

St Mary's University College Belfast

REF 2014 Code of Practice

1. Background

1.1 As a consequence of the Research Excellence Framework (REF), all higher education institutions (HEIs) in the UK that are intending to make a submission to the REF must produce and implement a Code of Practice (CoP) within their own institution which refers to the fair and transparent selection of academic staff to be included in a REF submission.

1.2 This CoP will enable St Mary's University College, Belfast (SMUCB) to include academic staff in a submission, having complied with equality legislation in the decision-making and selection process.

1.3 The CoP will be submitted to the REF team based at the Department for Employment and Learning (DEL), Northern Ireland, before 31st July 2012, will be assessed by the Equality and Diversity Advisory Panel (EDAP) and will be published at the end of the REF assessment period.

2. Purpose

2.1 SMUCB views this CoP as an essential element of its strategy in selecting those members of academic staff to be included in a submission to the REF. There is a commitment to selecting academic staff in a fair and transparent manner based on their production of research in accordance

with the grading criteria outlined in the REF documentation, while accounting for equality legislation within Northern Ireland and SMUCB's own Equality Scheme.

2.2 The CoP describes the processes and procedures followed by SMUCB to ensure that eligible academic staff selected for submission to the REF are chosen in an equitable manner, thus avoiding discrimination. It is devised in adherence to the REF2014 publication *Assessment Framework and Guidance on Submissions* (REF 02.2011).

3. Legislation

3.1 The legislative context of this CoP is based on the equality legislation that exists within Northern Ireland, the scope of which is similar to the Equality Act 2010 in England, Scotland and Wales.

3.2 The primary pieces of legislation in Northern Ireland are Section 75 of the Northern Ireland Act 1998 and seven key pieces of anti-discriminatory legislation. Section 75 places a statutory obligation on SMUCB, when carrying out its public functions, to have due regard to the need to promote equality of opportunity between men and women generally; people with and people without a disability; people with and people without dependents; and people of different religious belief, political opinion, racial group, age, marital status or sexual orientation. This piece of legislation also requires SMUCB to have regard to the desirability of promoting good relations between persons of different religious beliefs, political opinions and racial groups.

3.3 SMUCB aims to promote equality of opportunity through its adherence to the key pieces of anti-discriminatory legislation in carrying out its employment function. These are the Sex Discrimination (Northern Ireland) Order 1976, The Fair Employment and Treatment (NI) Order 1998, The Disability Discrimination Act 1995, The Race Relations (NI) Order 1997, The Employment Equality (Sexual

Orientation) Regulations (NI) 2003, The Employment Equality (Age) Regulations (NI) 2006 and the Equal Pay Act (Northern Ireland) 1970.

4. Principles

4.1 Corresponding to REF guidelines, SMUCB has developed its CoP to illustrate clearly that the selection of academic staff has been conducted using a fair process which adheres to four principles. These four principles include transparency, consistency, accountability and inclusivity. These principles will inform the practice of selection and ultimately set out the goals for equality and fairness.

4a. Transparency

4a.1 The CoP at SMUCB acknowledges the importance of transparency when selecting academic staff to be included in a submission to the REF and will ensure transparency is apparent throughout the process. The CoP makes use of plain language and is accessible by all academic staff in a variety of ways, which include the staff intranet and the Research Office. Those members of academic staff who, for whatever reason, are absent from work will also receive information on accessing the CoP.

4a.2 The members of the Research Committee (RC) at SMUCB will each take on the role of communicating the CoP to colleagues via regular meetings of the various committees in SMUCB, via departmental team meetings and via meetings of the Academic Board. Finally, transparency of the CoP will manifest itself when it is published by the REF assessors as a pre-requisite of making a submission.

4b. Consistency

4b.1 The CoP at SMUCB acknowledges the importance of consistency when selecting academic staff to be included in a submission to the REF and will ensure that consistency of approach is apparent

throughout the process. SMUCB will implement the CoP in a uniform manner across all its decision-making processes for REF, and each principle will be consistently applied to all stages of processing plans and decisions.

4c. Accountability

4c.1 The CoP at SMUCB acknowledges the importance of accountability when selecting academic staff to be included in a submission to the REF and will ensure that accountability is apparent throughout the process. SMUCB has clearly identified the roles and defined the responsibilities of those who participate in the selection of academic staff and the final decision for a submission to the REF.

4c.2 Those involved in the selection of academic staff and the final decision will receive the relevant training necessary to ensure fairness is adhered to for the process of selection. The CoP, which includes the operating criteria for the selection of academic staff for submission to the REF, will be made available to the academic staff.

4d. Inclusivity

4d.1 The CoP at SMUCB acknowledges the importance of inclusivity when selecting academic staff to be included in a submission to the REF and will ensure that inclusivity is apparent throughout the process. SMUCB has respect for the creation and promotion of an environment that is inclusive. Accordingly, academic staff who have produced a minimum of four research outputs that are published within the assessment period, will be eligible to seek inclusion in the REF, with due consideration given to academic staff's individual circumstances.

5. The Roles of Staff and Teams

5.1 SMUCB is a small, specialist and distinctive higher education institution, and the final decision associated with the selection of academic staff for a submission to the REF will lie with the REF Decision Making Team (REFDMT). The REFDMT will make the final decision based on the information provided by the Chair of the REF Selection Team (REFST).

5.2 The Chair of the REFST has the responsibility of ensuring that the CoP is applied to all aspects of selecting academic staff for a REF submission and that a clear communication of progress in the REF is continually maintained between the REFST and academic staff.

5.3 Those members of academic staff proposed by the REFST to be included in a submission to the REF will be chosen using a process whereby all members of academic staff will have been offered the opportunity to submit their expression of interest and specific details of their research outputs and activities for scrutiny by the REFST. The REFST will select those academic staff in accordance with the principles outlined in the CoP, with consideration given to the individual circumstances of academic staff. Due to the relatively small size of SMUCB, there is currently a strategic focus on establishing a community of researchers working within specific areas relevant to the Units of Assessment (UoA). Therefore, academic staff selected for submission to the REF are required to have a minimum of four research outputs (unless specific individual circumstances dictate otherwise), which must be published before 31st December 2013, and specific UoA chosen for submission must contain no less than three members of academic staff.

5.4 External experts, who may be consulted as part of the selection process, will be informed of and supplied with a copy of the CoP and will be required to have received equality and diversity training with a specific focus on the REF.

6. Formation, Membership, Position and Legal Obligations of Staff and Teams

6.1 Membership of the REFDMT is composed of the Senior Tutor Academic Affairs and the Senior Tutor Staff and Resources, who will ultimately have the final decision based on the advice and information provided by the REFST. The members of the REFDMT will receive training on the REF processes associated with equality and diversity and will be fully aware of the legal obligations of SMUCB in regards to equality.

6.2 The REFST is formed by SMUCB to review the research outputs and activities of those academic staff who express their interest in being selected for the REF and will include an external consultant to propose those members of academic staff to be included in a submission to the REF. Membership comprises the Senior Tutor Development (who will be the Chair of the REFST), the Research Officer and an external consultant. The REFST will assess the information derived from the process whereby all members of academic staff are offered the opportunity to submit their expression of interest and specific details of their research outputs and activities for consideration for the REF. This information will enable the REFST to identify potential members of academic staff who are in a position to have a minimum of four research outputs of a high standard, guided by the REF grading criteria. These details will inform the decision-making process. The REFST will communicate with the RC at SMUCB by reporting on the implementation of the process. Members of the REFST will receive training on diversity and equality for the purpose of the REF and will be informed of the legal obligations of SMUCB regarding equality.

7. The Selection Criteria for the REF

7.1 The following criteria will be communicated to academic staff and the REFDMT via this CoP. They will be used also by the REFST to select academic staff for inclusion in a REF submission. They include the following:

7.1.1 Criterion 1 – A member of academic staff should have a minimum of four research outputs published during the assessment period that are recognised in terms of quality to be of at least an international standard in terms of originality, significance and rigour as guided by the grading system proposed for the REF.

7.1.2 Criterion 2 – A member of academic staff normally should be in a position to provide evidence and an account of the specific impact of his or her research during the assessment period, based on his or her research output and activities.

7.1.3 Criterion 3 – A member of academic staff should normally be in a position to identify their contribution to the research environment at SMUCB by demonstrating, for example, that he or she has been successful in securing research funding during the assessment period.

7.1.4 Criterion 4 – A member of academic staff's research output must explicitly connect to the research output of at least two other members of academic staff who may be selected for submission to the REF, in order to form a possible submission to a single UoA which includes no less than three members of academic staff.

7.2 Based on these four criteria, academic staff who have expressed an interest in being considered for a submission to the REF will be placed into one of three categories:

7.2.1 high chance of being selected (probable),

7.2.2 medium chance of being selected (possible),

7.2.3 low chance of being selected (unlikely).

7.3 The methods in which these four criteria are communicated to academic staff include the following:

7.3.1 via the staff intranet – as part of the CoP,

7.3.2 via email to academic staff – circulated by the Chair of the REFST,

7.3.3 via the Research Office – hard copy for consultation.

8. Process of Selection, Feedback and Appeal

8.1 The timescale for the process of selection of academic staff for a submission to the REF is detailed below:

8.2 March 2012 – The Chair of the REFST sends a notification to all members of academic staff offering them the opportunity to submit their expression of interest for consideration to the REF under their choice of UoA.

8.3 May 2012 – Deadline for members of academic staff to submit their expression of interest in being considered for the REF.

8.4 June 2012 – The REFST meets with those members of academic staff who submitted an expression of interest for the REF and seeks further information in relation to the four selection criteria by the REFST. Those academic staff are informed of the considerations given to special circumstances, which may impact on an individual's ability to submit a minimum of four research outputs. These may relate to a protected characteristic or a part-time or fixed-term working arrangement. Individuals who have special circumstances as defined in the REF2014 publication,

“Panel Criteria and Working Methods” (REF 01.2012), are asked to complete a disclosure form to be returned to the Equality Officer – Clodagh Hanna by 30th September, 2012.

8.5 November 2012 – In collaboration with the Chair of the REFST, the Equality Officer considers the special circumstances and informs the REFST if a reduction in the required number of research output is appropriate, having applied the criteria set out in REF2014 guidance publications.

8.6 November 2012 – The REFST designates one of the three categories (probable, possible, unlikely) to each member of academic staff who submitted an expression of interest, based on the details he or she supplied on his or her research output, activities associated with research impact and research environment, and whether he or she would be part of a UoA which contains at least three members of academic staff. This information is then used by the REFST to reach a decision regarding which members of academic staff should be included and which members of academic staff should be excluded in a submission to the REF.

8.7 November 2012 – The Chair of the REFST communicates this decision to the REFDMT, which ultimately will either agree or disagree with the decision by the REFST.

8.8 December 2012 – Feedback from the Chair of the REFST is provided to those members of academic staff who submitted an initial expression of interest. The form of this feedback will be in a letter to the individual member of academic staff who submitted an initial expression of interest, outlining the selection process and the reason(s) for either being included or excluded in a submission to the REF. Reasons for exclusion will be related only to the four selection criteria.

8.9 January 2013 – Following the feedback, as outlined above, should any academic staff wish to appeal against the procedure followed as part of this CoP, which resulted in not being included, they have the right of appeal to the Principal. An individual has the right to appeal against any aspect of the procedure followed, but not against the judgement. At that stage, further assessment of

research output and activity will not be carried out. Any such appeal will need to be completed and submitted not later than 31st January 2013 clearly setting out the grounds.

8.10 February 2013 – If an appeal is made the Principal will make arrangements to hear the appeal with a member of the Board of Governors within 15 working days of having received written notification of an appeal. A member of the Human Resources department will be in attendance to provide advice and assistance if required. In all cases the appellant has the right to be represented by a trade union representative or a work colleague. Once the appeal panel has considered all the relevant information presented to it, details of its decision will be provided in writing within 10 days of the appeal hearing to the appellant, the REFDMT and the REFST. The decision reached by the appeal panel will be final.

9. Training on Equality and Diversity for the REF

9.1 All staff and any external consultants engaged with specific roles and responsibilities associated with the selection of academic staff and the final decision for a submission to the REF will receive training prior to any selection process. The training will focus on diversity and equality specifically related to the process of the REF.

9.2 As a result of the training, attendees should have a complete understanding of diversity and equality issues for the REF, which will directly inform the decision-making process for the selection of academic staff for submission to the REF.

10. Section 75 and Screening

10.1 The Equality Act 2010 does not apply to Northern Ireland. However, Section 75 of the Northern Ireland Act is a similar piece of equality legislation that is exclusive to Northern Ireland and which requires SMUCB to undertake a screening assessment on this CoP to ensure that it does not have an impact on equality of opportunity and/or good relations. If, after having completed screening of the CoP, it is deemed to have a major potential to impact on equality of opportunity and good relations on the groups defined within SMUCB's Equality Scheme, the CoP will be subjected to an equality impact assessment (EQIA).

10.2 When the screening assessment is carried out, the decision reached will be reviewed at key stages of the selection process so that necessary changes, if required, may be made before the REF submission deadline. As soon as possible following the completion of the screening assessment, the screening template will be available on request from the Equality Officer or for download from the SMUCB website. Once the CoP is screened and screening has identified that an equality impact assessment is necessary, an EQIA will be carried out in accordance with Equality Commission for Northern Ireland guidance, normally before implementation.

11. Individual Circumstances of Academic Staff

11.1 The panels within the REF have issued guidance on individual circumstances of academic staff that may have put constraints on a person's ability to produce a minimum of four research outputs and to be fully research active during the REF assessment period. These individual circumstances will be communicated to all members of academic staff and will involve, but not be restricted to, the following:

- early career researchers (started career as an independent researcher on or after 1 August 2009),

- junior clinical academic staff who have not gained a Certificate of Completion of Training by 31 October 2013,
- part-time employment,
- career break or secondment outside of the HE sector in which the individual did not undertake academic research,
- maternity leave, statutory adoption leave and additional paternity leave (taken by partners of new mothers or co-adopters),
- disability (including conditions such as cancer and chronic fatigue),
- ill health or injury,
- mental health conditions,
- constraints relating to pregnancy, maternity, breastfeeding, adoption, paternity or childcare in addition to periods of maternity, statutory adoption or additional paternity leave taken,
- other caring responsibilities (including caring for an elderly or disabled relative),
- gender reassignment.

11.2 Eligible academic staff will be asked to complete and return a form disclosing their individual circumstances should they wish these to be considered. To enable individuals to disclose circumstances in confidence, this form will only be viewed internally by the Equality Officer and the Chair of the REFST. Any disclosure beyond that for internal purposes will be made only by agreement with the individual concerned. The Equality Officer and the Chair of the REFST will take a view, based on the guidance, of the extent to which the particular circumstances should be taken into account. Information provided on the disclosure form will be shared externally for the purposes of evidencing any reduction in the number of research outputs. Information submitted will be kept confidential to the REF Team and the panel members (for clearly defined special circumstances), and the REF Equality and Diversity Advisory Group and main panel chairs (for complex special circumstances), who are all subject to confidentiality undertakings in respect of all information

contained in submissions. No information relating to identifiable individuals' circumstances will be published by the UK funding bodies' REF Team.

11.3 All data collected, stored and processed by SMUCB and the UK funding bodies' REF Team will be handled in accordance with the Data Protection Act 1998.

11.4 As well as the individual staff circumstances referred to above, SMUCB will ensure that those members of academic staff who are on fixed-term and/or part-time contracts are treated in a fair and equal manner in determining suitability for inclusion in the REF.