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3rd October 2019

Dear Dr Hill,

Further to your letter of 16th August 2019; and our subsequent submission to you of a redrafted Code of Practice on 20 September 2019, I can now *'explicitly confirm that staff agreement has been received for the processes established to identify staff with significant responsibility for research'* using the process described in our Code of Practice.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Joanna Price'.

Professor Joanna Price

## **Royal Agricultural University Code of Practice for REF2021**

### **1. Introduction**

- 1.1. The purpose of the Royal Agricultural University is 'To care for the land and all who depend on it'. Established in 1845 as a college dedicated to the land-based sector, it was the first such institution in the English-speaking world. Since its foundation, the college, and now as the Royal Agricultural University, has sought to fulfil its purpose through education, research and knowledge exchange. The submission to REF2021 will reflect the continuing commitment of the University to significant, relevant, and impactful research.
- 1.2. The purpose of this Code of Practice is to ensure that the principles of transparency, consistency, accountability, inclusivity and fairness in REF processes at the Royal Agricultural University (RAU) are upheld, particularly with respect to: identifying staff with significant responsibility for research (SRR); determining research independence; selection of research outputs; and taking account of individual circumstances affecting outputs.
- 1.3. This code responds to all relevant equality legislation, including the Equality Act 2010 (Specific Duties and Public Authorities) as well as the University's own policy and procedures relating to inclusivity, equality and diversity (Appendix 1)
- 1.4. **Since REF2014 the Royal Agricultural University has:**
  - 1.4.1. Introduced a procedure to identify staff with significant responsibility for research, and for the selection of outputs;
  - 1.4.2. Developed its transparent Workload Allocation Model for academic members of staff which encompasses allocated time for research, scholarship, knowledge exchange, teaching and administration on an individual basis;
  - 1.4.3. Formed an Equality, Diversity and Inclusion Committee;
  - 1.4.4. Developed its staff appraisal system to: focus on progression and development; to inform workload allocation; and identify training, resource and mentoring requirements;
  - 1.4.5. Restructured to four academic Schools. This has, in part, provided critical mass in key subject areas and therefore reduced 'single point of failures' and enabled a fairer distribution of workload within disciplines;
  - 1.4.6. Removed the role of Principal Lecturer, and introduced that of Associate Professor. This has facilitated wider benchmarking of academic grades to other HEIs in the UK and beyond.
- 1.5. **Principles**
  - 1.5.1. In line with REF2021 Guidance, this Code of Practice demonstrates the University's

adherence to the principles of transparency, consistency, accountability and inclusivity as follows:

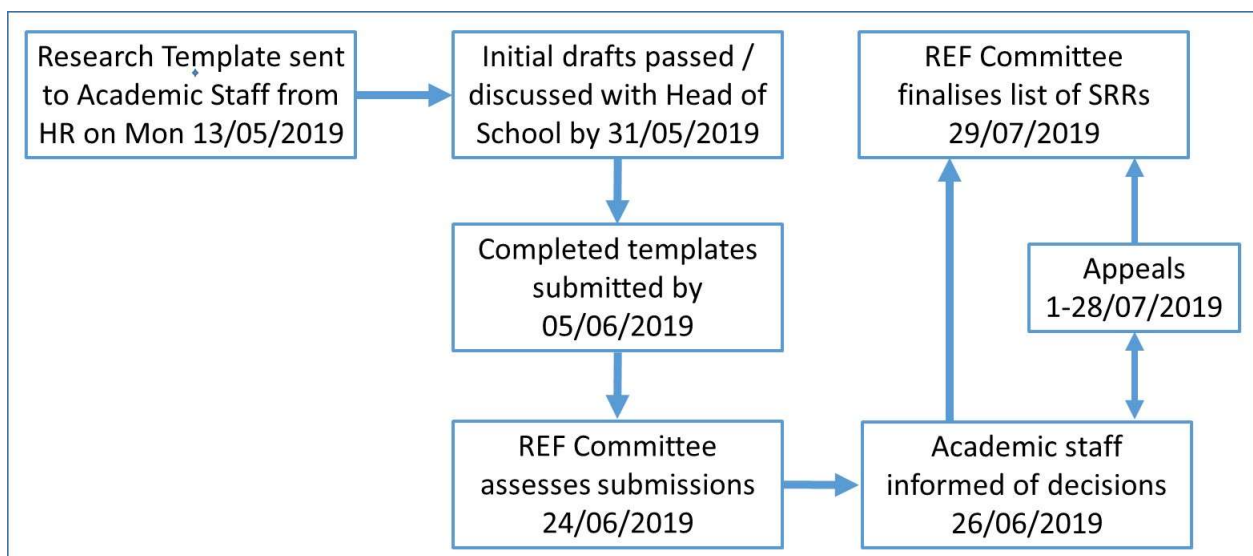
- 1.5.2. **Transparency:** All processes for identifying eligible staff who have significant responsibility for research, determining those who are independent researchers, and for selecting research outputs for inclusion in the REF2021 submission are aligned to the *Guidance on Submissions*. Academic Board (Appendix 2) ensures staff have an opportunity to contribute to the consultation and to remain informed throughout the University's preparation of the REF2021 submission. The Royal Agricultural University maintains an academic establishment of about 65 individuals: all these academic staff are members of Academic Board.
  - 1.5.3. **Consistency:** The University selection processes will be undertaken in accordance with this code and will be consistent across the University and implemented uniformly. All decisions on eligibility and outputs will be taken by the same REF Committee (see 2.13) and where appropriate, the same Appeals Panel (see 2.23) and the same Individual Staff Circumstances Committee (5.12). Consultation with, and criteria and outcomes are reported to, the same Academic Board.
  - 1.5.4. **Accountability:** Responsibilities are clearly defined, and individuals and groups involved in the selection of staff and outputs for the REF submissions are identified by name or role. All those in decision-making and advisory roles will engage in specific equality and diversity training. All data collection for REF2021 purposes will meet GDPR requirements.
  - 1.5.5. **Inclusivity:** The Code will promote an inclusive environment by establishing, maintaining and updating an Equality Impact Assessment (EIA) at all key stages of the process. The EIAs will be conducted with, and in accordance with the guidance of, the Human Resources Department of the RAU (Appendix 3)
- 1.6. Communications**
- 1.6.1. The RAU uses its Academic Board to consult and communicate with staff regarding REF and associated processes. The Academic Board includes all academic staff members (i.e. Category A: Lecturer, Senior Lecturer, Associate Professor, Professor), senior academic managers, Heads of Student Support facilities, and representatives of the student body. The Academic Board is chaired by the Vice-Chancellor, and meets formally every month. Members unable to attend in person (e.g. due to part-time arrangements, leave, illness, special circumstances) are circulated with documents and where appropriate, asked for responses.
  - 1.6.2. Information on the REF process and with specific regard to the Code of Practice will be shared with staff across the institution. Communication will be through all staff meetings and the staff newsletter, copies of which are also available to all staff on the RAU internet. All staff will have access to the Code of Practice and are encouraged to engage with the REF process.

## **2. Identifying Staff with Significant Responsibility for Research (SRR)**

- 2.1. The RAU recognises that SRR eligibility comprises 'those for whom explicit time and resources are made available', and 'who actively engage in independent research', and where research 'is an expectation of their job role'.
- 2.2. The University has decided to use its formal institutional Workload Allocation Model framework to identify staff with significant responsibility for research. The Workload Allocation Model applies to all academic staff and covers teaching, research and related activity (pro rata for part-time staff). Early career academics may be allocated additional time within the Workload Allocation Model to establish their research in recognition of their developmental needs, and they will be returned where they meet the definition of an independent researcher. The process for workload allocation is established.
- 2.3. The academic staff contracts of the RAU do not differentiate staff as having specific teaching and/or research duties. Those on academic contracts cannot be assumed to have significant responsibility for research as defined by the *Guidance on Submissions*. Staff who are employed on academic contracts of 0.2 FTE or greater must therefore demonstrably meet the criteria for having SRR to be included in the RAU REF submission.
- 2.4. Workload allocation is undertaken from May onwards in preparation for the next academic year, alongside annual appraisals that review performance, development and individual personal research plans. This process collects data on objectives and reports on activities undertaken in the context of the individual's career stage and research activity level.
- 2.5. The Workload Allocation Model recognises the priorities for each School with regard to research, planned student numbers, teaching needs, enhancement of the student experience, and so forth. Allocations for research time are agreed with each individual and may vary depending on the expectations of the researcher, grants, outputs and personal circumstances. Should it not be possible to reach agreement on research activity (or any other element of the Workload Allocation Model) staff can comment or challenge their proposed plan as part of the usual process of workload allocation, that is, staff have the opportunity to raise concerns with their line manager or Head of School.
- 2.6. The academic titles at RAU progress from Lecturer, to Senior Lecturer, to Associate Professor to Professor. Although academic contracts do not differentiate SRRs, research can be a contributing component in support of appointments and progression to Lecturer and Senior Lecturer. For the grade of Associate Professor and above, candidates need to be excellent in at least two of three categories namely Research and Knowledge Exchange, Teaching, and Leadership.
- 2.7. Academic staff members initially self-determine whether they believe they fall in to the SRR category such that it is their expectation that independent research forms a

significant part of their duties. This ‘expectation’ is embodied within annual appraisals in terms of review of performance and in the setting of objectives. In addition, when appropriate, research performance by SRRs would contribute significantly to cases for progression or promotion. Particularly, for promotion or appointment to Associate Professor or Professor, SRRs would need to demonstrate excellence in Research.

- 2.8. Staff self-identifying as SRRs complete a template (Appendix 4) prior to input from their Head of School i.e. their line manager. The role of the Head of School is to confirm or otherwise whether research is an expectation of the individual, in consideration of the individual and the overall delivery needs of the School. Heads of School also have a responsibility to ensure that all likely candidates submit templates and thus help guard against personalities less willing/able to engage. The evidence for each staff member is submitted to the REF Committee and a decision made as to whether the member met the proposed criteria based on current and planned expectations of their role.
- 2.9. The criteria used by the REF Committee for confirming or otherwise whether members of staff should be considered as having SRR are:
- That the existing and/or planned profile of responsibility indicates that significant research is a normal expectation of their job role.
  - Existing and/or planned research is indicative of an independent researcher, able to apply for research funding as a lead or co-applicant.
- 2.10. **Individuals having SRR are allocated at least 30% time for research in the RAU workload allocation model.**
- 2.11. Figure 1 shows one cycle of the process for determining SRRs. Further cycles are envisaged to deal with new appointments. The first cycle received completed templates from 17 individuals, 14 of which were agreed, by the REF Committee to be SRRs.



**Fig. 1.** Stages of identifying individuals as having significant responsibility for research (SRR).

- 2.12. The cycle outlined in Fig. 1 was developed following consultation. A consultation paper (Appendix 5) was distributed to Academic Board on 5 April 2019. The comments on the consultation paper, and the responses to those comments are shown in Appendix 6. The finalised research template was distributed to all academic staff on 13 May 2019 and the finalised selection process relayed to staff in an Academic Board on 21 May 2019.
- 2.13. The REF Committee comprises the Vice-Chancellor (Chair; Professor Joanna Price), the REF lead (Professor Mike Gooding), the Head of Human Resources, the Assistant Vice-Chancellor (Dr Becky Taylor), a member of the professoriate (Professor David Main), a nominated Head of School (Professor Neil Ravenscroft), an early career academic (Dr Felicity Crotty), and an administrator (Ms Lynn Seager). The composition of the Committee reflects University leadership and line management responsibility and provides appropriate professional support for consistent decision making.
- 2.14. The REF Committee is composed and conducts its business in accordance with our statutory and public duty responsibilities in respect of promoting equality and diversity. The REF Committee meets monthly and is responsible for managing the REF submission processes, implementing the criteria for identifying staff with significant and independent responsibility for research, overseeing the scoring of outputs, reviewing development of impact case studies, and assisting in the production of the environment statement.
- 2.15. The REF lead is responsible for liaising with academic staff, via Heads of Schools, ensuring appropriate communication and feedback is given to individuals at each stage and advising them of the process of appealing decisions on inclusion or exclusion. The Heads of Schools meet formally as a group every two weeks. The Head of Human Resources is responsible for ensuring compliance with the principles of transparency and inclusivity throughout.
- 2.16. Minutes and an action list of the REF Committee are produced for each meeting.
- 2.17. The project timetable is given in Appendix 7.
- 2.18. During the selection process staff may informally request clarification and feedback from the REF Lead at any stage. All affected staff will be informed of the outcome of the selection process within three working days of the REF Committee's assessment (e.g. Fig. 1) and, if relevant, advised of the opportunity and process to appeal the decision.

### Appeals Process

- 2.19. The appeals process documented here relates to a discrete procedure to support the REF2021 process. Appeals may be made within four weeks of being informed of the REF Committee's decision (e.g. Fig. 1) and considered on the grounds that:
- i. Criteria for selection of SRR or independent research were not applied in accordance with this Code, or

- ii. there was a material error, or omission, in the data used by the REF Committee in applying the criteria.
- 2.20. An appeal will not be considered on other grounds for which there is an existing University procedure for redress, such as the University's Grievance Procedure.
  - 2.21. Staff members wishing to make an appeal under points (i) and (ii) above should put the grounds for their appeal in writing/email and send it to the REF Lead within four weeks of the receipt of the decision. It is vital that the rationale for appeal is clearly specified in accordance with the established criteria, and that the appeal letter is supported by a copy of the individual's current CV.
  - 2.22. The appeal will be reviewed by a dedicated University REF Appeal Panel within four weeks of the appeals deadline. It is expected that most matters will be considered by written representation, although an appeal can be heard in person if preferred by the individual. In such cases the individual may be accompanied by a work colleague or trade union representative. The University will ensure that all appeals are considered and feedback provided to individuals before the final submission is made.
  - 2.23. The composition of the REF Appeals Panel is wholly independent from the REF Committee membership and comprises: the Head of Post-graduate research (Chair, Professor Meriel Moore-Colyer); a member of the professoriate not on the REF Committee (Professor Louise Manning); a Head of School not on the REF Committee (Dr Andrew Hemmings); and the Human Resources Academic Business Partner.
  - 2.24. The Appeals Panel will investigate and forward a written response within 7 days. The decision of the Appeals Panel is final.
  - 2.25. There were no appeals made against the REF Committee's decisions from the first cycle of assessments (Fig. 1).

#### Equality Impact Assessments (EIA)

- 2.26. Equality Impact Assessments are intended to be a comprehensive and systematic tool to promote fair treatment. An EIA will be used to review REF processes to identify staff, determine research independence and output selection and consider whether they may impact particular groups with one or more protected characteristic, allowing appropriate action to be taken. They will be used to inform the Code of Practice and will be reviewed during the submission process.
- 2.27. The EIA will draw on data already provided to the University as part of an individual's employment relationship. The University will fully respect all data protection legislation and will only publish information at an aggregated level. Where the analysis involves small numbers it is recognised that this may influence the percentages reported in any statistical data, and an EIA will identify instances that have a marked impact for particular groups. The aim is to use qualitative sources of information proportionate to the aims of REF2021.

- 2.28. The REF Committee will undertake an Equality Impact Assessment (EIA) in accordance with the University's EIA guidance (Appendix 3) for example, comparing the composition of the SRR cohort with that of the entire complement of RAU academic staff. Where appropriate the Committee will identify actions arising from this process.
- 2.29. The EIA will be reviewed at key stages of the process to ensure that actions to prevent discrimination or promote equality are taken prior to the REF submission deadline, namely:
- Summer 2019 - identifying staff with a significant responsibility for research
  - Autumn 2019 to Spring 2020 - determining research independence and selecting outputs for submission; it is anticipated that the EIA relating to outputs will be an ongoing activity once started
  - Summer 2020 – final review of the return covering selection of staff, independence and output allocation when preparing the final submission.

### **3. Training**

- 3.1. All members of the REF Committee and the REF Appeals Panel received training for unconscious bias, safe-guarding, *Prevent*, and General Data Protection Regulations before the start of the cycle in Fig. 1. Specific training on equality and diversity for the REF Committee, the REF Appeals Panel, and the internal reviewers of outputs (see 5.2) is on-going, and will be completed by the end of October 2019. Professors Price, Gooding, Main and Ravenscroft have had extensive experience and training in REF (and RAE) processes for previous submissions. Professor Gooding attended the REF 2021 Codes of Practice workshop 18th February, and the REF Briefing Event: Audit, Policy and Submissions, 12 June.
- 3.2. Equality and diversity training covers the type of behaviours that are expected from all members of the University, information about equality law and the ways we support and promote equality, diversity and inclusion. Training on unconscious bias includes guidance on ways to mitigate against it.
- 3.3. REF specific briefings complement this broader provision with the aim of ensuring decisions are based on the quality of submission and that individuals or individual circumstances do not influence decision making.

### **4. Determining Research Independence**

- 4.1. All academic staff on grades Lecturer; Senior Lecturer; Associate Professor; and Professor are expected to develop independent leadership for their subject area whether through research, impact, teaching, knowledge exchange, and/or administration. By implication, academic staff on Lecturer grades and above who meet the SRR requirements are defined as being independent researchers.
- 4.2. RAU do not currently employ Research Fellows, Post-Doctoral Research Assistants or other such titles for post-doctoral 'research-only' staff. If RAU made such



appointments, it is not anticipated that they would be independent of associated academic staff as listed in 4.1.

## **5. Selection of outputs**

- 5.1. All identified SRRs will attend interactive workshops, including group sessions, to identify ways of ranking papers on the basis of research originality, quality and significance. Part of these exercises will include comparisons of papers scored 1\*, 2\*, 3\* and 4\* by external sources. SRRs will be asked to score and rank their own papers.
- 5.2. In addition, a panel of 5 internal reviewers with previous experience of REF reviews and with experience in the UoA subject area will be appointed to undertake peer review of outputs from the SRRs. The panel will undergo benchmark training to ensure consistency in the approach to reviewing outputs.
- 5.3. Where there are disparities between the ranking or scoring in 5.1 and 5.2 there will be further discussion between panel members and particular SRRs to understand differences and further iterate the scoring. Where significant divergence persists (i.e. more than 1 unit score) the majority view (i.e. amongst six scores – five internal, and one from the SRR) will take precedence. In the event of a 3:3 split external assistance may be sought.
- 5.4. The internal panel will be the principal source of scoring of outputs by former staff, including those made redundant.
- 5.5. Any appeals on output scoring will be considered on the basis that the process did not adhere to 5.1. – 5.4. Appeals may be made to the REF Appeals Panel (2.23) within four weeks of being informed of the REF Committee's decision on scores.
- 5.6. When scores and ranks (based on mean scores) of all papers are derived for mock REF exercises (January 2020, and May 2020), the REF lead will report to the REF Committee the combination of papers that would give the maximum grade point average given a mean paper submission rate of 2.5 per SRR submitted (min. 1, max. 5, or otherwise subject to circumstances).
- 5.7. It is recognised that REF2021 requires a minimum of one output to be allocated to an eligible member of staff with a maximum of five. No individual member of staff is permitted to have more than five outputs attributed to them although they may have co-authored other outputs attributable to other individuals.
- 5.8. There are a number of reasons why an excellent researcher may have fewer or more outputs in the assessment period and RAU does not expect that all submitted staff will be returned with the same number of outputs.
- 5.9. It is accepted that staff working part-time, who have caring responsibilities, have periods of ill health, family related leave or career breaks during the assessment period may contribute fewer outputs than others. The impact of each circumstance is unique and the University will not be prescriptive in assigning numbers of outputs

expected from any individual.

- 5.10. The REF Committee will make Equality Impact Assessments by comparing the weighted (for number of submitted papers) SRR contribution to the Mock REF exercises with that of the entire complement of RAU academic staff. Similar assessments will be made following any requests to account for individual circumstances (see 5.11-5.16). Where appropriate the Committee will identify actions arising from this process.
- 5.11. Following the finalisation of the SRR cohort membership, all individuals will be invited, voluntarily and confidentially, to inform in writing, the Individual Staff Circumstances Committee of conditions and situations that could contribute to their outputs being less than the normal expectations of RAU.
- 5.12. The Individual Staff Circumstances Committee will comprise the REF Lead, the Head of Human Resources, and the Chair of the Equality, Diversity and Inclusion committee (Ms Julie Walkling). All staff involved in the process will be made aware of, and adhere to, the guidance on individual circumstances in respect to confidentiality and sensitivity.
- 5.13. The invitation will include a list of possible circumstances that could be taken into account, i.e. in accordance with the *Guidance on Submissions*:
  - Career as an independent researcher began on or after 1 August 2016
  - Disability (Appendix 8)
  - Ill health, injury, or mental health conditions
  - Constraints relating to pregnancy, maternity, paternity, adoption or childcare
  - Other caring responsibilities (such as caring for an elderly or disabled family member)
  - Gender reassignment
  - Other circumstances relating to the protected characteristics (Appendix 8) or relating to activities protected by employment legislation.
- 5.14. Relevant individuals will be asked to provide evidence for possible circumstances.
- 5.15. The Individual Staff Circumstances Committee will sit as and when required until a deadline for notification of circumstances on Friday 29 November 2019.
- 5.16. If deemed justified by the REF Lead and the Chair of the REF Committee, the University will be in a position to submit a request to the REF Equality and Diversity Advisory Panel (EDAP) for a reduction in the overall number of outputs required by 31 December 2019.

## **Part 5: Appendices**

### **Appendix 1: Policy and Procedures Relating To Inclusivity, Equality and Diversity**

#### **1. Overview**

1.1. The Royal Agricultural University recognises the value and dignity of each individual and will treat them with fairness and respect. The University acknowledges the adverse effect that any form of discrimination can have on individuals, as regards their personal life, their career or academic progress.

1.2. The University will therefore use its best endeavours to:

1.2.1. Create an inclusive community, which promotes diversity and equality of opportunity for all;

1.2.2. Provide its students, staff and visitors with a welcoming, secure and supportive environment in which all members are free to achieve their full potential;

1.2.3. Implement strategies aimed at promoting equality of opportunity and eliminating discrimination.

1.2.4. Take the appropriate steps to ensure that all forms of discrimination are addressed positively and constructively, and in a way which will help to build an equality-driven, inclusive RAU community.

#### **2. Responsibilities**

##### **2.1. Board of Governors**

The overall responsibility for compliance with equal opportunities legislation and the implementation of the RAU Equality Scheme lies with the Board of Governors, who acting through the Equality, Diversity and Inclusion committee (EDI) will:

2.1.1. Delegate the management of obligations to relevant staff, action groups and committees including, but not limited to the University's EDI Committee

2.1.2. Establish such procedures as are necessary to ensure that the University meets its social and moral obligations both under statute and in accordance to this Policy.

##### **2.2. University**

2.2.1. The University will not victimise any person who has complained of harassment or unfair discrimination or who has assisted in connection with such a complaint;

2.2.2. The University will actively seek to promote equality of opportunity for others and endeavour to create an inclusive community which promotes diversity and equality of opportunity for all.

### 2.3. Individuals

2.3.1. Notwithstanding the University's overall responsibilities above, individual members are also required to support and uphold this Policy to ensure its success.

### 2.4. Visitors and guests

2.4.1. All visitors to the University, together with those contracted to work at or for the University will be expected to comply with this Policy.

### 2.5. Contractors and Suppliers

2.5.1. The selection processes for contractors and suppliers (including consultants) may include the extent to which contractors and suppliers comply with equal opportunities legislation and the University's IED Policy. Contractors or suppliers that are unable to demonstrate such compliance should be excluded from consideration of the contract in question.

2.5.2. Where appropriate the University shall monitor and review the extent of contractors' and suppliers' compliance with legislation and the University's IED Policy.

2.5.3. All contracts should include provisions requiring compliance by the contractor or supplier with legislation and University's IED Policy and for termination in the event of breach or non-compliance.

## 3. Equality Scheme: Strategy and Action Plan

3.1. The RAU Equality Scheme has been developed to promote our commitment to providing an environment where all people are respected and treated fairly regardless of irrelevant characteristics or distinctions such as: gender, race, colour, ethnic or national origin, age, disability, socio-economic group / background, religious belief / faith, political belief or affiliation, marital status, family responsibilities and sexual orientation. The strategy sets out an equality action plan to address these issues, under our statutory requirements and as a Higher Education Institution (HEI).

3.2. The development of this Scheme is an ongoing process, and we will continue the work to progress towards these aims, primarily by identifying a programme of work over a three-year cycle years and prioritising the various activities within an action plan. The action plan will be adjusted as necessary throughout that period, as progress is monitored and as new issues emerge over time.

3.3. The Equality Scheme sets out how the University will put this policy statement into practice, and can be viewed at

<https://intranet.rau.ac.uk/CommitteesGroups/InclusivityEqualityAndDiversityCommittee/Pages/Policies-and-Procedures.aspx>

#### **4. Complaints Procedure, Incident Reporting and Related Policies**

4.1. Any complaint will be taken seriously and dealt with in a timely and sensitive manner and in accordance with the relevant grievance and disciplinary procedures.

4.2. The Student Complaints Procedure is set out in the Student Handbook.

4.3. The Staff Grievance Procedure is available can be viewed at-

<https://intranet.rau.ac.uk/DepartmentsSchools/HumanResources/Pages/HR-Policies.aspx>

4.4. Staff or students who believe they may be victims of harassment should refer initially to the Dignity at Work Policy which can be viewed at-

<https://intranet.rau.ac.uk/CommitteesGroups/InclusivityEqualityAndDiversityCommittee/Pages/Policies-and-Procedures.aspx>

4.5. Where people have been offended by behaviour which is motivated by prejudice or results in unlawful discrimination, this can be reported on an Equality Related Incident Form which can be downloaded at-

<https://intranet.rau.ac.uk/CommitteesGroups/InclusivityEqualityAndDiversityCommittee/Pages/Policies-and-Procedures.aspx>

## **Appendix 2: Terms of Reference for Academic Board**

### **ACADEMIC BOARD**

#### **Key purpose / overview of role of committee**

The Academic Board is the University's most senior academic body. It decides the strategic direction for, and maintains oversight of, the academic life of the University, particularly its teaching, learning and research activities, and contributes to the development and implementation of the Strategic Plan. It is responsible for the academic regulations of the University and for advising the Vice-Chancellor and the Governing Council on all academic matters.

#### **Membership**

Membership of Academic Board shall normally include members of academic staff, two representatives of the Student Union (normally one of whom would be the Chair of the Student Union) together with such other professional services staff as the Board shall decide. The Vice-Chancellor chairs the Academic Board.

#### **Reporting**

The proceedings of Academic Board, together with its recommendations, shall be made available to the University's Governing Council.

#### **Terms of Reference**

The Academic Board has responsibility for determining the nature and quality of the academic activities of the University and for advising the University's Vice-Chancellor and Governing Council accordingly.

Subject to the University's Charter and Byelaws, the Academic Board shall have the following functions and powers:

- i. To provide annual assurance to the Governing Council on the quality of provision and the standard of awards;
- ii. To evaluate and make recommendations to the University's Executive and Governing Council regarding the teaching, scholastic and research activities of the University, in line with the University's Strategic Plan;
- iii. To exercise strategic responsibility for ensuring, through appropriate scrutiny, the quality assurance and quality enhancement of all teaching, scholastic and research activities;
- iv. To exercise overall responsibility for the development, monitoring and review of strategies, policies, procedures and regulations governing the academic activities of the University;

- v. To advise on the continuous improvement of the student academic experience and student outcomes;
- vi. To support the convergence of the University's academic planning and resource budgeting, in consultation with the University's Executive;
- vii. To determine the membership, chairmanship and terms of reference of such sub-committees as it considers necessary to support the Board in fulfilling its remit, and to receive and approve reports and recommendations from such sub-committees;
- viii. To exercise strategic oversight of the policies and procedures for academic staff progression and promotion and the policies and practice for academic staff appointment and staff development;
- ix. To delegate to the University Examinations Committee the conferment of degrees and other academic distinctions to individuals who have successfully followed an approved University programme and/or satisfied the regulations pertaining to such awards;
- x. To decide, on what the Academic Board shall deem to be good cause, that the University should deprive any person of any Degree or other award, honorary or otherwise, conferred on them by the University, and to revoke any Degree, Diploma or Certificate granted to them by the University;
- xi. To ensure that all University programmes provide an outstanding learning experience, are industry relevant and provide appropriate opportunities to develop employability skills and life-long career management skills;
- xii. To approve the appointment of Honorary and Visiting Professors, Honorary and Visiting Fellows and other such honorary titles as the Board deems appropriate;
- xiii. To approve recommendations for new or amended programmes of study and awards for both internal and collaborative programmes;
- xiv. To approve the suspension and withdrawal of programmes of study and awards;
- xv. To consider data and reports at national and institutional level relating to the quality and relevance of the University's programmes, the standards of its awards and the overall student experience;
- xvi. To have oversight of, and make recommendations to the University's Executive concerning the University's Academic Plan, the National Student Survey (NSS) Action Plan and its Teaching Excellence and Student Outcomes Framework (formerly TEF) and Research Excellence Framework (REF) submissions;
- xvii. To approve partner institutions for the delivery of academic programmes, or part-programmes, including where such programmes may lead to a University award, and to approve the termination of such partnerships;

- xviii. To advise on such other academic matters as the Governing Council or the Vice-Chancellor may refer to it;
- xix. Review those elements of the University's Risk Register that relate to the work of the Board and advise the University Executive and Governing Council as appropriate.



## Appendix 3:

### Equality Impact Assessments (EIA) Information and Guidance



#### Introducing Equality Impact Assessments

The Royal Agricultural University is required by law to ensure fair treatment in employment, study and service delivery. We must assert that we are not inadvertently discriminating against people, that we are providing equal treatment and that we have taken a range of needs into account. The use of Equality Impact Assessment (EIA) is not a legal requirement in England, but it is an established and credible tool for demonstrating due regard to the Public Sector Equality Duty which is required by law. Please read this guidance before completing an EIA.

#### Why use Equality Impact Assessments?

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Under the Equality Act 2010 the University is required to demonstrate that we have paid 'due regard' of equality issues when deciding the design and delivery of policies and services. How this is done is not dictated in the Equality Act but we are required to pay due regard to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
- Advance equality of opportunity between people who share a protected characteristic and those who do not
- Foster good relations between people who share a protected characteristic and those who do not

An Equality Impact Assessment (EIA) is a systematic process of ensuring that we have paid due regard to the above requirements. There are also a number of additional benefits including transparency, accountability and an improved service. For example we can explore how we structure the institution, the way we recruit and promote staff, and the way we treat students and visitors. EIAs can be seen as a form of quality assurance, making sure that the Royal Agricultural University is a fully inclusive environment. As such, in addition to our legal duties, there is also a compelling business case for carrying them out.

#### Scope and boundaries

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Every substantial activity (for example policies, major procedures and larger projects) can be examined in relation to its impact on equality. This is because there may be a possibility that it impacts people differently and therefore under the Equality Act 2010 we need to pay due regard to eliminate any negative differential impact. The effort should be proportionate and not all activities warrant the same level of detail; some will clearly have higher priority or risk than others.

*"The quality of an assessment is not measured by the number of pages produced but by the quality of the analysis, the action taken as a result, and the outcomes achieved through implementation." - ACAS*

At RAU the aim is that thinking about the equality impacts of our decisions, policies, processes etc become a natural way of working and completion of an EIA provides an opportunity to record the good practice already in place. The lead officer of the impact assessment is usually the policy owner. It is advised that the impact assessment is undertaken with a group in order to ensure that the assessment of the policy is not subjective and in order to obtain a comprehensive picture of the policy and to understand its extent and how it may fit to broader University objectives. The questions to be asked at this stage include:

- Is the policy affected by external drivers for change? (eg, new legislation, change in student population, complaints)
- Who implements the policy and who is responsible?
- Who are the stakeholders in relation to this policy? (eg, Unions, student societies, committees)
- Which specific groups have been consulted? (eg, Unions, external organisations, student bodies, staff groups)
- What are the aims and objectives or purpose of the policy?
- Is the policy applied uniformly throughout the University?
- Who is intended to benefit from the policy and in what way?
- What factors could contribute/detract from the outcome?
- Who will be affected by the policy and the way the policy is implemented?
- Who will benefit from the policy and how will they benefit from it?
- How does the policy fit in with the University's wider objectives?

## Consultation

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Consultation is a key part of the Equality Impact Assessment process as it enables the University to ascertain how its policies are affecting individuals. It also engages people in the decision making process and raises awareness of the work the University is doing to meet the General Duty. This in turn can raise confidence in the University's commitment to tackling inequality.

A decision on who should be consulted will reflect the aims of the policy and who it affects. Those most likely to be affected are the most important to consult, but it is useful to include consultation with those most likely to face discrimination and trade unions, the Student Union and specific external interest groups may have useful information/observations from the perspective of specific equality groups.

The concepts of proportionality and relevance should be applied when deciding how much to consult. This means that the amount of consultation undertaken should be in proportion to the equality relevance of the particular policy.

Effective consultation requires:

- A clear purpose
- Prompt analysis of the results

- Communicating the results to those involved
- A clear explanation of how the consultation will inform future decision making

Suggested possible consultation methods:

- Meetings of any formally constituted groups
- Focus groups
- Workshops
- Survey questionnaires
- Web based discussion group
- Web based questionnaires

## Analysing the Evidence

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Collating equalities data and using it to monitor the service or process is fundamental in understanding and determining whether there are any issues in relation to access or barriers for particular groups. When developing a new policy or considering changes, decisions may have to be based on existing knowledge and data and also on best estimates of the scope of the issue and the people it will affect. A further assessment may therefore need to be scheduled once the policy is in place and when monitoring and consultation have been undertaken.

When considering data collection techniques, it is important to consider data protection and human rights issues. It should always be made clear to individuals about how the information they provide will be processed and used. Additionally, managers should satisfy themselves that the information is reliable and valid.

Useful sources of data include:

- Feedback from prospective and current students/staff through regular feedback exercises such as training evaluations, exit interviews and staff suggestion scheme
- Performance indicators
- Service reviews that have been undertaken recently
- Formal satisfaction surveys, eg student satisfaction surveys
- Equality Challenge Unit, <http://www.ecu.ac.uk/>
- Professional statutory or Regulatory body reports
- Student population profiles/statistics
- Workforce profile
- HESA (Higher Education Statistics Agency) & UCAS (Universities and Colleges admissions services) data
- Other Universities and partner organisations
- Commission for Equality and Human Rights, [www.cehr.org.uk](http://www.cehr.org.uk)
- Specially commissioned research
- Research from HE trade unions
- Census data
- Equality monitoring of policies

When assessing relevant sources of information the following questions may be helpful:

- What do we need to know about this function/policy?
- Who should be involved in determining what information is needed?
- What information is needed to ensure that all perspectives are taken into account?
- What existing quantitative data is available both in-house and externally?
- What existing qualitative or evaluative data is available in-house and externally?
- What additional data is needed?
- How will this data be sourced?
- Is there a need to generate primary data?
- Is there a need for secondary analyses of existing data?

### Identifying the Potential Equality Issues and Factors

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At this stage the following needs to be considered:

- Whether the policy is likely to affect different groups, directly or indirectly, in different ways
  - Whether disparities between groups amount to unlawful discrimination (either direct or indirect) – if so, action must be taken to rectify this immediately
  - Whether the policy is meeting the needs of all groups
  - Whether some groups have conflicting needs
  - Whether there is any adverse impact and, if so, what are the reasons for the adverse impact
  - What evidence is available to back this up?
  - Has any concern be raised about the policy? If so, what evidence is there to substantiate the concerns raised?
  - Is the policy intended to improve equality of opportunity and is this lawful?
  - Are there any additional measures that can be adopted to further equality of opportunity in the context of this policy?
  - Is there any evidence that there is higher or lower participation or benefit enjoyed by any group?
  - Is there any evidence of higher or lower success, participation or uptake by equality target group?
  - Is there any evidence that different groups have different needs, experiences, issues and priorities in relation to this policy?
  - Have previous consultations with relevant groups, organisations or individuals indicated that policies of this type create problems specific to them?
- 
- Are there any obvious barriers to accessing any facility offered by the policy eg, language, physical access?
  - Are there any relevant groups which you believe should be consulted?
  - What data is required in the future to ensure effective monitoring?

Actions - what needs to be done

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It will become clear whether there are any differential or adverse impacts and if so, what they are. If it is

concluded that there are no adverse or differential impacts this should be evidenced and recorded.

Where an adverse impact is identified but thought to be unavoidable, this needs to be checked to ascertain whether it can indeed be justified legally or whether it constitutes discrimination under the Equality Act 2010. If adverse impact is found and it cannot be justified policies will need amending to remove/reduce negative impacts. It may be that changes are required in how the policy is put into practice or alternative ways found to achieve the aims of the policy. This is a creative part of the process and one which will benefit from wide participation within the bounds of practicality.

The following checklist may be helpful:

- Consider changing the policy
- Consider changing the implementation of the policy
- Consider developing positive action

It is useful to keep in mind what consultation is trying to achieve. Primarily it is to:

- find out what stakeholders think about a particular policy
- find out whether different groups experience the particular policy differently
- find out whether different groups know about a policy, how to access and use it
- find out whether different groups are treated equitably
- find out what outcomes different groups of stakeholders desire
- find out what outcomes different groups of stakeholders experience

## Timing

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An EIA of a new activity should start as early in the planning and development process as possible. This helps to ensure that there is adequate time to make adjustments identified in the EIA, and often draws in elements such as user consultation that would happen anyway. It may be helpful for ongoing activities (for example, established policies) to undergo an EIA as they come up for review.

## Ownership

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One of the challenges of EIA is ensuring it is undertaken by policy owners across the institution and does not fall to one individual. An institution-wide approach and commitment, supported by training and development, are key to this.

Each EIA is carried out and owned by the School or professional service group concerned, or in some cases a joint stakeholder team. This taskforce may include representatives from other parts of the University or even outside. It is important that the work is shared across the team rather than left to one person.

The lead assessor should send a copy of the completed EIA to the Head of Human Resources who will

monitor the EIAs and report to the Equality and Diversity Committee.

### **Training and support.**

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Human Resources will oversee the guidance and training of the EIA process, assisting in areas such as:

- providing general advice, templates and other resources on the RAU website
- training staff in conducting an EIA, and
- advising on complex activities

For further advice, please contact the Head of Human Resources

**Appendix 4. Research Template for consideration as having significant responsibility for research**



ROYAL AGRICULTURAL UNIVERSITY  
CIRENCESTER

“Research is a process of investigation leading to new insights, effectively shared. It includes:

- Work of direct relevance to the needs of commerce, industry, culture, society, and to the public and voluntary sectors
- The invention and generation of ideas, images, performances, artefacts including design, where these lead to new or substantially improved insights;
- The use of existing knowledge in experimental development to produce new or substantially improved materials, devices, products and processes, including design and construction.
- Research that is published, disseminated or made publicly available in the form of assessable research outputs, and confidential reports.”

(REF2021: Guidance on submissions)

Research Plan Template: For those staff wishing to be considered as having significant responsibility as an independent researcher

Section A. To be completed by member of staff

Section B. To be completed by Head of School, following discussion of Section A with member of staff.

Completed form to be returned by Head of School to [Lynn.Seager@rau.ac.uk](mailto:Lynn.Seager@rau.ac.uk) by 5.00pm Wednesday 5 June 2019.

Section A

<b>Name</b>	
<b>School</b>	
<b>Job title</b>	
<p><b>1. Recent Research Activity (since 2014)</b>  <i>Describe your main research area, and the nature and extent of the research activity you are engaged with at present. Include where relevant: grants held, grants in preparation, collaborators, principal facilities and resources being used, publications and other outputs being developed, and research students you are supervising (300 wds max):</i></p>	

<b>2. Planned Research Activity to September 2022</b>	
<i>Outline the research you plan to continue, develop, and/or start over the next three years including main research question(s)/hypotheses (300 wds max.).</i>	
2.1.	<i>Explain how your research plan builds on current activity, relevant previous outputs, collaborations and RAU strengths and strategy.</i>
2.2.	<i>Describe the type(s) of research methodology to be conducted, the resources needed and capability required to be developed.</i>
2.3.	<i>Explain how you intend to help resource your research plan (e.g. where appropriate say what grant proposals are needed and planned; what is the risk mitigation for certain proposals not being successful)</i>
2.4.	<i>What outputs from the research are expected (academic, impact, knowledge exchange / commercialisation; where appropriate give planned dates for delivery).</i>

Signed:	
<input type="checkbox"/> Ticking this box will be accepted as a signature if submitting electronically	



Section B

Name (Head of School):	
Head of School Comments:	<i>A brief comment as to your support (or otherwise) of this consideration in view of your evaluation and your priorities for the individual and school</i>
Signed:	
<input checked="" type="checkbox"/> Ticking this box will be accepted as a signature if submitting electronically	

## **Appendix 5: Paper for Consultation with all Academic Staff**

### **1. Context**

Our REF 2021 submission will identify and designate any of our RAU staff who:

- has significant responsibility for research
- is an independent researcher

This is a required process for REF2021 and will define the number of scientific outputs and staff that must be submitted from RAU.

In defining the scope of our REF 2021 submission, we first need to demonstrate that we have an approved code of practice in place that ensures:

- the fair and transparent identification of such staff; and their outputs.

### **2. What does the code need to cover?**

It needs to demonstrate that we have fully discharged, at a minimum, our statutory and public duty responsibilities in respect of promoting equality and diversity, and that we comply with legislation and avoid discrimination. We also need to describe our approaches to supporting staff with 'circumstances' or who may be otherwise disadvantaged in being covered by the range of 'protected characteristics' as defined by the Equality Act (2010). These characteristics comprise the following:

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion and belief
- sex
- sexual orientation.

### **3. Consultation in developing our code of practice**

We are also required to consult at all significant stages of developing our code of practice.

Para 43 off the REF 2021 Guidance on Codes of Practice (2019/03) requires that: 'Any consultations undertaken during the development of processes should detail how staff were communicated with (including staff who are absent from work and staff based in units outside the UK, where applicable), and the provision of information (in accessible formats), the verdict of the consultation and how this has impacted upon the final process'.

The RAU proposes that oversight and approval of all aspects of our REF 2021 submission,

including the first step of gaining external approval to our proposed code of practice, will rest with an internal REF committee. Due to the relatively small size of the RAU, we propose that the Academic Board is utilised as an appropriate body with which we can fulfil our important duty to consult on all aspects of the development of our REF 2021 Code of Practice. Separate or integrated consultation, as appropriate, with UCU will be independently agreed with the UCU representative.

Membership of and attendance at Academic Board meetings is open to all RAU academic staff and therefore we consider that our proposed means of consultation ensures that all academic staff will have the opportunity to contribute directly rather than through elected representatives. It therefore ensures that all and any of our staff who are covered by the range of protected characteristics, have the opportunity to be consulted and contribute to the development of the code.

#### **4. The proposed definition of staff with significant responsibility for research at RAU**

The following are the proposed criteria for determining staff with significant responsibility for research at RAU.

These are those for whom the following apply:

**‘Explicit time and resources are made available’.** Indicators of this will include:

- a specific proportion of time allocated for research,
- research allocation in the workload model.

**‘Routinely engage actively in independent research’.** Indicators of this will include

- applications for research funding as the lead or co-applicant

**‘It is an expectation of their job role’.** Indicators of this will include:

- current research responsibilities as indicated in objectives and performance reviews

We do not propose making changes to staff contracts.

#### **5. Proposed process for identifying staff with significant responsibility for research at RAU**

It is proposed that following this consultation staff members will initially be asked to self-determine whether they believe they fall in to the above category. Those staff who believe they do will be asked to complete a research pro forma prior to then meeting with their HoS and the REF Lead. The evidence for each staff member will then go to the REF committee and a decision made as to whether the member of staff meets the proposed criteria.

Staff will then have the opportunity to appeal this decision prior to a final selection being made.

The REF committee and appeal committee will be composed and conducted in accordance

with our statutory and public duty responsibilities in respect of promoting equality and diversity.

The research proforma will include sections for (not exclusively):

- A description of current research activity
- A plan of how this research activity will progress during the next three years
  - An introduction as to how the research plan builds on current activity, previous outputs, collaborations and RAU strengths and strategy.
  - The type(s) of research methodology to be conducted and resources used and to be developed.
  - How the research will be funded and resourced (what grant proposals are needed and planned; what is the risk mitigation for certain proposals not being successful)
  - What outputs from the research are expected (academic, impact, knowledge exchange / commercialisation).

## **Appendix 6: Response to Consultation with Academic Board**

### **REF 2021 Code of Practice Consultation on Criteria and Process for Determining Staff with Significant Responsibility for Research at the RAU Response to Academic Board**

The consultation was sent out to all members of academic Board on 05/04/19, with a final date for responses of 23/04/19. Sixty-six academics were included in the consultation, 52 returned a read receipt by the end of the consultation period, with a further eight read receipts received by 25/04/19. Twelve responses specifically confirmed their agreement to the proposals and a further nine have submitted comments. No comments received have been against either the criteria or the process for determining staff with a substantial responsibility for research at the RAU. The six who have yet to read the email have been contacted by HR.

#### **Specific comments and suggested responses from the REF Committee**

##### **Comment**

A number of academics (4) responded with information on their own, or colleagues, research position in relation to the criteria. None of these responses suggested any amendments to the criteria or process and were providing information in case it was useful.

##### **Response**

The REF committee would like to thank these staff for providing this information

##### **Comments**

Three staff, although not commenting directly on the proposed REF criteria and process, asked/commented on what support would be provided for those not seen as having significant responsibility for research:

‘if there is a wish for more staff to be become actively involved in research and in turn make the transition from the type of research that I do to the research that meets the definitions in your document, then more help and time needs to be given to those staff who have the aspiration and the potential to make that transition’

‘What does this mean for other staff who are research active (i.e. produce some papers/conference item, book chapters etc.) but who do not have a “significant responsibility for research” and who may not currently be REFable. There is a danger that if their contribution to the RAU is not recognised that we will end up with a two tier system of research staff and non- research staff – this happens in many Universities and may be considered to be acceptable here too, but it can have a negative impact upon moral and be perceived as divisive. I think this is particularly important for new researchers who may not yet have achieved the research output/activity that allows them to be recognised as having “significant responsibility” but who are concerned about maintaining a research orientated profile/career. Recognising lower level research outputs (once achieved) by some adjustment to the workload model (and I think a tariff was developed for the RAU but I am not sure if it has been adopted) is a possible solution to the issue outlined above’

'I think this is a positive turn in Culture when it comes to research. In the past, some staff were asked to do research but not given any time to do it. The new proposal clearly addresses this. My only suggestion would be to try developing a community of research where staff can learn from each other. Recently, RAU has hired several professors and they could provide some training for staff interested in researching.'

### **Response**

As an academic at the RAU, engagement with scholarly activity/research/KE activity is, at some level, considered to be a fundamental part of the role. Separate to the REF process, Heads of School will support and clarify expectations to individuals in relation to research and knowledge exchange activity as part of ongoing performance review.

### **Comment**

'I am concerned that staff with high teaching loads and a small amount of research alongside may be disadvantaged if they are deemed 'research active' part-way through a REF cycle. It will be difficult for such staff to meet REF publication expectations between determination of their research status around May/ June 2019 and Dec 2020. I would like reassurance that staff in the situation outlined above will not be subject to negative performance review if they are unable to meet REF expectations over the next 18 or so months. The publication process is slow and it may not be reasonable to expect a number of publications in that space of time. How many are currently expected per person? It would be good to know the minimum requirement so we can judge our likely position and expectations.'

### **Response**

There is a difference between being determined 'research active' and having 'significant responsibility for research'. The REF committee can confirm that any member of staff not meeting the criteria for significant responsibility for research will not necessarily be classified as non-research active.

The number of publications is not part of the criteria for being determined as having 'significant responsibility for research' and therefore there is no minimum requirement. The REF committee can provide reassurance that a member of staff not meeting the criteria for having 'significant responsibility for research' will not be subject to poor performance review and all staff are encouraged to engage with scholarly activity/research/knowledge exchange activity as appropriate to their role and career stage. This forms part of the performance review and support process.

### **Comment**

The word "appeal" has certain connotations and it may be better to use something like "review" that sounds less adversarial.

### **Response**

There has been no objection to the use of this word and it is standard across Universities for this part of a process so will be kept in the document

### **Comment**

Under 4, I wonder if it might be worth specifying that (I'm assuming) individuals need to meet only one of the criteria (i.e. 'or' not 'and')

## Response

It is an expectation that those with significant responsibility for research would meet all three criteria and this will be made clearer

## Comment

I would suggest the following amendment to paragraph 4:

**'Routinely engage actively in independent research'**. Indicators of this will include but will not be limited to:

- applications for research funding as the lead or co-applicant
- Regular outputs that meet the REF requirements of the University

## Response

The REF guidance explicitly states that outputs cannot be used as a measure of significant responsibility for research and therefore this will not be added to the Code of Practice

## Criteria and Process for Determining Staff with Significant Responsibility for Research at the RAU

Informed by this consultation the Code of Practice will therefore include the following with reference to the criteria and process for determining staff with significant responsibility for research at RAU;

### The criteria for determining staff with significant responsibility for research at RAU.

These are those for whom the following apply:

**'Explicit time and resources are made available'**. Indicators of this will include:

- a specific proportion of time allocated for research,
- research allocation in the workload model.

and

**'Routinely engage actively in independent research'**. Indicators of this will include

- applications for research funding as the lead or co-applicant

and

**'It is an expectation of their job role'**. Indicators of this will include:

- current research responsibilities as indicated in objectives and performance reviews

We will not be making changes to staff contracts.

### Process for identifying staff with significant responsibility for research at RAU

Staff members will initially be asked to self-determine whether they believe they fall in to the above category. Those staff who believe they do will be asked to complete a research pro forma prior to then meeting with their HoS and the REF Lead. The evidence for each staff member will then go to the Research committee and a decision made as to whether the member of staff meets the proposed criteria.

Staff will then have the opportunity to appeal this decision prior to a final selection being made.

The REF committee and appeal committee will be composed and conducted in accordance with our statutory and public duty responsibilities in respect of promoting equality and diversity.

The research proforma will include sections for (not exclusively):

- A description of current research activity
- A plan of how this research activity will progress during the next three years
  - An introduction as to how the research plan builds on current activity, previous outputs, collaborations and RAU strengths and strategy.
  - The type(s) of research methodology to be conducted and resources used and to be developed.
  - How the research will be funded and resourced (what grant proposals are needed and planned; what is the risk mitigation for certain proposals not being successful)
  - What outputs from the research are expected (academic, impact, knowledge exchange / commercialisation).



Appendix 7: REF PROJECT PLAN

	MAY 19	JUNE 19	JULY 19	AUG 19	SEPT 19	OCT 19	NOV 19	DEC 19	JAN 20	FEB 20	MAR 20	APRIL 20	MAY 20	JUNE 20	JULY 20
Code of Practice	Draft code of practice to REF committee					Edit CoP based on feedback									
Staff selection	Completion of template to evidence sig responsibility for research	Research committee to assess staff submissions	Staff identified as significant researchers												
Outputs		Open access audit	Initial review and rating of publications	Research committee consider ratings and initial selection of publications	One to ones with staff re ratings and selection of publications	First spreadsheet of papers and ratings – identify key points of progress required		Update outputs and key points of progress required				Update outputs and key points of progress required			
Impact case studies			4 draft impact case studies to REF committee					2 best impact cases determined (2 <sup>nd</sup> draft)				3 <sup>rd</sup> draft			
Environment statement					Data reporting structure for PhDs and Research Income	First complete draft of environment statement		Data update and second draft				Data update and third draft draft			
Key milestones		Submit draft CoP					Submit CoP, Pilot of REF submission system	Last time for: submitting intentions; requesting multiple submissions; and excluding small units							Census date for staff; end of assessment period for Research Impacts and Environment (data about res income, Phds)
REF/research Committee	Draft CoP; agree internal paper scoring training / methodology	Need decisions on requesting multiple submissions;							Consider first complete 'Mock REF'				Consider second complete 'Mock REF'		

	AUG 20	SEPT 20	OCT 20	NOV 20	DEC 20	JAN 21
Code of Practice						
Staff selection						
Publications	Update outputs and key points of progress required					
Impact case studies	final draft					
Environment statement	Data update and final draft					
Key milestones		Practice submission	<b>SUBMISSION</b>	Closing date for submissions	End of publication period (for outputs and outputs underpinning impact)	Final outstanding details.
REF/research Committee						

## Appendix 8: Summary of equality legislation

<p><b>Age</b></p>	<p>All employees within the HE sector are protected from unlawful age discrimination, harassment and victimisation 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.</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 selecting their outputs because of their age group.</p> <p>It is important to note that early career researchers (ECRs) are likely to come from a range of age groups. The definition of ECR used in the REF (see 'Guidance on submissions', paragraphs 148 to 149) 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>
<p><b>Disability</b></p>	<p>The Equality Act 2010, the Disability Discrimination Act (1995) (Northern Ireland only) and the Disability Discrimination (Northern Ireland) Order 2006 prevent unlawful discrimination, victimisation and harassment relating to disability. Individuals are also protected if they are perceived to have a disability or if they are associated with a person who has a disability (for example, if they are responsible for caring for a family member with a disability).</p> <p>A person is considered to have a disability 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. An impairment which is managed by medication or medical treatment, but which would have had a substantial and long-term adverse effect if not so managed, is also a disability.</p>

	<p>The definition of disability is different in Northern Ireland in that a list of day-to-day activities is referred to.</p> <p>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 generally, not a specific individual, 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 people with disabilities and make reasonable adjustments for them. Failure to make a reasonable adjustment constitutes discrimination. If a researcher's impairment has affected the quantity of their research outputs, the submitting unit may return a reduced number of outputs (see 'Guidance on submissions', Part 3, Section 1, 'Staff circumstances').</p>
<p><b>Gender reassignment</b></p>	<p>The Equality Act 2010 and the Sex Discrimination (Gender Reassignment) Regulations (Northern Ireland) 1999 protect from discrimination, harassment and victimisation of 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 they are trans and staff are protected if they are perceived to be undergoing or have undergone related procedures. They are also protected if they are associated with someone who has proposed, is undergoing or has undergone gender reassignment.</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>If a staff member's ability to work productively throughout the REF assessment period has been constrained due to gender reassignment, the unit may return a reduced number of research outputs (see 'Guidance on submissions', Part 3, Section 1, 'Staff circumstances'). Information about the member of staff will be kept confidential as described in 'Guidance on submissions', paragraph 195.</p> <p>HEIs should note that the Scottish government recently consulted on, and the UK government is currently consulting on, reform of the Gender Recognition Act 2004, which may include streamlining the procedure to legally change gender.</p>
<p><b>Marriage and civil partnership</b></p>	<p>Under the Equality Act 2010 and the Sex Discrimination (Northern Ireland) Order 1976 as amended, individuals are protected from unlawful discrimination, harassment and victimisation 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.</p> <p>HEIs must ensure that their procedures and decision-making processes in relation to REF 2021 do not inadvertently discriminate against staff who are married or in civil partnerships.</p>
<p><b>Political opinion</b></p>	<p>The Fair Employment and Treatment (Northern Ireland) Order 1998 protects staff from unlawful discrimination on the grounds of political opinion.</p> <p>HEIs must ensure that their procedures and decision-making processes in relation to REF 2021 do not inadvertently discriminate against staff based on their political opinion.</p>
<p><b>Pregnancy and maternity</b></p>	<p>Under the Equality Act 2010 and the Sex Discrimination (Northern Ireland) Order 1976 women are protected from unlawful discrimination, harassment and victimisation related to pregnancy and maternity.</p> <p>Consequently, where researchers have taken time out of work, or their ability to work productively throughout the assessment period has been affected, because of pregnancy and/or maternity, the submitting unit may return a reduced number of research outputs, as set out in 'Guidance on submissions', paragraphs 169 to 172.</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>
<b>Race</b>	<p>The Equality Act 2010 and the Race Relations (Northern Ireland) Order 1997 protect HEI staff from unlawful discrimination, harassment and victimisation 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.</p> <p>HEIs must ensure that their procedures and decision-making processes in relation to REF 2021 do not discriminate against staff based on their race or assumed race (for example, based on their name).</p>
<b>Religion and belief including non-belief</b>	<p>The Equality Act 2010 and the Fair Employment and Treatment (Northern Ireland) Order 1998 protect HEI staff from unlawful discrimination, harassment and victimisation related to 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.</p> <p>HEIs must ensure that their procedures and decision-making processes in relation to REF 2021 do not discriminate against staff 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>
<b>Sex (including breastfeeding and additional paternity and adoption leave)</b>	<p>The Equality Act 2010 and the Sex Discrimination (Northern Ireland) Order 1976 protect HEI staff from unlawful discrimination, harassment and victimisation related to sex. Employees are also protected because of their perceived sex or because of their association with someone of a particular sex.</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 woman's ability to work productively will be taken into account, as set out in 'Guidance on submissions', Part 3, Section 1, 'Staff circumstances'.</p> <p>If a mother who meets the continuity of employment test wishes to return to work early or shorten her maternity leave/pay, she will be entitled to shared parental leave with the father or her partner within the first year of the baby's birth. Partners may also be eligible for shared parental leave or pay. Fathers/partners 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, where researchers have taken additional paternity and adoption leave, the submitting unit may return a</p>

	<p>reduced number of outputs, as set out in ‘Guidance on submissions’, Annex L.</p> <p>HEIs need to be wary of implementing procedures and decision-making processes in relation to REF 2021 that 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>HEIs should note that there are now requirements under UK and Scottish legislation for public authorities (including HEIs) to report information on the percentage difference amongst employees between men and women’s average hourly pay (excluding overtime).</p>
<p><b>Sexual orientation</b></p>	<p>The Equality Act 2010 and the Employment Equality (Sexual Orientation) Regulations (Northern Ireland) 2003 protect HEI staff from unlawful discrimination, harassment and victimisation related to sexual orientation. Individuals are also protected if they are perceived to be or are associated with a person who is of a particular sexual orientation.</p> <p>HEIs must ensure that their procedures and decision-making processes in relation to REF 2021 do not discriminate against staff based on their actual or perceived sexual orientation.</p>
<p><b>Welsh language</b></p>	<p>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 the Welsh Language Standards (No 6) Regulations 2017.</p> <p>The arrangements for the assessment of outputs in the medium of Welsh by the REF panels are set out in ‘Guidance on submissions’, paragraphs 284 and 285.</p>