

---

# REF Equality & Diversity Code of Practice

2012 – 2014

---

Updated July 2013

This Code of Practice is available in a variety of alternative or accessible formats. If you would like a copy in an alternative format, please contact the HR Department on 01267 676619 or e-mail [humanresources@tsd.ac.uk](mailto:humanresources@tsd.ac.uk)

## Contents

<b>Foreword by the Vice Chancellor .....</b>	<b>3</b>
<b>1. Introduction.....</b>	<b>4</b>
<b>2. The Legislative Context.....</b>	<b>5</b>
<b>3. Scope of the Code of Practice.....</b>	<b>5</b>
<b>4. Aims of the Code of Practice.....</b>	<b>5</b>
<b>5. Guidance for the Code of Practice.....</b>	<b>6</b>
<b>6. Communicating &amp; Publishing the Code .....</b>	<b>7</b>
<b>7. Functional Responsibilities.....</b>	<b>7</b>
<b>8. REF Working Group.....</b>	<b>8</b>
<b>9. Research Committee.....</b>	<b>9</b>
<b>10. Research Clusters.....</b>	<b>10</b>
<b>11. Equality &amp; Diversity Committee.....</b>	<b>11</b>
<b>12. Consultation &amp; Involvement.....</b>	<b>11</b>
<b>13. REF Working Group: Equality and Diversity Procedures .....</b>	<b>12</b>
<b>14. External Assessment.....</b>	<b>18</b>
<b>15. Feedback &amp; Appeals.....</b>	<b>19</b>
<b>16. Equality Impact Assessment .....</b>	<b>21</b>
<b>17. Staff Development.....</b>	<b>21</b>
<b>18. Data Protection &amp; Confidentiality.....</b>	<b>22</b>
<b>19. Changes in Circumstances.....</b>	<b>25</b>
<b>Annex 1. Protected Characteristics.....</b>	<b>27</b>
<b>Annex 2. Staff and Individual Staff Circumstances.....</b>	<b>31</b>
<b>Annex 3. Early Career Researchers.....</b>	<b>38</b>
<b>Annex 4. Individual Staff Circumstances Disclosure Form.....</b>	<b>39</b>
<b>Annex 5. REF Quality Thresholds for Outputs.....</b>	<b>47</b>
<b>Annex 6. Joint Submissions.....</b>	<b>48</b>
<b>Annex 7. Equality Impact Assessment .....</b>	<b>50</b>

## **FOREWORD BY THE VICE CHANCELLOR**

The University of Wales: Trinity Saint David is firmly committed to eliminating all forms of discrimination and promoting equality in all aspects of its activities as an employer, a provider of higher education and in its interaction with the wider community. The institution recognises its responsibilities under the Equality Act 2010 as outlined as the general duty to promote equality along with the associated specific duties which are outlined in this code.

The University regards the REF Equality Code of Practice as part of its continuing effort to ensure that the research activities of all its researchers, regardless of individual circumstances, is valued and properly considered for submission in REF 2014

The University of Wales: Trinity Saint David will actively promote this REF Equality & Diversity Code of Practice and will implement the associated working methods detailed within. To assist with this task, the Governing Body and the Senior Management Team will provide leadership in relation to the implementation of this Code as part of its larger responsibilities as set out in the University's Strategic Equality Plan. I commend this REF Equality Code of Practice to you as part of Trinity Saint David's overall commitment to equal opportunities.

Professor Medwin Hughes  
DL DPhil DPS FRSA  
Vice Chancellor

June 2012

## 1) Introduction

As a Higher Education Institution, the University of Wales: Trinity Saint David recognises that it has a central role to play in bringing about a fair and just society. The University is committed to equality of opportunity and will promote equality in all aspects of its activities as an employer, a provider of Higher Education and in its interaction with the wider community, in order to provide a working and learning environment which is free from discrimination. It is the policy of the University to ensure that no member of the University community should receive more or less favourable treatment on any grounds which are not relevant to good educational and employment practice.

The University's Strategic Equality Plan (SEP) endeavours to implement full equality of opportunity, and take appropriate measures to ensure that no student, member of staff or visitor is subject to unfair discrimination. Direct and indirect discrimination resulting in unequal opportunities is not acceptable, including discrimination by perception or by association with a protected characteristic.

In addition to the University's overarching commitment to equality as covered by the Strategic Equalities Plan, it is required by HEFCW to develop, document and apply a code of practice on selecting staff to include in its Research Excellence Framework (REF 2014) submission. On making its submissions, the Vice-Chancellor is required to confirm adherence to this code. The University will not be eligible to make submissions to REF 2014 without such a ratified code. The code will be reviewed and ratified by the newly convened REF Equality and Diversity Advisory Panel (EDAP). The panel comprises experts from the sector and members of REF panels. Its terms of reference and membership are available on the REF 2014 website at <http://www.hefce.ac.uk/research/ref/equality/>. The code will be published with the rest of the submission on completion of the assessment process.

The REF Equality & Diversity Code of Practice is set within the framework of the SEP, but also contains detailed standards of conduct, procedures and principles that will be followed regarding all actions undertaken in preparation for and submission to REF 2014. The code is based on the principles of:

- Transparency
- Consistency
- Accountability
- Inclusivity

Given these principles and the statutory requirements under the 2010 Equalities Act, this code sets out the processes by which staff will be selected for submission to REF 2014, details of the decision making bodies involved, their working methods and the processes that will be adhered to. It also details the opportunities for feedback and appeal, in addition to various measures that will ensure that the impact of these procedures are tested and adjusted in light of the results of such assessments.

The Code was updated in July 2013 when Swansea Metropolitan University (HE Corporation) was dissolved and all staff became employees of UWTSD. This approach was approved by HEFCW and all submissions will be made in the name of UWTSD. The former SMU account for submission was closed at this point.

## **2) The Legislative Context**

The Equality Act 2010 harmonises discrimination law and brings together the equality strands into a single, simplified piece of legislation. The Act replaces all existing equality legislation with regards to race, disability and gender, with a single duty to promote equality for all the protected characteristics. Paragraph 4 provides a full list of the protected characteristics while Annex 1 provides a comprehensive overview of the legislation.

## **3) Scope of the Code of Practice**

In accordance with its commitment to equality and diversity, the University of Wales:Trinity Saint David will ensure that positive steps are taken to identify and combat all forms of discrimination so that no potential or existing member of staff is discriminated against either directly or indirectly, or due to perception or association during the preparations for and submission to REF 2014. The University will investigate any alleged breach of this code by staff and all others who it has contact with during preparations for REF 2014 which could lead to disciplinary action. A specific appeals and grievance procedure is in place for REF 2014 and shall be adhered to as detailed in this code. If the allegation is upheld, action will be taken which could result in disciplinary proceedings against the staff involved.

## **4) Aims of the Code of Practice**

The code has been created to achieve a targeted approach to equality and diversity for REF 2014 planning at the University. The aims of the REF 2014 Equality & Diversity Code of Practice are as follows:

- a) to comply with the legislation within the Equality Act 2010;
- b) to fulfil the University's statutory obligation to its research active staff;
- c) to ensure appropriate engagement with research staff and all those involved in REF 2014 through consultative processes;
- d) to monitor career progress and training opportunities for all members of staff considered for submission to REF 2014, taking action, where appropriate, to address any matters arising from monitoring;
- e) to ensure that all potential, new and existing members of staff are informed of the code and its implications for their academic work, research, and knowledge transfer relationships with those external to the University;
- f) to assess the impact of the University's preparations on staff:
  - from different racial and cultural groups;
  - with disabilities or who had have had disabilities within the REF 2014 census period (including conditions such as cancer and chronic fatigue);
  - who suffer from, or have done in the past, mental health conditions;
  - who suffer from, or have done in the past, ill health or injury;
  - of both gender categories including those within the gender reassignment category;
  - who have undergone gender reassignment;
  - of all ages;

- of any religious or belief affiliations;
- of any sexual orientation;
- that are pregnant;
- who have taken periods of maternity leave, statutory adoption leave, and paternity leave (taken by partners of new mothers or co-adopters);
- who face constraints relating to pregnancy, maternity, breastfeeding, adoption, paternity or childcare **in addition to** periods of maternity, adoption or paternity leave taken. This could include for example, pregnancy related illness and health and safety restrictions in laboratory and field work;
- that are classified as early career researchers (i.e. those who started their careers as an independent researchers on or after 1 August 2009);
- who work, or have done in the past, on part-time or fixed term contracts;
- who have taken a career break or secondment outside of the Higher Education sector during which the individual did not undertake academic research;
- who have caring responsibilities (including caring for an elderly or disabled child , spouse or relative);
- who wish to communicate through the medium of Welsh. (The Welsh Language Act 1993 places a duty on public bodies in Wales to treat Welsh and English on an equal basis. This is reinforced by the provisions of the Welsh Language (Wales) measure 2011 and is governed by UWTSD's Welsh Language Scheme);
- who's work is protected by any other protected characteristic or complex combinations thereof.

As well as prohibiting direct discrimination the Equality Act 2010 prohibits indirect discrimination – following a policy that, although applied equally to everyone, is harder for those with a protected characteristic to comply with. However:

- g) indirect discrimination is not a breach of the Act if it is a proportionate means of achieving a legitimate aim;
- h) direct discrimination on the grounds of age will not be unlawful if it is a proportionate means of achieving a legitimate aim;
- i) with the exceptions of marriage and civil partnership and pregnancy and maternity, protection from discrimination extends to people who are perceived to have or are associated with someone who has a protected characteristic.

## **5) Guidance for the Code of Practice:**

The Code of Practice contains the following practical advice and information about the University's working methods in preparation for submission to REF 2014:

- a) An extensive list and discussion of individual staff circumstances, such as will be taken into consideration when determining which staff are included in the University's REF 2014 submission, is included in Annex 1 and are outlined in brief in section 4 above. The processes outlined there make a distinction between 'clearly defined circumstances' such as Early Career Researchers, those working part-time, carers having undertaken periods of, maternity, paternity, adoptive leave, secondments and career breaks) and 'complex circumstances' such as those associated with disability,

- ill-health, injury, mental health, constraints due to pregnancy or maternity, gender reassignment or any other circumstance related to a protected characteristic.
- b) The methodology through which they will be considered by the panels including tariffs for a reduction in outputs for clearly defined and complex circumstances are detailed in Annex 2 'Staff and Individual Circumstances'.
  - c) The mechanisms through which they will be considered by the University are detailed in Section 13 REF Working Group: Working Methods.
  - d) The University will monitor whether thresholds for quality in selection process have a negative impact on certain groups who may be eligible to submit reduced outputs through an Equality Impact Assessment. This is detailed in Section 16 'Equality Impact Assessment'.
  - e) Details of the robust and proactive procedures that enable staff within the University to disclose their circumstances in confidence are detailed in Section 13b 'Equality and Diversity Monitoring' and Annex 4 'Individual Staff Disclosure Form'.
  - f) Further information and guidance is available on the Equality Challenge Unit (ECU) and HEFCE website at the following address:  
<http://www.hefce.ac.uk/research/ref/pubs/other/equality/REFequality.pdf>. This includes panel criteria and working methods documentation and further information on how REF panels will consider individual circumstances.

## **6) Communicating & Publishing the Code**

The University will promote its commitment to the code to both existing and potential members of the organisation and document the steps that the University will take to meet equality challenges in respect of REF 2014. The University will, in respect of this:

- a) publish the code on the University's intranet under the Human Resources section. For staff who do not have regular IT access, and for those newly joining the institution, hard copies will be made available within their school or may be obtained from the Human Resources Department and Research & Development Office;
- b) ensure that the code is available in a variety of alternative and accessible formats;
- c) ensure the code is displayed bilingually and distributed throughout the University;
- d) ensure the code will be handed to new members of academic staff, and all others whose duties will involve preparations for REF 2014 during the induction process;
- e) publish the results of an equality policy impact assessment made on the University's submission to REF 2014 on the UK funding councils' REF 2014 website.

Special attention will be given to communicating the Code of Practice to all academic staff who are absent from work. The University's Human Resources Department will upon ratification of the code identify all academic staff who are absent due to ill health and convalescence, those undergoing surgical procedures (such as gender-reassignment), maternity or paternity leave, disability, secondment, disciplinary suspension, or any other reason such that is resulting in ongoing absence from work. In such circumstances a hard copy version of the Code will be sent to each member of staff. An open invitation to discuss the Code and the implications for them with a member of the Equality and Diversity Sub-group will also be made at this time. Such a consultation, if requested, will be held at a time and place convenient to the member of staff and within four weeks of the request.

An updated version of the code for the enlarged university (incorporating the former Swansea Metropolitan University) was made available to all staff upon its approval in August 2013.

## **7) Functional Responsibilities**

The University takes seriously its commitment to accountability, transparency and inclusivity in its planning for REF 2014 and shall ensure that all staff are considered for submission using the procedures documented in this code, which shall be implemented uniformly across the institution. The principal bodies involved in REF 2014 planning are the REF Working Group and the Research Committee, details and procedures for which are documented in Section 13 below. However, institution-wide functional responsibility for this process is as follows:

- a) The REF Equality and Diversity Code of Practice is set within the terms of the University's Strategic Equalities Plan (SEP).
- b) From a governance perspective, the University Council has the ultimate responsibility for ensuring compliance with equality legislation. Under delegated arrangements from the Vice Chancellor, the Director of Student Services and the Director of Human Resources have responsibility for ensuring compliance with the SEP, together with the Deans of Faculties, Head of Schools and Heads of Units.
- c) The Chair of the REF Working Group is responsible for ensuring that all staff involved in REF 2014 planning are compliant with the REF Equality and Diversity Code of Practice the Chair also has responsibility for ensuring that procedures are carried out in compliance with the SEP.

## **8) REF Working Group**

The REF Working Group oversees and guides central and research cluster planning for REF 2014. Its membership is drawn from the heads of two of the three University's research active schools, research cluster leaders, the Dean of the Faculty of Humanities (from January 2012), Pro-Vice Chancellor, Innovation, Skills and Community (prior to December 2011), the Head of the Research and Development Office and a nominated Senior Research and Development Officer with REF 2014 project management responsibility. The group reports to the Research Committee on strategic and operational planning and has overall responsibility for the creation and implementation of action plans for REF 2014. Priority areas addressed by the group include:

- a) action planning for research outputs and the monitoring of action plans on a systematic basis;
- b) conducting audits of research activity and outputs;
- c) receiving applications for Pump Priming funds and sabbaticals based on research action plans;
- d) to identify, develop and monitor areas of research impact;
- e) to identify, develop and monitor the quality of the research environment ;



- f) to receive reports from the REF Institutional Contact (Senior Research Development Officer) on the development of the framework, including responding to consultations and reports on draft working methods;
- g) to appoint and receive reports from external assessors;
- h) to ensure that planning is conducted to comply with the Equality Act (2010) and REF Equality and Diversity Code of practice;
- i) to ensure that the technical infrastructure is in place for reporting to the REF data collection exercises.

Designated staff with responsibilities for REF 2014 processes and decision making are detailed below, according to their wider roles and duties within the University, their specific expertise and membership of cognate committees. The membership and composition of the REF Working Group has been agreed by the Research Committee. Changes to the composition, such that may be required from time to time, will be agreed by the Research Committee.

A REF Equality and Diversity Sub-group comprising the Senior Research and Development Officer, the Chair of the REF Working Group, the Chair of the Equality and Diversity Committee and a designated Human Resources Officer has the responsibility of undertaking analysis of data collected through the Individual Staff Personal Disclosure Form (Annex 4) in accordance with the working methods outlined in Section 13b.

Prior to the constitutional merger of UWTSD and SMU in October 2012, the Faculty Deans and Unit of Assessment Coordinators were accountable for REF management and selection process, including those pertaining to equality and diversity issues, as set out in Paragraph 2c and 3c of the SMU Code of Practice. Since October 2012 those staff and responsibilities transferred to the UWTSD REF Management Group, updated membership of which is detailed below.

**Members of the REF Management Group:**

Meri Huws, (Chair, prior to Dec 2011)	PVC Innovation, Skills and Community
Dr. Mirjam Plantinga (Chair, from Jan 2012)	Dean of the Faculty of Humanities
Dr. Matt Briggs	Senior Research Development Officer / REF Project Manager
Dr Ruth Parkes	Cluster Lead Classics
Professor Densil Morgan	Joint Cluster Lead – Theology, Religious and Islamic Studies
Professor Kelvin Donne	Cluster Leader – Faculty of Applied Design and Engineering
Dr Martin Bates	Joint Leader Heritage and Environment Research Cluster
Professor Janet Burton	Joint Leader Heritage and Environment Research Cluster
Professor Mike Phillips	Joint Leader Heritage and Environment Research Cluster. Pro-Vice-Chancellor (Research, Innovation, Enterprise and Commercialisation)
Professor Martin O’Kane	Joint Cluster Lead – Theology, Religious and Islamic Studies

Professor Andrea Liggins	Joint Cluster Lead – Faculty of Art and Design
Professor Howard Riley	Joint Cluster Lead – Faculty of Art and Design
Professor Karen Ingham	Joint Cluster Lead – Faculty of Art and Design
Professor Dafydd Johnston	Centre for Advanced Welsh & Celtic Studies
Paul Webber	Senior Planning Officer

## 9) Research Committee

The Research Committee is responsible for providing advice and guidance to Senate on research issues. It is charged with facilitating, encouraging and supporting high quality research across the University in all its forms. It is chaired by the Dean of the Faculty of Humanities and once per term and reports to Senate. Its terms of reference were updated in October 2012 for the enlarged institution: They are:

- a) To develop the University's Research Strategy for approval by Senate, and to ensure and monitor its equitable implementation;
- b) To encourage and facilitate research across the University and to foster an ethos where research in all its forms is integral to the academic work of the University;
- c) To promote support mechanisms for ensuring that the University's research and scholarship appropriately underpins and informs learning and teaching;
- d) To encourage, support and monitor research and scholarly activity that makes a significant contribution to the University's academic and financial standing, as set out within the University's Strategic Plan and Research Strategy;
- e) To provide advice on the Special Collections;
- f) To oversee all the work related to the Research Excellence Framework;
- g) To encourage and assist Schools in seeking applications for external funding for appropriate research projects, to oversee all such research projects and to monitor the associated external funding;
- h) To encourage and assist the development of interdisciplinary research and projects involving staff from within and without the institution;
- i) To receive and initially approve Faculty research plans for final approval by Senate;
- j) To consider nominations for honorary research fellowships for approval by Senate;
- k) To oversee training related to research and to advise staff in relation to issues concerning research integrity;
- l) To advise and report to the Senate on any matter it considers relevant to research issues and to respond to its requests.

## 10) Research Clusters

Research in the University is organised on a thematic basis in five research clusters rather than at a school or faculty level. The purpose of the cluster format is to encourage joint, interdisciplinary and multidisciplinary working. The research clusters are responsive to the strategic priorities set out in the institution's research strategy and are the formal structures recommended for research to be planned and conducted at the lowest level of aggregation. Each cluster is represented on the REF Working Group by the cluster leader. The cluster leader, through such a process of representation has responsibility for the implementation of the actions agreed by the REF Working Group at cluster level. By such an arrangement research active staff are represented on the REF Working Group through the cluster leader and have the opportunity to inform the decision making process through this interface.

Research clusters are headed by designated senior members of staff in each instance, as nominated at school level and agreed by the Research Committee. Presently:

<b>Cluster</b>	<b>Representative</b>	<b>School</b>
Heritage and Environment Research Cluster	Prof. Janet Burton , Dr Martin Bates	School of Archaeology, History and Anthropology
	Prof. Mike Phillips	School of Natural and Built Environment
Theology, Religion and Islamic Studies Research Cluster	Prof. Martin O'Kane. Prof. Densil Morgan	School of Theology, Religious and Islamic Studies
Classics Research Cluster	Dr Ruth Parkes	School of Classics
Applied Design and Engineering Research Cluster	Prof. Kelvin Donne	Faculty of Applied Design and Engineering
Art, Media & Design Research Cluster	Professor Andrea Liggins Professor Howard Riley Professor Karen Ingham	Faculty of Art and Design
Celtic Studies	Professor Dafydd Johnston	CAWCS

## **11) Equality and Diversity Committee**

The REF Working Group is responsible for reporting to the University's Equality and Diversity Committee on the actions undertaken by the REF Working Group to ensure compliance with the 2010 Equality Act and the REF Equality and Diversity Code of Practice.

The University's Equality and Diversity Committee is charged with ensuring that equality and diversity issues are scrutinised and monitored in the interests of all staff and students and that the Strategic Equality Plan is overseen. The Committee is chaired by the Director of Student Services. Membership includes one representative Dean of Faculty, two staff representatives from each Faculty and the Director of Human Resources. Additional or specialist members will be co-opted members as and when required. The committee meets once each term and reports to the Senate. The Committee reports annually on progress of the Strategic Equality Plan and Equality Action Plan.

## **12) Consultation and Involvement**

Consultation undertaken during the development of the REF 2014 Equality and Diversity Code of Practice is situated under the umbrella of a wider process of consultation

undertaken in the development of the University's Strategic Equality Plan. Section 12 describes the ongoing processes for both.

## 12a) Strategic Equality Plan Consultation

Consultation, engagement and communication are essential to the successful implementation of the University's SEP and central to the development and implementation of the Scheme. To inform the development of the Scheme, three key stakeholder groups were identified:

- students
- staff
- community groups both of and for people with protected characteristics

The University has consulted on and involved staff, students and community groups on the content of the scheme and action plan and will seek to continue consulting and involving staff, students and other interested parties on this scheme and action plan and other equality initiatives. Meaningful consultation includes talking to staff and students from different groups and active dialogue with staff trade union representatives, student representatives and the student union.

Further involvement of both staff and students is via the focus group which covers all equality strands. Representation from staff and students is encouraged so that issues relating to all equality strands within the University of Wales: Trinity Saint David community can be discussed. This group meets once a term and reports to the Equality and Diversity Committee and has provided an excellent forum for identifying equality and diversity issues.

## 12b) REF 2014 Specific Committee & Board Consultation

The Code has passed through the University's formal committee and board structure. In each a process of consultation and feedback from representatives of the academic community and the Senior Management Team has been undertaken, minutes of which are available for consultation. The path that the code of practice has taken through this structure during 2012 is as follows:

Equality & Diversity Committee.	20 <sup>th</sup> Feb
Research Committee	22 <sup>nd</sup> March
REF Working Group	18 <sup>th</sup> April
Faculty of Humanities Board.	27 <sup>th</sup> April
Human Resources Committee	3 <sup>rd</sup> May
Senior Management Team	15 <sup>th</sup> May
Information Services Resources Committee	16 <sup>th</sup> May
Faculty of Arts an Social Science Board	18 <sup>th</sup> May
Faculty of Education and Training Board	18 <sup>th</sup> May
University & College Union (UCU)	8 <sup>th</sup> June
Equality & Diversity Committee	28 <sup>th</sup> May

Senior Management Team	29 <sup>th</sup> May
Senate	4 <sup>th</sup> July

In addition, the code has been through a period of University wide consultation during April 2012 in addition to separate Equality Impact Assessments. On-going consultation is provided for through the annual equality and diversity questionnaire which can be returned anonymously. This provides staff with the opportunity to feedback on the University's REF 2014 working methods.

The University of Wales: Trinity Saint David is also represented on the Equality Challenge Unit's Welsh liaison group which provides support on equality issues and is a further opportunity to share good practice with Higher Education Institutions across Wales. Opportunities for training and discussion will be available in the University's annual Staff Development Week.

### 13) REF Working Group: Equality and Diversity Procedures

This code of practice documents the principles that will be applied to all aspects and stages of the staff selection process within the University. Some of these processes predate the final publication of the code in July 2012 while others will be on-going until the final submission of data in November 2013. In each case the code indicates what procedure has been followed and the role it has played with reference to equality and diversity procedures. The reasons given for the approach adopted are outlined in Sections 13a, b, c, d & e.

Final panel criteria and working methods for REF 2014 were published in January 2012 detailing final tariffs for a reduction in outputs for protected characteristics, while guidance documents on the requirements under the relevant equality and diversity legislation (Equality Act 2012) were published in July 2011 in Assessment Framework and Guidance on Submissions. Guidance from the Equalities Challenge Unit, made available in July 2011, mandates that the development of all policies and codes of practice, such as the present case, should undergo an Equality Impact Assessment (EIA). Guidance from the ECU is clear on this:

*"HEIs must not retrospectively conduct an EIA on their policy and procedures for selecting staff. EIAs should be conducted at the outset of policy and procedure development. As highlighted in the guidance on submissions, mock exercises can be used to inform your institutions EIA and the EIA itself should inform your institution's code of practice. It should then be reviewed at key stages of the selection process" (ECU Briefing 2011).*

An assessment on the selection of staff for REF 2014 has been undertaken to explore the equality impacts of the **proposed** Code of Practice and processes therein, prior to publication of the final document. The EIA involved a proper consideration of the relevant evidence generated through early data generating phases and a mock-exercise. Full recognition has been given during this process that appropriate data must be available and that if the exercise does not involve genuine reflection on possible ways to mitigate negative

impacts the policy or practice in question may have on equality, then it is unlikely to stand up under scrutiny. The processes involved in the EIA are detailed below:

### **13a) Audit of research activity**

- i. The REF Working Group was first convened in 2010 following an institutional restructure and merger process.
- ii. The REF Working Group and Senior Research Development Officer (with support of the Research and Development Office) organised an ongoing series of workshops at school and cluster level to inform staff of the still evolving framework for the assessment exercise, and to share information, and consult upon, processes and preparations that were being put in place. Workshops were open to all academic staff, regardless of subject area or research activity.
- iii. An initial audit of all research activity in the newly formed institution was conducted in January - March 2011. This exercise was open and inclusive, with a request for information in a standard format circulated through Heads of School, and through Faculty Deans. Staff who did not make returns were identified and followed up, with offers of assistance and advice.
- iv. Subsequent audits were conducted in the School of Cultural studies (March 2011) and across the Schools in the Faculty of Education and Training (January 2011). Upon request, these were led by designated research active staff within the schools and presented to the REF Working Group for consideration.
- v. The data returned in each audit process was subsequently collated by the Senior Research Development Office / REF Project Manager and individual Action Plans drawn up for each member of research active, in consultation with the staff member, Head of School and Research Cluster leader.
- vi. Individual action plans have been updated (November 2011, February 2012), informed by review from external assessors (see Section 14 for details of external assessment). Further updates will be required throughout the REF 2014 planning process.
- vii. The University has utilised Quality Related (QR) funding during 2011 and 2012 to underpin its pump priming research scheme and periods of teaching relief and research sabbatical. In each case an open call has been made available to all research active staff for applications through the research clusters. Funding has been allocated based on measured and targeted actions identified in individual action plans and agreed by the REF Working Group and Research Committee and members of the Senior Management Team.
- viii. Details of the process followed at SMU prior to October 2012 can be found in the SMU Code of practice.

### **13b) Equality and diversity monitoring**

- i. Panel criteria and working methods were published in January 2012 detailing final tariffs for any reduction in outputs eligible for protected characteristics. Following this a survey of all research active staff was conducted in April 2012 utilising the ECU staff disclosure form (Annex 4). The survey was administered by the University's Human Resources Department with oversight and approval from the Equality and Diversity Committee. The survey was made available to all research staff at cluster level that had identified themselves as research active during the processes described in Section 13a above. The survey made clear that the university is committed to ensuring that decisions about selecting staff for REF 2014 are made in a fair, transparent and consistent manner. Training and information sharing regarding the University's approach to equality and diversity was made available at this time to all such staff, as detailed in Section 13c below.
- ii. Prior to the REF 2014 specific audit, the Human Resources Department conducted an equality and diversity survey for the entire University community in December 2011 as part of its on-going commitment to consulting with staff and students on equality and diversity issues. As part of this survey feedback was sought on the equality and diversity issues relating to the protected characteristics covered in the Equality Act (2010). Staff data, as submitted to HESA and audits or research form the baseline of the Equality Impact Assessment process outlined in Section 16 below.
- iii. The University however recognises that individual circumstances may change, or that staff may subsequently choose to disclose personal circumstances which were not disclosed in the REF equality and diversity survey (13Bi). To encourage the continual updating of staff with protected characteristics, the University has made the ECU equality monitoring forms available on the human resources pages of the University intranet. Staff wishing to disclose additional personal circumstances should complete the disclosure form and forward to the Human Resources Department. Guidance outlined in Section 18 below is also available detailing how the University will communicate any safeguards that exist to protect staff members' confidentiality and privacy. Information is also available on how the University will support staff who disclose individual circumstances that it was not previously aware of as detailed in Section 18d. In addition to these opportunities, the Equality and Diversity Committee will ensure that the REF Working Group is aware of relevant issues should they arise through the annual consultation process as outlined in the SEP.
- iv. In addition to these measures, staff of the former SMU were sent the personal circumstances disclosure form (Annex 4) in Sept 2013. At this time additional training on the University's equality and diversity safeguards was also offered in accordance with the approach detailed in 13c (ii)..
- v. An analysis of the equality and diversity monitoring data was undertaken by the REF Equality and Diversity Sub-group comprising the Chair of the REF Working Group, the Chair of the Equality and Diversity Committee, the Senior Research Development Officer, and of the Director of Human Resources. Each was trained in REF equality and diversity procedures. Data was handled with regard to the confidentiality

standards outlined Section 18 in accordance with the Data Protection Act (1998). This analysis identified staff who are eligible to be included in the University's submission to REF 2014 with a reduced number of outputs, as permitted by the Generic Statement of Panel Criteria and Working Methods (Annex 2).

- vi. The outcomes of this exercise will be communicated to each member of research active staff who indicated that they would like to be considered for a reduction in outputs on the Personal Circumstances Disclosure form (Annex 4). The feedback will inform each member of staff about any reduction in outputs that they are eligible for according to the tariff, and the method through which such a justification was arrived at. This, in each case will include a summary of the data that was utilised and the methodology employed in forming the assessment. The disclosure forms are securely held in the Human Resources Department for audit purposes. The data and analysis generated in this exercise has informed the Equality Impact Assessment described in Section 16. Staff are also given information on how to appeal as described in Section 15.

### **13c) Equality and Diversity Training**

- i. The Senior Research and Development Officer with REF 2014 project management responsibilities (Dr Matt Briggs) and a designated Human Resources Officer attended the ECU 'Train the Trainer' event in March 2012. Subsequently all members of the REF Working Group and Research Committee and relevant members of the Equality and Diversity Committee attended a comprehensive REF bespoke equality and diversity staff development event organised jointly by Human Resources and the Research & Development Office.
- ii. The Senior Research Development Officer, in conjunction with the REF Working Group and the University's Human Resources Staff Development Officer also held an Equality and Diversity information workshop prior to the return date for the staff disclosure forms for the REF 2014 specific audit described in (13b) above. The workshop utilised the case study approach advocated by the ECU, detailing the University's approach to equality and diversity planning, its legal requirements, adopted processes and the tariffs available in REF 2014 for a reduction in outputs. The workshop was open to all research active staff. Alternative arrangements were offered for those who were unable to attend, due to part-time working hours, carer responsibilities, illness, or any other protected characteristic as detailed in Section 4 and Annex 1.

### **13d) Criteria for submissions**

- i. The criteria for supporting research activity within the University are based upon institutional research priorities as detailed in the Research Strategy, the Innovation and Engagement Strategy and the research cluster and faculty action plans. Together these seek to provide a research environment that facilitates strong research leadership which promotes the long-term sustainability and vibrancy of research undertaken for the University by its staff. Each strategy is designed to develop the necessary critical mass required of effective research and is responsive to the priorities set by those who



commission and fund research, whether that be government, research and funding councils, the European commission, public, private and third sector needs or other funders, clients and collaborative partners. The University recognises that given such a context not all staff can be supported in research activity and has communicated this through the activity profiles issued to staff at school level.

- ii. The REF Working Group also recognises that the criteria for selecting staff will also, to some extent, be based upon the composition of the Units of Assessment, and the manner in which they cut across and align with the areas of research pursued in the University and their organisation into thematically organised research clusters.
- iii. Notwithstanding points 13d i and ii however, in order to ensure, consistent with the principles of REF 2014, that all research excellence be returned wherever it is found, the University will endeavour to place all of its research within appropriate Units of Assessment insofar as those outputs and the staff responsible for undertaking the research meet the criteria set independently of the University by the Framework. The University acknowledges that the 'sub-panels' have adopted broad criteria for submissions and expects that instances where our research active staff cannot be returned on this basis will be very few in number. Staff whose research however is not selected for return in the exercise for these reasons will be informed through the processes for feedback and appeal described in Section 15. In addition, such decisions will undergo a minimum of two Equality Impact Assessments; the first during mock exercises undertaken for the purposes of ratifying the present Code prior to July 2012 and the second prior to the final submission in November 2013. Methods adopted for each are detailed in Section 16 and will be carried out independently of the REF Working Group by a designated member of Human Resources staff, and the Senior Research Development Officer. The EIA will be reported to the Chair of the Equality and Diversity Committee.
- iv. Additional consideration will be made with respect to policy statements on quality thresholds which will attract funding. The University seeks to promote research which is at a minimum of a quality that is recognised internationally in terms of its originality, significance and rigour, and will not therefore submit work to REF 2014 which it considers to be of 1\* quality (as defined in Annex A of Assessment Framework and Guidance on Submissions). Such aspirations for research excellence informs the University's research strategy while a programme for Continuing Professional Development (CPD) is available to all research active staff at whatever stage of their research careers. The programme seeks to promote research of internationally recognised quality and to develop the skills in its research staff to realise it. The CPD programme utilises the Vitae Research Development Framework and is consonant with the Concordat to support the careers of research staff, with special reference to Early Career Researchers. The classifications for gauging research excellence adopted by REF 2014 are detailed in Annex 5 while further information is available on the REF website at [www.hefce.ac.uk/research/ref/](http://www.hefce.ac.uk/research/ref/) or through the Research and Development Office. In each case assessments will be made through a process of peer review within the REF Working Group. A measure of externality has been introduced through the services of external assessors, as described in Section 14 below. In accordance with the guidance set by the REF Equality and Diversity Advisory Panel (EDAP) the role of

assessors was clearly and consistently communicated to each upon appointment and was in each case limited to being asked to comment on the quality of research outputs only. In no case have assessors been able to make decisions or recommendations on which staff members are to be submitted in REF 2014 while no information relating to individual staff circumstances has been sought or disclosed. Staff whose research however is not selected for return in the exercise for quality threshold reasons will be informed through the processes for feedback and appeal described in Section 15.

- v. Consistent with the audit points and census period adopted in REF 2014 staff whose outputs are unlikely to appear in the public domain, or who will be placed under undue pressure to achieve this with regard to either workload or personal circumstances, will not be selected for submission to REF 2014. Heads of School and research cluster leaders, in discussion with the REF Working Group Chair will take decisions in this regard in consultation with the REF Working Group. In such circumstances the data gathered for equality and diversity monitoring will undergo a further review by the Equality and Diversity Committee. Staff whose research however is not selected for return in the exercise for these reasons will be informed through the processes for feedback and appeal described in Section 15.
- vi. The University has undertaken an initial Equality Impact Assessment (EIA) based on the data gathered in a mock outputs submission in the ratification of this code and has not identified other reasons than those detailed in 13d (i-iv) for the non-return of staff. Furthermore the University does not anticipate that other reasons for non-return will arise. Should they do so however the REF Working Group shall commission the Equality & Diversity Committee to undertake a further Equality Impact Assessment for the staff concerned. Consultation with the REF Equality and Diversity Advisory Panel will be pursued where appropriate. The code ratified for SMU likewise details the EIA held in 2012.

### **13e) Timescales for selecting staff**

- i. The University recognises the sensitive nature of REF 2014 and the impact that decisions to submit staff can have on career prospects, reputation amongst peers and in many cases self-esteem. For this reason it is committed to making decisions at the earliest possible juncture. Much information has been gathered, following the principles and processes described above, in the development of this code prior to July 2012, and upon its ratification by HEFCW in October 2012 the REF Working Group will be able to communicate final decision on the University's submission intentions.
- ii. Research staff will however also be informed of provisional decisions regarding submission intentions by the time the code receives institutional sign off from Senate in July 2012.
- iii. All submission intentions however will be subject to subsequent revisions should individual outputs fail to enter the public domain on the relevant census dates, or due to any unforeseen circumstances within the context of institutional restructuring.

## 14) External Assessment

The University, as is common practice in the sector, has employed the services of external assessors to offer advice upon REF 2014. Assessors have been appointed on the basis of subject specific fields, rather than in relation to particular Units of Assessment. This approach has been adopted in order to reflect the diverse disciplines encompassed by each. In each case the external review has been based upon a 'light touch' review of the outputs of all research active members of staff, regardless of any provisional submission intentions or of the number of outputs available. This inclusive procedure has been followed to protect against unintended prejudice towards those who may be eligible for a reduction in outputs through the protected characteristics outlined in Section 4 and Annex 1, an audit of which had not been conducted at the time of the assessments. Review has been sought, with the full knowledge of all research active staff for the following subject areas through scrutiny of the texts themselves, or through consideration of abstract and bibliographic information in such instances that final or draft manuscripts are not available, during the period Sept 2011 – April 2012 for all subjects apart from Art, Media and Design (UoA34) and General Engineering (UoA 15) the reviews for which will take place between June – Sept 2013. In such circumstances where the subject matter is interdisciplinary in nature, outputs have been cross-referred to an additional external assessor within the pool. The external assessment review groups took the following composition:

- Archaeology
- Environmental Sciences
- History
- Classics
- Biblical Studies
- Islamic Studies
- Religious Studies
- Theology
- Celtic Studies
- Art, Media & Design
- General Engineering

External assessors were recruited to the pool by the associated cluster leads who in each case sit on the REF Working Group, with the exception of those in the subject area of Art, Media and Design, external review for which was organised through Wales Institute of Research in Art and Design (WIRAD) with which the University intends to make a joint submission. With the exception of the latter assessor for whom no charge was levied, assessors were paid at a day rate equivalent to that offered to external examiners required for quality assurance purposes. The WIRAD submission will be administered through Cardiff Metropolitan University and equality and diversity measures outlined in their institutional Code of Practice were adhered to in this regard, in addition to those set out in the present Code.

The role of assessors was clearly and consistently communicated to each upon appointment and was in each case limited to being asked to comment on the quality of an individual's research only. In no case have assessors been able to make decisions or recommendations

on which staff are to be submitted in REF 2014. In each case no information relating to individual staff circumstances has been sought or disclosed.

External assessors with a wide breadth of knowledge (Environmental Archaeology, Classics, Theology and Religious Studies and History) have also been asked to comment upon the University's provisional plans for its impact case studies and to review the research environment. In each case the evidential basis of each was limited to discussion with members of the REF Working Group.

Final reports have been confidential and circulation limited to members of the REF Working Group and the University's Senior Management Team and Research Committee. In each case however information pertaining to each member of staff under review has been disclosed to them through their research cluster. The reviews have subsequently informed the updating of individual action plans, as detailed in the processes described in Section 13a and 13 b.

## **15) Feedback and appeals**

The University is committed to conduct its preparations for REF 2014 in transparent, consistent, accountable and inclusive manner, and has put in place a robust feedback and appeals process which is specific to the REF planning.

### **15a) Feedback**

Feedback will be given to staff involved in REF 2014 at various points throughout the planning process. As directed by the Chair of the REF Working Group, the Senior Research Development Officer will write to each member of staff who has been identified as research active informing them of decisions made on the University's submission intentions. Such communications shall be made as soon as possible given the timescales indicated in Section 13e above.

At each point feedback will provide information, as far as it is known on each occasion detailing:

- outputs selected for submission (REF2)
- any reduction of outputs granted through consideration of protected characteristics

The REF Working Group shall also draw up, through consultation with staff, individual action plans as may be required. The action plans will specify targets pertaining to each of the REF submission categories noted above. Action plans will be reviewed on a systematic basis by the REF Working Group and staff will be required to submit updates. Feedback will be given on progress by the Senior Research Development Officer.

In such cases where contractual amendments have been made through negotiation, with reference to eligibility for submission (REF1a/b/c), the Director of Human Resources shall write to staff concerned upon the occasion that such decisions are made.

## 15b) Appeals

The University has established two separate mechanisms for individual members of staff who wish to dispute their treatment within the REF planning process on the grounds of the relevant equality and diversity legislation. Appeals will be concluded before the final submission date.

- i. **Informal appeal.** Staff can obtain an appeal form from the Human Resources intranet pages. This will be submitted to the Chair of the Equality and Diversity Committee. An informal review will be undertaken in the first instance by the Chair of the Equality and Diversity Committee. This will incorporate consideration of the staff member's Individual staff circumstances disclosure form (Annex 4). The Chair will report the outcome of the informal review to the Chair of the REF Working Group who will decide whether or not to uphold the decision and taken any relevant actions, if necessary, to prevent further breaches of the Equality Act.
- ii. **Formal appeal.** Staff who are still dissatisfied after the informal review will have the right to take the matter forward through the formal 'right of appeal' process. This appeal process is specific to REF 2014 equality and diversity matters and is separate from other appeal processes, e.g. those incorporated in the University's Grievance or Disciplinary procedures or Absence Management procedures and is covered by Dispute Resolution legislation.

Staff who wish to formally appeal against the University's submission intentions, on the grounds covered by equality and diversity legislation should submit this request in writing to the Director of Human Resources. The letter of request should indicate the exact grounds for the appeal. The Director of Human Resources will acknowledge the request for an appeal within ten working days and will attempt to schedule the appeal meetings as soon as reasonably practicable.

The appeal will be heard by University governors and an independent Human Resources representative trained in equity legislation. The University reserves the right to include trained members from other Higher Education Institutions.

## 16) Equality Impact Assessment

The University of Wales: Trinity Saint David recognises its responsibilities and obligation to undertake an equality impact assessment exercise on the code of practice for selecting staff for the REF 2014. These obligations are to ensure that it does not discriminate or impact adversely against individuals or groups who share protected characteristics.

The purpose of the equality impact assessment process is to ensure that every policy, procedure, practice, plan and strategy of the University is systematically reviewed and evaluated to ensure that they are not discriminatory and that they make a positive contribution to equality. These assessments will be used to review equality aims, and will influence and guide planning and decision making in all aspects of the University's

arrangements.

The Equality Impact Assessments has been undertaken by a designated member of the Human Resources department and the Senior Research and Development Officer.

The EIA has informed the University's code of practice and will be kept under review as submissions are prepared, particularly at key stages of the selection process: when identifying staff who are likely to be selected; when considering appeals; and when preparing the final submission.

Relevant evidence was taken into consideration whilst conducting the EIA, which has been generated through early data generating phases and a mock exercise.

- Analysis of data on staff who are eligible for selection
- Information from engaging, involving and consulting staff
- Equality related issues that have arisen during mock exercises
- Personal circumstances
- Reduction in outputs
- External evaluation

A minimum of two Equality Impact Assessments will be undertaken. The University will publish the result of the EIAs after the submissions have been made. The first during mock exercises undertaken for the purposes of ratifying the present Code prior to July 2012 and the second prior to the final submission in November 2013. The results of the final EIA will be published, as is required by HEFCW. The former Code of Practice for SMU details the approach taken to EIA prior to June 2013.

## **17) Staff Development: Equality & Diversity**

The University recognises that staff development and training enhances the knowledge, understanding and skills of staff so that they can more readily discharge their responsibilities to develop and sustain a culture of equality in the working and learning environment. The University delivers equality training to ensure continued awareness. Mandatory equality and diversity training for all staff is a regular feature in the week-long Staff Development Programme held every September.

In addition to the general provisions of equalities legislation, all members of the REF Working Group, the Research Committee and those involved in REF 2014 on the Equality & Diversity Committee have received bespoke REF 2014 targeted Equality and Diversity training utilising the case study approach methods recommended by the ECU. Representation for these purposes on the Senior Management Team is provided for by the Chair of the REF Working Group, the Chair of the Equality & Diversity Committee and the Director of Human Resources.

The University has also held briefing sessions which were open to all staff on the policies, codes and practices adopted by the University with regard to its responsibilities under the terms of the Equality Act 2010, with particular reference to those which are particular to REF 2014. These took place subsequent to the administration of the REF specific Equality and

Diversity survey in April 2012. A subsequent offer of additional training was made to all staff upon full merger in Sept 2013.

## **17) Data Protection and confidentiality**

The University recognises that under the terms of the Data Protection Act 1998 it is required to obtain explicit consent for the processing of personal data. The processing of personal data is essential for the proper administration of the employment relationship, both during and after employment. The University will provide an assurance that proper regard will be given to lawful data protection principles regarding information gathered for the purposes of REF 2014. The principles enshrined in the Act include ensuring such data are processed and used for limited purposes, and that the data are accurate and up-to-date. Data collected in these terms include the following for REF 2014 planning and submission:

- Individual research and publication information, including that of Early Career Researcher status
- Research activity
- Participation in and organisation of conferences, workshops, networks and seminars
- Knowledge transfer and impact activity
- Continuing professional development activity
- Research supervision
- Income generation and grant capture
- Research based peer esteem indicators, such as membership of editorial boards, AHRC peer review boards etc.
- Training Records

Data collected and held in these areas will be processed in accordance with the requirements of REF 2014 submission protocols. Details of these are available in Assessment Framework and Guidance on Submissions. This will include:

- REF 2014 planning and submission
- REF training and development purposes
- REF management planning
- Negotiations with trade union or staff representatives
- Timetable or working rota organisation
- To ensure Compliance with the Strategic Equality Plan
- To ensure compliance with the Equality Act 2010

Within the University, the information that staff provide could be seen either in full or summary form by members of the following committees and boards, as detailed in sections 7-11.

- REF Working Group
- Equality and Diversity Sub-group
- Research Committee
- Equality & Diversity Committee
- Senior Management Team

- Research Cluster Management Group

Members of these bodies that are involved in the review and decision making process apropos of individual staff circumstances will observe confidentiality and information will be stored securely.

### **18b) Sensitive Data**

The Data Protection Act categorises certain types of data, including some of the data that the University will need to collect for REF purposes on individual staff circumstances, as sensitive personal data. Sensitive personal data are subject to stricter forms of processing which are outlined below. Most importantly, if a member of staff informs someone of their protected characteristics their permission must be sought before the information is passed on or stored. Where staff do not provide permission for information to be passed on or stored, the University may be limited in the actions that it can take. Staff cannot be compelled to provide information about their circumstances or to give permission for it to be stored or passed on.

Information of this sensitive nature, detailing personal circumstances covered by the protected characteristics of the Equality Act (2010) will be collected in the form provided in Annex 4 (Individual Staff Circumstances Disclosure Form). The form has been approved for this purpose by the Equalities Challenge Unit. Upon signing the form staff will permit the University to use the data collected for the purposes required of REF 2014, the scope of which are outlined in REF publications Assessment Framework and Guidance on Submissions (REF July 2011) and Panel Criteria and Working Methods (REF January 2012) both of which are available at [www.hefce.ac.uk/research/ref](http://www.hefce.ac.uk/research/ref) or by request from the Research and Development Office.

The types of information that **could** be included in the processing activity relate to:

- Mental and physical health, including dates of absence from work due to sickness, and the reason for the absence
- Pregnancy and maternity, adoption and paternity records
- Race or ethnic origin
- Qualifications and skills
- Information relating to discipline or to capability
- Age and years of service
- Declared disability
- Training records
- Religious belief
- Gender including gender reassignment

The University will process information of this nature for any of the following reasons, insofar as they are necessary for REF 2014:

- For REF 2014 planning and submission
- For training and development purposes
- For management planning



- For negotiations with trade union or staff representatives
- For timetable or working rota organisation
- For compliance with the Strategic Equality Plan
- For compliance with the Equality Act 2010

Data recorded on the Individual Staff Personal Disclosure Form (Annex 4) will be seen and processed by the Equality and Diversity Sub-group (REF Working Group Section 8) whose membership consist of the Chair of the REF Working Group, the Chair of the Equality and Diversity Committee, the Senior Research and Development Officer, and a designated Human Resources Officer. Each will have undergone REF specific equality and diversity training.

### **18c) Safeguards to protect staff members' confidentiality and privacy**

- i. In such instances that the University enters into negotiation and planning for joint submissions with another Higher Education Institution, any final reduction in outputs, as calculated through the approved tariffs (Annex 2) will be shared with that Institution. This, wherever possible, shall be limited to a statement of the minimum outputs required for an eligible submission. Under no circumstances will the sensitive data that underpins such a calculation be passed-on or shared for verification with the organisation / organisations with whom a joint submission is being sought or made without the consent of the individual staff member concerned. Assessment Framework and Guidance on Submissions (REF July 2011) Paragraphs 53-57 detail submission arrangements in respect to joint submissions. These are available in Annex 6.
- ii. Notwithstanding Section 18c i, information provided on the Individual Staff Circumstances Disclosure Form (Annex 4) will be shared externally for the purposes of evidencing any reduction in the number of research outputs in the following ways:
  - For **circumstances with a clearly defined reduction in outputs**, information will be seen by the relevant REF sub-panel, the REF panel secretariat and the UK funding bodies' REF team. This will be information about early career researcher status, part-time working, career breaks or secondments, and periods of maternity, additional paternity or adoption leave taken.
  - For **more complex circumstances**, information will be seen only by the REF Equality and Diversity Advisory Panel, the REF Main Panel Chairs and the UK funding bodies' REF team. This will be information to explain the impact on staff research of circumstances such as disability, ill health, injury, mental health conditions, gender reassignment, caring responsibilities or constraints relating to pregnancy, maternity, breastfeeding, adoption and paternity (in addition to the period of leave taken). This information will **not** be seen by the REF sub-panel.

All REF panel members, chairs and secretaries are bound by confidentiality requirements, and acceptance of the confidentiality requirements is a condition of

their appointment to the role. No information relating to identifiable individuals' circumstances will be published by the funding bodies REF Team. All data collected, stored and processed by the UK funding bodies' REF Team will be handled in accordance with the Data Protection Act 1998. The REF Assessment Framework and Guidance on Submissions requires all higher education institutions participating in the REF to ensure appropriate confidentiality in handling individual staff circumstances. However where joint submissions are made it may be necessary to share the information provided with another institution, who will be bound by the provisions of this code in addition to that of the external institution as outlined above.

#### **18d) Previously undisclosed personal Circumstances**

The University is aware that the data gathering exercises required for REF 2014 may bring to the attention of Human Resources an individual's personal circumstance that the University was previously unaware of (section 2 of the staff circumstances disclosure form/ Annex 4). In such cases that consent is given members of staff may discuss their individual circumstances, requirements and the support provided by the University with a member of HR staff.

#### **19) What if my circumstances change?**

The University recognises that staff circumstances may change between 1 January 2008 and 30<sup>1st</sup> October 2013. If your circumstances change you can download a copy of the attached form (Annex 4) on the University's Human Resource Intranet page. The form should be submitted without delay to the Director of Human Resources.

## Annex 1: Protected Characteristics

(Extracted from Assessment Framework & Guidance on Submissions, REF July 2011)

**Table 1: Summary of equality legislation**

Age	<p><b>All employees within the higher education sector are protected from unlawful age discrimination in employment under the Equality Act 2010 and the Employment Equality (Age) Regulations (Northern Ireland) 2006. Individuals are also protected if they are perceived to be or if they are associated with a person of a particular age group.</b></p> <p>Age discrimination can occur when people of a particular age group are treated less favourably than people in other age groups. An age group could be for example, people of the same age, the under 30s or people aged 45-50. A person can belong to a number of different age groups.</p> <p>Age discrimination will not be unlawful if it is a proportionate means of achieving a legitimate aim. However, in the context of the REF, the view of the funding bodies is that if a researcher produces excellent research an HEI will not be able to justify not submitting them because of the their age group.</p> <p>It is important to note that early career researchers are likely to come from a range of age groups. The definition of early career researcher used in the REF (see paragraph 85) is not limited to young people.</p> <p>HEIs should also note that given developments in equalities law in the UK and Europe, the default retirement age has been abolished from 1 October 2011 in England, Scotland, Wales and Northern Ireland.</p>
Disability	<p><b>The Equality Act 2010, the Disability Discrimination Act (1995) (Northern Ireland only) and the Disability Discrimination (Northern Ireland) Order 2006 prevent unlawful discrimination relating to disability. Individuals are also protected if they are perceived to have a disability or if they are associated with a person who is disabled, for example, if they are responsible for caring for a disabled family member.</b></p> <p>A person is considered to be disabled if they have or have had a physical and/or mental impairment which has ‘a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities’. Long-term impairments include those that last or are likely to last for at least 12 months.</p> <p>Cancer, HIV, multiple sclerosis and progressive/degenerative conditions are disabilities too, even if they do not currently have an adverse effect on the carrying out of day-to-day activities.</p> <p>The definition of disability is different in Northern Ireland in that a list of day-to-day activities is referred to. There is no list of day-to-day activities for England, Scotland and Wales but day-to-day activities are taken to mean activities that people, not individuals, carry out on a daily or frequent basis.</p> <p>While there is no definitive list of what is considered a disability, it covers a wide range of impairments including:</p>

	<ul style="list-style-type: none"> <li>• sensory impairments</li> <li>• impairments with fluctuating or recurring effects such as rheumatoid arthritis, depression and epilepsy</li> <li>• progressive impairments, such as motor neurone disease, muscular dystrophy, HIV and cancer</li> <li>• organ-specific impairments, including respiratory conditions and cardiovascular diseases</li> <li>• developmental impairments, such as autistic spectrum disorders and dyslexia</li> <li>• mental health conditions such as depression and eating disorders</li> <li>• impairments caused by injury to the body or brain.</li> </ul> <p>It is important for HEIs to note that people who have had a past disability are also protected from discrimination, victimisation and harassment because of disability.</p> <p>Equality law requires HEIs to anticipate the needs of disabled people and make reasonable adjustments for them. Failure to make a reasonable adjustment constitutes discrimination. If a disabled researcher's impairment has affected the quantity of their research outputs, they may be submitted with a reduced number of outputs (see paragraphs 90-100 and the panel criteria).</p>
Gender reassignment	<p><b>The Equality Act 2010 and the Sex Discrimination (Northern Ireland) Order 1976 protect from discrimination trans people who have proposed, started or completed a process to change their sex. Staff in HE do not have to be under medical supervision to be afforded protection because of gender reassignment and staff are protected if they are perceived to be undergoing or have undergone gender reassignment. They are also protected if they are associated with someone who has proposed, is undergoing or has undergone gender reassignment.</b></p> <p>Trans people who undergo gender reassignment will need to take time off for appointments and in some cases, for medical assistance. The transition process is lengthy, often taking several years and it is likely to be a difficult period for the trans person as they seek recognition of their new gender from their family, friends, employer and society as a whole.</p> <p>The Gender Recognition Act 2004 gave enhanced privacy rights to trans people who undergo gender reassignment. A person acting in an official capacity who acquires information about a person's status as a transsexual may commit a criminal offence if they pass the information to a third party without consent.</p> <p>Consequently, staff within HEIs with responsibility for REF submissions must ensure that the information they receive about gender reassignment is treated with particular care.</p> <p>Staff whose ability to work productively throughout the REF assessment period has been constrained due to gender reassignment may be submitted with a reduced number of research outputs (see paragraphs 90-100, and the panel criteria). Information about the member of staff will be kept confidential</p>

	as described in paragraph 98.
Marriage and civil partnership	<p><b>Under the Equality Act 2010 and the Sex Discrimination (Northern Ireland) Order 1976 as amended, individuals are protected from unlawful discrimination on the grounds of marriage and civil partnership status. The protection from discrimination is to ensure that people who are married or in a civil partnership receive the same benefits and treatment in employment. The protection from discrimination does not apply to single people.</b></p> <p>In relation to the REF HEIs must ensure that their processes for selecting staff do not inadvertently discriminate against staff who are married or in civil partnerships.</p>
Political opinion	<p><b>The Fair Employment and Treatment (Northern Ireland) Order 1998 protects staff from unlawful discrimination on the grounds of political opinion.</b></p> <p>HEIs should be aware of not making any judgements about the selection of staff for REF submissions based on their political opinion.</p>
Pregnancy and maternity	<p><b>Under the Equality Act 2010 and the Sex Discrimination (Northern Ireland) Order 1976 women are protected from unlawful discrimination related to pregnancy and maternity.</b></p> <p>Consequently researchers who have taken time out of work or whose ability to work productively throughout the assessment period because of pregnancy and/or maternity, may be submitted with a reduced number of research outputs, as set out in paragraphs 90-100 and in the panel criteria documents.</p> <p>In addition, HEIs should ensure that female researchers who are pregnant or on maternity leave are kept informed about and included in their submissions process.</p> <p>For the purposes of this summary it is important to note that primary adopters have similar entitlements to women on maternity leave.</p>
Race	<p><b>The Equality Act 2010 and the Race Relations (Northern Ireland) Order 1997 protect HEI staff from unlawful discrimination connected to race. The definition of race includes colour, ethnic or national origins or nationality. Individuals are also protected if they are perceived to be or are associated with a person of a particular race.</b></p> <p>HEIs should be aware of not making any judgements about the selection of staff for REF submissions based on their race or assumed race (for example, based on their name).</p>
Religion and belief including non-belief	<p><b>The Equality Act 2010 and the Fair Employment and Treatment (Northern Ireland) Order 1998 protect HEI staff from unlawful discrimination to do with religion or belief. Individuals are also protected if they are perceived to be or are associated with a person of a particular religion or belief.</b></p>

	<p>HEIs should be aware of not making any judgements about the selection of staff for REF submissions based on their actual or perceived religion or belief, including non-belief. 'Belief' includes any structured philosophical belief with clear values that has an effect on how its adherents conduct their lives.</p>
<p>Sex (including breastfeeding and additional paternity and adoption leave)</p>	<p><b>The Equality Act 2010 and the Sex Discrimination (Northern Ireland) Order 1976 protect HEI staff from unlawful discrimination to do with sex. Employees are also protected because of their perceived sex or because of their association with someone of a particular sex.</b></p> <p>The sex discrimination provisions of the Equality Act explicitly protect women from less favourable treatment because they are breastfeeding. Consequently the impact of breastfeeding on a women's ability to work productively will be taken into account, as set out in paragraph 90-100 and the panel criteria documents.</p> <p>From 3 April 2011, partners of new mothers and secondary adopters will be entitled to up to 26 weeks of additional paternity and adoption leave. People who take additional paternity or adoption leave will have similar entitlements to women on maternity leave and barriers that exist to taking the leave, or as a result of having taken it, could constitute unlawful sex discrimination. Consequently researchers who have taken additional paternity and adoption leave may be submitted with a reduced number of outputs, as set out in paragraphs 90-100 and in the panel criteria documents.</p> <p>HEIs need to be wary of selecting researchers by any criterion that it would be easier for men to comply with than women, or vice versa. There are many cases where a requirement to work full-time (or less favourable treatment of people working part-time or flexibly) has been held to discriminate unlawfully against women.</p>
<p>Sexual orientation</p>	<p><b>The Equality Act 2010 and the Employment Equality (Sexual Orientation) Regulations (Northern Ireland) 2003 protect HEI staff from unlawful discrimination to do with sexual orientation. Individuals are also protected if they are perceived to be or are associated with someone who is of a particular sexual orientation.</b></p> <p>HEIs should be aware of not making any judgements about the selection of staff for REF submissions based on their actual or perceived sexual orientation.</p>
<p>Welsh Language</p>	<p><b>The Welsh Language Act 1993 places a duty on public bodies in Wales to treat Welsh and English on an equal basis. This is reinforced by the provisions of the Welsh Language (Wales) Measure 2011.</b></p> <p>The arrangements for the assessment of outputs in the medium of Welsh by the REF panels are set out in paragraphs 128-130.</p>

## Annex 2: Staff and individual staff circumstances

(Extracted from Panel Criteria and Working Methods, REF Jan 2012)

64. Up to four research outputs must be listed against each member of staff included in the submission. A maximum of four outputs per researcher will provide panels with a sufficient selection of research outputs from each submitted unit upon which to base judgements about the quality of that unit's outputs. Consultations on the development of the REF confirmed that this is an appropriate maximum volume of research outputs for the purposes of assessment.
65. As a key measure to support equality and diversity in research careers, in all UOAs individuals may be returned with fewer than four outputs without penalty in the assessment, where their individual circumstances have significantly constrained their ability to produce four outputs or to work productively throughout the assessment period. This measure is intended to encourage institutions to submit all their eligible staff who have produced excellent research.
66. HEIs are allowed to list the maximum of four outputs against any researcher, irrespective of their circumstances or the length of time they have had to conduct research. A minimum of one output must be listed against each individual submitted to the REF.
67. In order to provide clarity and consistency on the number of outputs that may be reduced without penalty, there will be a **clearly defined** reduction in outputs for those types of circumstances listed at paragraph 69a. Circumstances that are more **complex** will require a judgement about the appropriate reduction in outputs; these are listed at paragraph 69b. Arrangements have been put in place for complex circumstances to be considered on a consistent basis, as described at paragraphs 88-91.
68. Where an individual is submitted with fewer than four outputs and they do not satisfy the criteria described at paragraphs 69-91 below, any 'missing' outputs will be graded as 'unclassified'.
69. 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:
- a) Circumstances with a **clearly defined** reduction in outputs, which are:
    - i. Qualifying as an early career researcher (on the basis set out in paragraph 72 and Table 1 below).
    - ii. Absence from work due to working part-time, secondments or career breaks (on the basis set out in paragraphs 73-74 and Table 2 below).

- iii. Qualifying periods of maternity, paternity or adoption leave (on the basis set out in paragraphs 75-81).
- iv. Other circumstances that apply in UOAs 1-6, as defined at paragraph 86.

b) **Complex circumstances** that require a judgement about the appropriate reduction in outputs, which are:

- i. Disability. This is defined in 'guidance on submissions' Part 4, Table 2 under 'Disability'.
- ii. Ill health or injury.
- iii. Mental health conditions.
- iv. 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 below.
- v. Other caring responsibilities (such as caring for an elderly or disabled family member).
- vi. Gender reassignment.
- vii. Other circumstances relating to the protected characteristics listed at paragraph 190 of 'guidance of submissions' or relating to activities protected by employment legislation.

### **Clearly defined circumstances**

70. Where an individual has one or more circumstances with a clearly defined reduction in outputs, the number of outputs that may be reduced should be determined according to the tables and guidance in paragraphs 72-86 below. All sub-panels will accept a reduction in outputs according to this guidance and will assess the remaining number of submitted outputs without any penalty.

71. In REF1b, submissions must include sufficient details of the individual's circumstances to show that these criteria have been applied correctly. The panel secretariat will examine the information in the first instance and advise the sub-panels on whether sufficient information has been provided and the guidance applied correctly. The panel secretariat will be trained to provide such advice, on a consistent basis across all UOAs. Where the sub-panel judges that the criteria have not been met, the 'missing' output(s) will be recorded as unclassified. (For example, an individual became an early career researcher in January 2011 but only one output is submitted rather than two. In this case the submitted output will be assessed, and the 'missing' output recorded as unclassified.)

### **Early career researchers**

72. Early career researchers are defined in paragraphs 85-86 of 'guidance on submissions'. Table 1 sets out the permitted reduction in outputs without penalty in the assessment for early career researchers who meet this definition.



**Table 1. Early career researchers: permitted reduction in outputs**

<b>Date at which the individual first met the REF definition of an early career researcher:</b>	<b>Number of outputs may be reduced by up to:</b>
On or before 31 July 2009	0
Between 1 August 2009 and 31 July 2010 inclusive	1
Between 1 August 2010 and 31 July 2011 inclusive	2
On or after 1 August 2011	3

**Absence from work due to part-time working, secondments or career breaks**

73. Table 2 sets out the permitted reduction in outputs without penalty in the assessment for absence from work due to:

- a. part-time working
- b. secondments or career breaks outside of the higher education sector, and in which the individual did not undertake academic research.

**Table 2. Part-time working, secondments or career breaks: permitted reduction in outputs**

<b>Total months absent between 1 January 2008 and 31 October 2013 due to working part-time, secondment or career break:</b>	<b>Number of outputs may be reduced by up to:</b>
0-11.99	0
12-27.99	1
28-45.99	2
46 or more	3

74. The allowances in Table 2 are based on the length of the individual's absence or time away from working in higher education. They are defined in terms of total months absent from work. For part-time working, the equivalent 'total months absent' should be calculated by multiplying the number of months worked part-time by the full-time equivalent (FTE) **not** worked during those months. For example, an individual worked part-time for 30 months at 0.6 FTE. The number of equivalent months absent =  $30 \times 0.4 = 12$ .

## **Qualifying periods of maternity, paternity or adoption leave**

75. Individuals may reduce the number of outputs by one, for each discrete period of:

- a. 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.
- b. Additional paternity or adoption leave<sup>1</sup> lasting for four months or more, taken substantially during the period 1 January 2008 to 31 October 2013.

76. The approach to these circumstances is based on the funding bodies' considered judgement that the impact of such a period of leave and the arrival of a new child into a family is generally sufficiently disruptive of an individual's research work to justify the reduction of an output. This judgement was informed by the consultation on draft panel criteria, in which an overwhelming majority of respondents supported such an approach.

77. The funding bodies' decision not to have a minimum qualifying period for maternity leave was informed by the sector's clear support for this approach in the consultation; recognition of the potential physical implications of pregnancy and childbirth; and the intention to remove any artificial barriers to the inclusion of women in submissions, given that women were significantly less likely to be selected in former RAE exercises.

78. The funding bodies consider it appropriate to make the same provision for those regarded as the 'primary adopter' of a child (that is, a person who takes statutory adoption leave), as the adoption of a child and taking of statutory adoption leave is generally likely to have a comparable impact on a researcher's work to that of taking maternity leave.

79. As regards additional paternity or adoption leave, researchers who take such leave will also have been away from work and acting as the primary carer of a new child within a family. The funding bodies consider that where researchers take such leave over a significant period (four months or more), this is likely to have an impact on their ability to work productively on research that is comparable to the impact on those taking maternity or statutory adoption leave.

80. While the clearly defined reduction of outputs due to additional paternity or adoption leave is subject to a minimum period of four months, shorter periods of such leave can be taken into account as follows:

---

<sup>1</sup> 'Additional paternity or adoption leave' refers to leave of up to 26 weeks which is taken to care for a child where the person's spouse, partner or civil partner was entitled to statutory maternity leave or statutory adoption leave, and has since returned to work. The term 'additional paternity leave' is often used to describe this type of leave although it may be taken by parents of either gender. For the purposes of the REF we refer to this leave as 'additional paternity or adoption leave'.

- a. By seeking a reduction in outputs under the provision for complex circumstances, for example where the period of leave had an impact in combination with other factors such as ongoing childcare responsibilities.
- b. By combining the number of months for shorter periods of such leave in combination with other clearly defined circumstances, according to Table 2.

81. Any period of maternity, adoption or paternity leave that qualifies for the reduction of an output under the provisions in paragraph 75 above may in individual cases be associated with prolonged constraints on work that justify the reduction of more than one output. In such cases, the circumstances should be explained using the arrangements for complex circumstances.

### **Combining clearly defined circumstances**

82. Where individuals have had a combination of circumstances with clearly defined reductions in outputs, these may be accumulated up to a maximum reduction of three outputs. For each circumstance, the relevant reduction should be applied and added together to calculate the total maximum reduction.

83. Where Table 1 is combined with Table 2, the period of time since 1 January 2008 up until the individual met the definition of an early career researcher should be calculated in months, and Table 2 should be applied.

84. When combining circumstances, only one circumstance should be taken into account for any period of time during which they took place simultaneously. (For example, an individual worked part-time throughout the assessment period and first met the definition of an early career researcher on 1 September 2009. In this case the number of months 'absent' due to part-time working should be calculated from 1 September 2009 onwards, and combined with the reduction due to qualifying as an early career researcher, as indicated in paragraph 83 above.)

85. Where an individual has a combination of circumstances with a clearly defined reduction in outputs **and** complex circumstances, the institution should submit these collectively as 'complex' so that a single judgement can be made about the appropriate reduction in outputs, taking into account all the circumstances. Those circumstances with a clearly defined reduction in outputs should be calculated according to the guidance above (paragraphs 72-84).

### **Other circumstances that apply in UOAs 1-6**

86. In UOAs 1-6, the number of outputs may be reduced by up to two, without penalty in the assessment, for the following:

- a. Category A staff who are junior clinical academics. These are defined as clinically qualified academics who are still completing their clinical training in medicine or dentistry and have not gained a Certificate of Completion of Training (CCT) or its equivalent prior to 31 October 2013.
- b. Category C staff who are employed primarily as clinical, health or veterinary professionals (for example by the NHS), and whose research is primarily focused in the submitting unit.

87. These allowances are made on the basis that the staff concerned are normally significantly constrained in the time they have available to undertake research during the assessment period. The reduction of two outputs takes account of significant constraints on research work, and is normally sufficient to also take account of additional circumstances that may have affected the individual's research work. Where the individual meets the criteria at paragraph 86, and has had significant additional circumstances – for any of the reasons at paragraph 69 – the institution may return the circumstances as 'complex' with a reduction of three outputs, and provide a justification for this.

### **Complex circumstances**

88. Where staff have had one or more complex circumstances – including in combination with any circumstances with a clearly defined reduction in outputs – the institution will need to make a judgement on the appropriate reduction in the number of outputs submitted, and provide a rationale for this judgement
89. As far as is practicable, the information in REF1b should provide an estimate – in terms of the equivalent number of months absent from work – of the impact of the complex circumstances on the individual's ability to work productively throughout the assessment period, and state any further constraints on the individual's research work in addition to the equivalent months absent. A reduction should be made according to Table 2 in relation to estimated months absent from work, with further constraints taken into account as appropriate. To aid institutions the Equality Challenge Unit (ECU) will publish worked examples of complex circumstances, which will indicate how these calculations can be made and the appropriate reduction in outputs for a range of complex circumstances. These will be available at [www.ecu.ac.uk/our-projects/REF](http://www.ecu.ac.uk/our-projects/REF) from February 2012.
90. All submitted complex circumstances will be considered by the REF Equality and Diversity Advisory Panel (EDAP), on a consistent basis across all UOAs. The membership and terms of reference of the EDAP are available at [www.ref.ac.uk](http://www.ref.ac.uk) under Equality and diversity. The EDAP will make recommendations about the appropriate number of outputs that may be reduced without penalty to the relevant main panel chairs, who will make the decisions. The relevant sub-panels will then be informed of the decisions and will assess the remaining outputs without any penalty.

91. To enable individuals to disclose the information in a confidential manner, information submitted about individuals' complex circumstances will be kept confidential to the REF team, the EDAP and main panel chairs, and will be destroyed on completion of the REF (as described in 'guidance on submissions', paragraphs 98-99).

## Annex 3: Early Career Researchers

(Extracted from Assessment Framework and Guidance on Submissions REF July 2011)

85. Early career researchers are defined as members of staff who meet the criteria to be selected as Category A or Category C staff on the census date, **and** who started their careers as independent researchers on or after 1 August 2009. For the purposes of the REF, an individual is deemed to have started their career as an independent researcher from the point at which:
- a. 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**
  - b. They undertook independent research, leading or acting as principal investigator or equivalent on a research grant or significant piece of research work. (A member of staff is not deemed to have undertaken independent research purely on the basis that they are named on one or more research outputs.)
86. The following do **not** meet the definition of an ECR (this list is not exhaustive):
- a. Staff who first acted as an independent researcher while at a previous employer – whether another HEI, business or other organisation in the UK or elsewhere – before 1 August 2009, with a contract of 0.2 FTE or greater.
  - b. Staff who first acted as an independent researcher before 1 August 2009 and have since had a career outside of research or an extended break from their research career, before returning to research work. Such staff may reduce the number of outputs submitted according to paragraph 92a.iv. (career breaks).
  - c. Research assistants who are ineligible to be returned to the REF, as defined in paragraphs 80-81.
87. ECRs may be submitted with fewer than four outputs without penalty in the assessment, as described in paragraphs 90-100 and in the panel criteria and working methods documents. Regardless of whether or not they are submitted with fewer than four outputs, all staff included in a submission who meet the definition of an ECR must be identified as ECRs in the submission. This is to enable the funding bodies to analyse the selection rates for ECRs across the sector as a whole, as part of our wider analysis of selection rates. To enable this analysis, the HESA staff return for 2013-14 will include a field for HEIs to identify all academic staff on 'research' or 'teaching and research' contracts who meet the REF definition of an ECR.

## Annex 4: Template covering note and staff disclosure form

**To:** All members of staff eligible for return in REF 2014

**From:** Human Resources

**Subject:** REF 2014, consideration of individual staff circumstances

---

The University of Wales: Trinity Saint David is committed to ensuring that decisions about selecting staff for the Research Excellence Framework (REF 2014) are made in a fair, transparent and consistent manner. Information on how eligible staff will be selected for submission to the REF can be found in the University's REF 2014 Equality and Diversity Code of Practice which can be found on the Human Resources pages of the intranet or from the Research and Development Office.

To ensure that REF 2014 processes are fair, the University is collecting data on individual circumstances from all staff eligible for submission. The data will be used to identify which staff are eligible for submission with fewer than four outputs. Summary level data collected may also inform the University's monitoring of staff selection procedures at the institutional level.

In determining whether eligible staff may be submitted to the REF 2014 with fewer than four research outputs, the University's REF Working Group (Equality and Diversity Sub-group) will take the following circumstances into consideration:

- Early career researcher (started career as an independent researcher on or after 1 August 2009)
- Part time employment
- Career break or secondment outside of the higher education 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. This could include for example, pregnancy related illness and health and safety restrictions in laboratory and field work.
- Other caring responsibilities (including caring for an elderly or disabled relative)
- Gender reassignment

If your research output has been affected by other circumstances, not including teaching and administration that are not listed above, please detail them on this form as they may be considered.

**In determining the number of outputs staff are required to submit, the institution will observe the definitions of individual staff circumstances provided in the published REF 'Panel criteria and working methods' (January 2012) available at [www.ref.ac.uk](http://www.ref.ac.uk) under 'Publications'. These are available in Annex 2 of the REF Equality and Diversity Code of Practice also.**

#### **What action do I need to take?**

If you are eligible for REF submission you are encouraged to complete the attached form.

If further information is required about any circumstances disclosed, you will be contacted by the Director of Human Resources.

#### **Who will see the information that I provide?**

Within the institutions, the information that you provide will be seen by the REF Equality and Diversity Sub-group.

Members of the REF Equality and Diversity Sub-group who will be involved in the handling individual staff circumstances will observe confidentiality and information will be stored securely.

Information provided on the form may be shared externally for the purposes of evidencing any reduction in the number of research outputs:

- For **circumstances with a clearly defined reduction in outputs**, information will be seen by the relevant REF sub-panel, the REF panel secretariat and the UK funding bodies' REF team. This will be information about early career researcher status, part-time working, career breaks or secondments, and periods of maternity, additional paternity or adoption leave taken.
- For **more complex circumstances**, information will be seen only by the REF Equality and Diversity Advisory Panel, the REF Main Panel Chairs and the UK funding bodies' REF team. This will be information to explain the impact on your research of circumstances such as disability, ill health, injury, mental health conditions, gender reassignment, caring responsibilities or constraints relating to pregnancy, maternity, breastfeeding, adoption and paternity (in addition to the period of leave taken). This information will **not** be seen by the REF sub-panel.

All REF panel members, chairs and secretaries are bound by confidentiality requirements, and acceptance of the confidentiality requirements is a condition of their appointment to the role. No information relating to identifiable individuals' circumstances will be published by the funding bodies REF Team. All data collected, stored and processed by the UK funding bodies REF Team will be handled in accordance with the Data Protection Act 1998.

The REF Assessment Framework and Guidance on Submissions

[www.hefce.ac.uk/research/ref/pubs/2011/02\\_11/](http://www.hefce.ac.uk/research/ref/pubs/2011/02_11/) requires all higher education institutions participating in the REF to ensure appropriate confidentiality in handling individual staff



circumstances. Where joint submissions are made it may be necessary to share the information provided with another institution.

**What if my circumstances change?**

The University recognises that staff circumstances may change between 1 January 2008 and 31 October 2013. If your circumstances change you can download a copy of the attached form on the Human Resources pages of the intranet, or by contacting the Human Resources Department..

## Individual Staff Circumstances Disclosure Form

<b>Name</b>	
<b>School</b>	

### **Section one:**

**Please select one of the following:**

- I have no individual circumstances that I wish to be taken into consideration for the purposes of the Research Excellence Framework (REF).
- I have individual circumstances that I wish to make known but I am not seeking a reduction in outputs. (Please complete sections two and three)
- In completing this form I am seeking a reduction in research outputs. (Please complete sections two and three)

### **Section two:**

**Please select as appropriate:**

- I would like to inform human resources of my circumstances and requirements, and wish to discuss these requirements and the support provided by the University, with a member of HR staff. My contact details for this purpose are:

<b>Email</b>	
<b>Telephone</b>	
<b>Preferred method of communication</b>	

- I do **not** wish to be contacted by a member of human resources staff

### **Section three**

I wish to make the University aware of the following circumstances which have had an impact on my ability to produce four outputs or work productively between 1 January 2008 and 31 October 2013:

Please provide information required on relevant circumstance/s and continue onto a separate sheet of paper if necessary:

Circumstance	Information required
Early career researcher (started career as an independent researcher on or after 1 August 2009)	Date on which you became an early career research
<b>Information</b>	
Part time employee	FTE and duration in months
<b>Information</b>	
Career break or secondment outside of the higher education sector	Dates and duration in months
<b>Information</b>	
Maternity leave, statutory adoption leave, or additional paternity leave (taken by partners of new mothers or co-adopters)	For each period of leave state which type of leave was taken and the dates and duration in months
<b>Information</b>	
Disability (including conditions such as cancer and chronic fatigue)	Impact on ability to fulfil contractual hours and other impacts on ability to undertake research. Duration in months
<b>Information</b>	
Mental health condition	Impact on ability to fulfil contractual hours and other impacts on ability to undertake research. Duration in months
<b>Information</b>	

Ill health or injury	Impact on ability to fulfil contractual hours and other impacts on ability to undertake research. Duration in months
<b>Information</b>	
Constraints relating to pregnancy, maternity, breastfeeding, paternity, adoption or childcare <b>in addition to</b> the period of maternity, adoption or additional paternity leave taken.	Impact on ability to fulfil contractual hours and other impacts on ability to undertake research. Duration in months
<b>Information</b>	
Other caring responsibilities (including caring for an elderly or disabled relative)	Impact on ability to fulfil contractual hours and other impacts on ability to undertake research. Duration in months
<b>Information</b>	
Gender reassignment	Impact on ability to fulfil contractual hours and other impacts on ability to undertake research. Duration in months
<b>Information</b>	
Other exceptional and relevant reasons, not including teaching or administrative work	Impact on ability to fulfil contractual hours and other impacts on ability to undertake research. Duration in months
<b>Information</b>	

Please select as appropriate:

I confirm that the information provided is a true and accurate description of my circumstances.

I recognise that the information provided will be used for REF purposes and will be seen by the REF Equality and Diversity Sub-group.

I realise that it may be necessary to share information with the UK funding bodies' REF team, who may make the information available to REF panel chairs, members and secretaries and/or the Equality and Diversity Advisory Panel. I recognise that if a joint submission is made, information may be shared with another institution. Where permission is not provided University of Wales: Trinity Saint David will be limited in the action it can take.

Signature: ..... Date: .....

(Staff member)

**For official use only**

Following consideration of the personal circumstances described above, the REF Equality and Diversity Sub-group:

- Will progress the staff member's inclusion in the REF submission with [insert number] of research outputs. [Subject to specified institutional criteria]. Rationale for the proposed number of outputs:

*e.g. this decision is based on the tariffs outlined in the panel criteria.*

- Requires further information of the circumstances described as follows:

*e.g. please provide information from your occupational health assessment on the effectiveness of reasonable adjustments provided.*

- Does not feel that the staff member meets the criteria outlined within the REF 'Panel criteria and working methods' for submitting fewer than four research outputs. The reason(s) for this decision are:

*e.g. circumstances detailed are not recognised within the assessment framework and guidance on submissions.*

If [insert name of staff member] wishes to appeal against the decision of the [insert name of the committee or individuals] they will need to do so by [insert date] and details of the appeals process can be found at [insert web address].

Signature: ..... Date: .....

(Equality & Diversity Committee Chair)

Signature: ..... Date: .....

(REF Working Group Chair)

## Annex 5. REF Quality Thresholds for Outputs

(extracted from Assessment Framework & Guidance on Submissions REF July 2011)

**Table A2: Outputs sub-profile: Criteria and definitions of starred levels**

The criteria for assessing the quality of outputs are 'originality, significance and rigour'.	
Four star	Quality that is world-leading in terms of originality, significance and rigour.
Three star	Quality that is internationally excellent in terms of originality, significance and rigour but which falls short of the highest standards of excellence.
Two star	Quality that is recognised internationally in terms of originality, significance and rigour.
One star	Quality that is recognised nationally in terms of originality, significance and rigour.
Unclassified	Quality that falls below the standard of nationally recognised work. Or work which does not meet the published definition of research for the purposes of this assessment.

### Notes:

1. The four main panels explain in more detail, within their statements on the panel criteria and working methods, how their group of sub-panels will apply the assessment criteria and interpret the level definitions in developing the sub-profiles.
2. 'World-leading' quality denotes an absolute standard of quality in each unit of assessment.
3. 'World leading', 'internationally' and 'nationally' in this context refer to quality standards. They do not refer to the nature or geographical scope of particular subjects, nor to the locus of research nor its place of dissemination. For example, research which is focused within one part of the UK might be of 'world leading' standard. Equally, work with an international focus might not be of 'world leading, internationally excellent or internationally recognised' standard.

## Annex 6. Joint Submission Process

(Extracted from Assessment Framework and Guidance on Submissions REF July 2011)

53. We encourage joint submissions in a UOA by two or more UK institutions, where this is the most appropriate way of describing research they have developed or undertaken collaboratively. The method for joint submissions is described in paragraphs 54-58 and is driven by two considerations:

- a. Panels should receive joint submissions in the form of a unified entity, enabling them to assess a joint submission in the same way as submissions from single institutions.
- b. The REF team must be able to verify data in a joint submission through the HEIs to which the data relates.

54. Purely for administrative purposes, one HEI needs to be identified as the lead in terms of management and data security of a joint submission. Two elements of the REF data (REF3a/b: Impact template and case studies; and REF5: Environment template) will be submitted by the lead HEI on behalf of all the other HEIs in the joint submission. Each HEI involved in the joint submission will submit separate REF data in the following forms: REF1a/b/c (Staff details), REF2 (Research outputs) and REF4a/b/c (Environment data).

53. In line with these submission arrangements, the submission system will include the facility for HEIs involved in joint submissions to give 'View' and 'Edit' permissions to the other HEIs involved in the relevant UOA. In order for panels to be able to judge the joint submission like a single submission, the REF team will aggregate the data for each HEI so that panels can receive and assess it as a coherent whole.

54. The following rules apply:

- a. Panels will assess the joint submission as they would a single submission, and the outcome will be a single quality profile. The quality profile for a joint submission will list the HEIs involved in alphabetical order, irrespective of which HEI took the administrative lead in making the submission.
- b. Panels will provide confidential feedback on joint submissions to the heads of all the HEIs concerned; but the panels and the REF team will not comment specifically on the contribution by an individual HEI to the overall quality profile.
- c. In line with a general REF rule that no individual may be submitted as Category A research active in more than one submission unless they hold a fractional employment contract with more than one HEI (see paragraph 78f), no individual can be submitted in a joint submission **and** in a submission from one HEI unless they hold two separate employment contracts with two different HEIs.
- d. Institutions involved in a joint submission that wish to make an additional individual submission in the same UOA would normally be permitted to do so.



55. Following the conclusion of the REF, each of the UK funding bodies will distribute research funding in line with its individual funding formula. Assuming that, as in former years, the FTE of staff submitted will be an element in those formulae, the funding bodies envisage using the actual FTE of staff submitted by each HEI involved in a joint submission, unless the HEIs involved propose a different, agreed percentage split of funding at the time of submission.

## **Annex 7. Equality Impact Assessment**

### **REF Equality and Diversity Code of Practice - Equality Impact Assessment**

Department or Faculty: **Research and Development Office**

Name of policy, procedure or function and brief details of its purpose:

#### **Research Excellence Framework (REF) Equality and Diversity Code of Practice**

**The Code sets out the processes by which staff will be selected for submission to REF 2014, details of the decision making bodies involved , their working methods and the processes that will be adhered to.**

1. Is this a new policy or a revised policy?

**New Policy**

2. Who is responsible for it?

**Vice Chancellor**

3. Who will this policy or procedure affect?

**The Code of Practice applies/ is relevant to Research Active staff.**

4. Is there any evidence to indicate that this policy will have more impact (negative or positive) on any of the protected characteristic groups?

**Following extensive consultation across the University, no evidence was presented to indicate that the Code of Practice could have a negative impact on staff with a protected characteristic and several elements of good practice were identified. In addition the Code of Practice was commended by the Trade Union for its comprehensiveness and no concerns were raised by the Trade Union. No complaints were received from any member of staff. There was a 100% return rate of disclosure forms.**

**Data has been analysed by gender, disability, ethnicity and age. In addition, an extensive modelling exercise showed that 100% of research active staff were eligible for return. The analysis of the data supports that staff were not discriminated against based on these protected characteristics. Staff eligible for submissions have been decided purely based on the criteria for submissions as outlined in the Code of Practice.**

**Analysis of the data collected for this exercise shows that 65% of research active staff are male and 35% are female. The University will consider this imbalance in relation to its recruitment process for research active staff and will endeavour to provide opportunities for staff to either become or remain research active whilst in post.**

5. Is there any evidence to indicate this policy will have a positive or negative impact on the use of the Welsh language within the University? (You may want to consider numbers or proportion of Welsh speaking students/staff and/or provision of Welsh language services or teaching).

**No evidence to indicate impact on use of Welsh Language within the University.**

**As part of the University's strong commitment to a bilingual working environment and in line with its Welsh language policy, the policy and disclosure forms were provided bilingually. Staff were able to have an individual meetings to discuss their circumstances through the medium of Welsh if they so wished. The panel membership included Welsh speakers.**

6. What steps have been taken, or considerations made, to ensure that this policy, practice or procedure does not have an adverse impact on those with protected characteristics?

**Data has been analysed by gender, ethnicity, disability and age. Please note that the University does not currently collect data on staff for religion or belief, sexual orientation or gender re-assignment. The data provided in the appendix is each time calculated based on the total number of research active staff (rather than for example as a percentage of total number of males).**

Group	Evidence
Disabled people	Of total research active staff, 5.9% declared as disabled, none of which sought a reduction in outputs.
Gender	<p>Of research active staff 65% are male and 35% female.</p> <p>Of staff identified with non-complex circumstances that sought a reduction, there was a higher percentage of males to females. However, when considering the percentage in relation to the total number of eligible males, the percentage is 27.3%, and 22.2% for females, which means that the comparative percentages are much closer than it may first appear.</p> <p>Of staff identified with complex circumstances that sought a reduction, there was an equal percentage of males to females.</p> <p>The very small number of staff opting out of REF or without sufficient outputs are also an equal percentage of males to females.</p>
People of different ages	Of research active staff, the majority of staff are aged between 31-60. The very small number of staff opting out of REF or without sufficient outputs are also in this age range.
People of different races or ethnicity	Of Research Active staff, the majority of staff are White British at 62.7% compared to 35.3% of other ethnic backgrounds. The very small number of staff opting out of REF or without sufficient outputs are White British.
Pregnancy and maternity.	<p>Considerations have been made, as part of this procedure, to ensure that it does not have an adverse impact on those having undertaken periods of maternity, paternity, adoptive leave, or faced constraints due to pregnancy or maternity.</p> <p>When determining which staff may be submitted with a reduced number of research outputs, individual staff circumstances that are taken into consideration include researchers who have taken time out of work, or whose ability to work productively throughout the assessment period may have been affected because of pregnancy and/or maternity.</p>

7. Will this policy assist the University in its ability to comply with the general duty of the Equality Act 2010 as set out below?

**As part of the University’s continuing efforts to promote full equality of opportunity and eliminate all forms of discrimination, the Code of Practice ensures that the research activities of all its researchers, is valued and properly considered for submission in REF 2014, regardless of individual circumstances. No member of the University community is to receive more or less favourable treatment on any grounds not relevant to good educational and employment practices.**

**The University will actively promote the Code of Practice and will implement the working practices detailed within.**

8. Who has been consulted on the impact of this policy?(please add dates as appropriate)

**The Code has passed through the University’s formal committee and board structure. In each a process of consultation and feedback from representatives of the academic community and the Senior Management Team has been undertaken, minutes of which are available for consultation. The path of the code of practice has taken through this structure during 2012 is as follows:**

<b>Equality &amp; Diversity Committee.</b>	<b>20<sup>th</sup> Feb</b>
<b>Research Committee</b>	<b>22<sup>nd</sup> March</b>
<b>REF Working Group</b>	<b>18<sup>th</sup> April</b>
<b>Humanities Faculty Board.</b>	<b>27<sup>th</sup> April</b>
<b>Human Resources Committee</b>	<b>3<sup>rd</sup> May</b>
<b>Senior Management Team</b>	<b>15<sup>th</sup> May</b>
<b>Information Services Resources Committee</b>	<b>16<sup>th</sup> May</b>
<b>Arts an Social Science Faculty Board</b>	<b>18<sup>th</sup> May</b>
<b>Education and Training Faculty Board</b>	<b>18<sup>th</sup> May</b>
<b>Equality &amp; Diversity Committee</b>	<b>28<sup>th</sup> May</b>
<b>Senior Management Team</b>	<b>12<sup>th</sup> June</b>
<b>Senate</b>	<b>4<sup>th</sup> July</b>

**In addition, the code has been through a period of University wide consultation during April 2012 and Trade Union representatives have been consulted.**

9. When will the policy be reviewed?

**To be kept under review as submissions are prepared, particularly at key stages of the selection process; when identifying staff who are likely to be selected; when considering appeals and when preparing the final submission.**

10. What further actions need to be considered? (detail below)

<b>Actions Required</b>	<b>Resources/ Costs</b>	<b>Staff Member Responsible</b>	<b>Timescale</b>
Analysis of any future complaints / consideration of any future appeals  Further EIA prior to final submission		Director of HR  HR, Member of E&D Committee and Senior R&D Officer	Timelines as identified in policy  Prior to November 2013.

**Date:** 10<sup>th</sup> July 2012

**Contact:** Dr Matt Briggs

REF Equality and Diversity Code of Practice EIA Data												
Category	Gender		Disability	Ethnicity			Age					
	% Male of total research active staff	% Female of total research active staff		% Declared disabled of total research active staff	% Other Ethnic background	% Other ethnic background of total	% White British of total Research Active staff	% 18-25 yrs Total Research Active Staff	% 26-30 yrs Total Research Active Staff	% 31-40 yrs Total Research Active Staff	% 41-50 yrs Total Research Active Staff	% 51-60 yrs Total Research Active Staff
Staff identified as Research Active	65%	35%										
Individual Personal Circumstance forms sent	65%	35%										
Individual Personal Circumstance forms received (12th June)*	63%	33%	5.9%	36.7%	35.3%	62.7%		3.9%	23.5%	37.3%	27.5%	5.9%
Staff identified with Non-Complex Circumstances (no reduction sought)	4%	0%				3.9%					2.0%	2.0%
ECR	0%	0%										
Fractional	2%	0%				2.0%						2.0%
Career break / secondment	2%	0%				2.0%					2.0%	
Staff identified with Non-Complex Circumstances (reduction sought)	18%	8%		30.8%	7.8%	17.6%		3.9%	7.8%	7.8%	5.9%	
ECR	4%	2%		66.7%	3.9%	2.0%		3.9%	2.0%			
Fractional	10%	2%		16.7%	2.0%	9.8%			3.9%	2.0%	5.9%	
ECR + Fractional	4%	4%		25.0%	2.0%	5.9%			2.0%	5.9%		
Career break	0%	0%										
Maternity / paternity leave	0%	0%										
Staff Identified with Complex Circumstances (no reduction sought)	8%	2%	2.0%	40.0%	3.9%	5.9%			2.0%	3.9%	2.0%	2.0%
Staff Identified with Complex Circumstances (reduction sought)	2%	2%		100.0%	3.9%					2.0%		2.0%
Research active staff without sufficient outputs (regardless of * rating)	0%	0%										
Research active staff opting out of REF	2%	2%				3.9%					3.9%	
Research active staff requiring adjustments to contract to be eligible for submission	6%	0%										
Fraction (below 0.2)	2%	0%				2.0%			2.0%			
Extension of current contract	2%	0%		100.0%				2.0%				
Duties	2%	0%				2.0%			2.0%			
Total Staff eligible for submission	63%	33%										