout the College.

The Research Committee comprises the following staff [names removed]:

- Director of Research (Chair)
- Pro-Rector (Academic)
- Senior Research Manager
- School of Architecture Research Leader
- School of Communication Research Leader
- School of Design Research Leader
- School of Fine Art Research Leader
- School of Humanities Research Leader
- School of Material Research Leader
- Director of the Helen Hamlyn Centre for Design
- Director of InnovationRCA
- Senior Research Tutor

## **8.2 Staff Responsible for Staff Selection**

### **8.2.1 The Director of Research will be responsible for:**

- providing leadership in preparation for the REF 2014;

- chairing the REF Working Group;
- overseeing the selection of staff for inclusion and advising the Pro-Rector (Academic) on recommendations made in this regard;
- providing feedback to staff not included in the submission in accord with the dates set out in section 15.

**8.2.2 The Senior Research Manager will be responsible for:**

- assisting the Director of Research on the preparation of REF 2014 submission;
- chairing the REF Working Group in the absence of the Director of Research;
- assisting with the selection of staff for inclusion and advising the Director of Research on recommendations made in this regard;
- co-ordinating, with the REF Administrator, information gathering, output and data collection;
- managing and overseeing data entry.

**8.2.3 The six School Research Leaders and Research Fellow, Helen Hamlyn Centre for Design will be responsible for:**

- advising staff in their School/Centre with regard to the REF 2014 processes
- assisting the Director of Research on the preparation of REF 2014 submission;
- assisting with the selection of staff for inclusion and advising the Director of Research on recommendations made in this regard;
- information gathering, output and data collection;
- managing and overseeing data entry.

**8.2.4 Co-opted Senior Member(s) of Academic Staff will be responsible for:**

- advising the Director of Research as required on staff selected for inclusion and non-inclusion.

## **9. Equalities Training**

In line with this Code of Practice, all staff involved in the selection of staff members for inclusion in the REF submission will have specific REF equalities training relative to their role and responsibilities. Training will include case studies that are used to explore issues such as the implications of dealing with personal circumstances and will be based upon the guidance and example case histories issued by the REF's Equalities and Diversity Advisory Panel and the Equality Challenge Unit.

The following groups will be required to undertake the training:

- The REF Working Group (who have the responsibility of selecting staff)
- The RCA Research Committee (who have the responsibility of selecting staff)
- The REF 2014 Appeals Panel
- The Deans (who will be feeding back to those staff who are not selected)

## 10. Individual Circumstances

The main panels for REF 2014 have produced guidance on how they will deal with circumstances which might have affected an individual's contribution of four outputs to the submission. In accord with this Code of Practice and the RCA's commitment to equality of opportunity and the diverse nature of its research community, the following circumstances will be taken into account accordingly in the selection of staff members for submission:

### (a) Clearly-defined circumstances:

- i. qualifying as an Early Career Researcher (ECR)<sup>2</sup>;
- ii. part-time working;
- iii. maternity, paternity or adoption leave;
- iv. secondments or career breaks outside of the higher education sector during which the individual did not undertake academic research.

### (b) Complex circumstances, including but not limited to disability, ill-health and injury:

- i. any disability to which the Equality Act 2010 applies,
- ii. ill health or injury;
- iii. mental health conditions;
- iv. constraints related to pregnancy or maternity, in addition to a clearly defined period of maternity leave;
- v. childcare or other caring responsibilities;
- vi. gender reassignment.

#### 10.1 Mechanism for Disclosure of Individual Circumstances

In preparing the draft submission, staff identified as meeting the criteria for inclusion (see section 7, above) will be invited to disclose individual circumstances which may have resulted in them having less than four outputs, in confidence, to the Director of Research. All academic staff will be sent a REF 2014 Staff Disclosure Form in April 2012 for completion by end of May 2012. Information required under such a disclosure will be based on the individual staff circumstances data requirements specified in *REF 02.2011: Assessment Framework and Guidance on Submissions*, paragraph 96.

Individual circumstances identified through the process identified above will, anonymously, be considered by the REF Working Group in coming to a recommendation to the Pro-Rector (Academic) on the inclusion and non-inclusion of staff.

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<sup>2</sup> See footnote 1, above.

## **10.2 Consideration of Individual Circumstances by REF Panels**

Each main panel and its sub-panels have clear criteria against which individual staff circumstances will be taken into consideration within submissions based on the applicable circumstances detailed in section 10, above.

For staff with clearly defined circumstances, the REF clearly articulates the number of outputs that are acceptable in a given circumstance. This guidance will be followed by the RCA in considering such circumstances.

For staff with more complex circumstances, guidance from the Equality Challenge Unit will be used to aid both panels and the RCA in determining an appropriate number of outputs given the circumstances. In the REF submission, such cases will be considered by the REF 2014 Equality and Diversity Advisory Panel.

## **11. Fixed-Term, Part-Time and Contract Research Staff**

In accord with this Code of Practice and the RCA's commitment to equality of opportunity for those on fixed-term and part-time contracts, the selection criteria will take account of individual circumstances relating to staff members on fixed-term and part-time contracts, including contract research staff members, in the decision-making procedure for submission. This will relate to the proportion (FTE) of time in post across the REF 2014 assessment period as a whole, and how this might have affected an individual's capacity to produce the expected volume of four research outputs.

## **12. Confidentiality**

The RCA will protect the confidentiality of any staff member who discloses clear or complex individual circumstances<sup>3</sup> as part of the REF 2014 and will safeguard any information disclosed voluntarily within the regulations set by the Data Protection Act 1998. The information will be used for statistical purposes only and the RCA will safeguard the confidentiality of personal information disclosed. The REF Working Group will provide information related to the REF submission only to those members of staff specified in sections 8 (above) and 16.2 (below).

## **13. Impact Assessment and Monitoring**

The RCA will monitor the equality profile of eligible staff members included or not included in the REF 2014 submission as it develops. The RCA will also monitor this equality profile in the context of all RCA academic staff. A first Impact Assessment on both this Code of Practice and the College's procedures for selecting staff for REF 2014 has been conducted by the Personnel Department and reported to the RCA Equality and Diversity Committee. The RCA will investigate should any *prima facie* imbalance be found.

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<sup>3</sup> As defined in the REF 2014 *Assessment Framework and Guidelines on Submissions* (REF 02.2011) and REF 2014 *Panel Criteria and Working Methods* (REF 01.2012).

The ongoing monitoring process is an important way of determining whether anti-discrimination measures taken, such as this Code of Practice, are effective. It plays an important part in ensuring that equality of opportunity is a reality within the RCA.

Data monitoring will be carried out confidentially by the Personnel Department on the protected characteristics in the Equality Act 2010, with this data being considered confidentially by the RCA Equality and Diversity Committee. Information will be gathered sensitively, with appropriately worded questions, and confidentiality will be ensured. The RCA will explain the purpose of monitoring and use the information gathered to create positive change.

## **14. Review**

The effectiveness of this Code of Practice will be reviewed as required by the REF Working Group and may be amended from time to time in response to external drivers. When statutory employment law changes, this Code of Practice is held automatically to have been amended by that change and it will be updated as soon as practically possible.

## **15. Feedback to Staff on Non-Inclusion**

Feedback will be provided to eligible staff not included in the REF submission by the Director of Research (see also section 16.1, below).

## **16. Appeals**

The RCA will ensure that staff members have the opportunity to appeal with regard to their non-inclusion in the REF submission on the grounds of discrimination following feedback. This section sets out the procedure through which the RCA will respond to any appeal arising out of non-inclusion, investigating them in a fair and transparent manner.

All appeals and consequential outcomes will be monitored and reported through the Director of Research to the REF Working Group (see also section 13, above).

It should be noted that there is no right of appeal against the academic or strategic judgement of those responsible for selecting staff members for inclusion in the REF submission unless there are grounds for thinking that the judgement was exercised unfairly or in contravention of the principle of equality.

### **16.1 Notification of Inclusion in REF 2014**

Every eligible member of staff will be advised about the likelihood of their own inclusion in the REF submission and will receive feedback, including the ground(s) upon which the provisional judgement has been reached:

- an initial indication by early May 2012;
- a firm indication by early July 2012.

It is not anticipated that this **firm** indication will be changed but the RCA reserves the right to take account of late strategic imperatives and exceptional individual circumstances.

The **final** schedule of members of staff to be included in REF 2014 will be confirmed by the Director of Research by the date of the first meeting of the Research Committee of the 2013-2014 academic year (15 October 2013). Where the firm indication communicated by early July 2012 is changed, this final change will be communicated by the Director of Research to the individual member(s) of staff involved.

At the initial and firm stages, each staff member will have the opportunity to provide additional information to the Director of Research within 10 working days about their own circumstances and research profile, with most relevance to sections 7, 10 and 11 above. Following full consideration of any new information provided by the member of staff, the outcome in respect of inclusion or non-inclusion in the submission will be confirmed by the Director of Research.

If non-inclusion in the submission is confirmed and the staff member believes that there is evidence of discrimination, he/she may decide to pursue the matter further under the REF Appeals Procedure detailed below. There is no other complaint or appeal procedure open to staff members in regard to exclusion from the REF submission.

## **16.2 Appeals Process**

The RCA will adopt a two-stage appeals process for REF 2014:

### **Stage 1**

An individual who wishes to have their recommendation for non-inclusion in the REF reviewed must write to the Director of Research in the first instance, clearly stating the reasons for requesting a review. This written appeal should be submitted within 10 working days of being informed of the decision against which they are appealing. The written appeal should contain details of the grounds for the appeal, referring to the criteria for staff selection in this Code of Practice and any supporting evidence. The request will be considered by the Director of Research and the Pro-Rector (Academic) within 15 working days.

### **Stage 2**

Where resolution has not been possible under Stage 1, an individual may then formally appeal to the RCA REF 2014 Appeals Panel comprising [names removed]:

- Academic Registrar (Chair)
- Chair, RCA Equality and Diversity Committee
- Personnel Administrator

The individual making the appeal will be invited to appear in person before the Panel and be accompanied by a work colleague or trade union representative. The Panel meeting will take place within 15 working days following an individual's formal appeal.

The RCA REF 2014 Appeals Panel may uphold an appeal, in which case the REF Working Group will be directed to review their original recommendation, or may dismiss an appeal, in which case the original recommendation will stand. There will be no further right of appeal under this REF Appeals Process.

## **17. Contact Details**

For further information or guidance regarding any of the issues covered in this Code of Practice, please contact:

REF 2014 [name, job title and email removed]:

Equality and Diversity issues: [name, job title and email removed]:

## **18. Accessible Format Information**

This document can be made available in large print and electronically upon request. If you require another alternative format please contact the Research Office to discuss your requirements.