

REF 2014

Final Equality Impact Assessment

In accordance with HEFCE guidelines, the University developed a *Code of Practice* (see the University's [Diversity website](#)) on selecting staff to include in the REF submission, and implemented a system for reducing the number of outputs submitted according to specific individual staff circumstances. Additionally, as set out in the HEFCE publication "*Assessment framework and guidance on submissions (REF 02.2011)*", and as a requirement under the Equality Act 2010, all institutions were required to conduct an Equality Impact Assessment (EIA) on their policy and procedures for selecting staff for the REF and to publish their final EIAs after the submissions had been made.

The Equality and Diversity Advisory Panel (EDAP) will use the EIAs to assist with evaluating the overall effectiveness of the equality and diversity aspects of the REF at sector level, and lessons learned for the future; judgements or comments on individual institutions' EIAs will not be made. In 2015, EDAP will report on the lessons drawn from EIAs at sector level as part of a wider report reflecting on individual staff circumstances and other equality and diversity issues. The following information is of particular interest:

- The final analysis of data comparing the characteristics of staff selected for submission, with the characteristics of all eligible staff.
- Any actions taken to prevent discrimination or advance equality during the selection process and their outcomes, including the justification for and/or actions taken to address any differential impact that staff selection may have had on particular groups, and information about any policies or practices that had a positive impact on equality during the selection process.

This report presents the final Equality Impact Assessment (EIA) which includes the diversity demographics (where available) at the time of submission analysed by age, disability, gender reassignment, marriage/civil partnership, pregnancy/maternity, race/nationality, religion/belief, sex, and sexual orientation.

The EIA was led by Kamaljit Kerridge-Poonia, Head of Equality and Diversity. The EIA report was produced by Peter Staniczenko and David Steynor from the University REF Team. Staff diversity analysis was provided by Alexander Melhuish of the Diversity Team and David Steynor.

Introduction

1. It is a legislative requirement on universities to show due regard to their equality duty and to understand the effect of their REF 2014 selection policy and procedures on their ability to meet the requirements of the equality duty and help prevent direct and indirect discrimination.
2. This Equality Impact Assessment aims to ensure that the University has understood any equality impact (positive or negative) of the REF 2014 staff selection process on those groups identified as having protected characteristics in the Equality Act 2010, and has taken action to ameliorate any negative effects.
3. Two main types of evidence have been collected for the EIA, *quantitative* and *qualitative*. The *quantitative* data, drawn from University systems, supported a diversity analysis of all academic staff eligible to be submitted with a comparison against those staff whose outputs were returned to REF 2014; the analysis builds on earlier work undertaken during preparatory REF benchmarking exercises, held annually, which enabled issues to be identified at an early stage.

Qualitative evidence on the REF 2014 selection process was invited from:

- REF Equality & Diversity Group
 - Staff representatives (Unions via Joint Negotiating Committee)
 - Diversity Champions in faculties
 - University Harassment contacts
 - Representatives of protected groups within the University including WiSET, Theano, the Parents & Carers Network and the LGBT Network
 - Associate Deans Research
 - UoA Champions
4. Feedback received has been reflected in this report and has driven the action points set out below (see 18 and 19).

Equality Impact Assessment

5. The *REF Equality and Diversity Group* identified two overarching pathways through which the REF 2014 staff selection process has the potential to impact negatively upon REF-eligible individuals because of one or more protected characteristics:

- Discrimination at the point of staff selection for REF 2014
- Impact of protected characteristics on the quality of research

Discrimination at the point of staff selection for REF 2014

6. If an individual was not selected for return in the University's REF 2014 submission because of a protected characteristic or a combination of protected characteristics, this would constitute direct or combined discrimination respectively under the Equality Act 2010. This discrimination may occur because of any of the protected characteristics covered under the Equality Act 2010, including by association with someone under a protected characteristic, namely:

- disability
- age
- gender reassignment

- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation

The potential for discriminatory practice applies to staff directly involved in staff selection for REF 2014, including the Pro Vice-Chancellor Research, Deans of Faculty, Associate Deans Research, UoA Champions and Heads of Academic Unit.

7. The following measures were implemented to prevent discrimination at the point of staff selection for REF 2014:

- A robust governance structure for oversight of processes.
- The compulsory completion of REF equality and diversity training for all staff involved in staff selection for REF 2014.
- Communications to increase awareness of equality & diversity issues.
- A mechanism through which individuals could appeal against non-selection for REF 2014, the grounds for appeal including those relating to any protected characteristic under the Equality Act 2010.

8. To ensure oversight of the equality issues as we progressed through the REF process, the University established the *REF Equality & Diversity Group* as part of the overall governance of the process. This group was chaired by the University's Diversity Champion Jeremy Howells, Dean of Business and Law, on behalf of the University Executive Board. Membership of the group consisted of Associate Deans Research, UoA Champions, University REF Team, University Diversity Team, and representatives of under-represented groups e.g. the University's Women in SET (WiSET) network.

9. The *REF Equality & Diversity Group* met frequently to maintain an overview of equality issues, including overseeing the development of the *Code of Practice*, and received an interim statistical equality analysis of the REF data in 2012.

10. Further to this, a *Complex Circumstances Assessment Group*, a sub-group of the *REF Equality & Diversity Group*, was established to undertake formal assessments of those individual staff circumstances that were designated as 'complex'. The group met on an ad-hoc basis and, based on the discussions at the meetings, individuals declaring such circumstances were informed whether or not their applications for reduced outputs had been successful. There was no formal appeals process but applicants were able to revise their applications if, on reflection, they had not provided a full account of their circumstances. Applications were anonymised for all members of the group except the Secretary.

11. Equality and diversity training was provided to support the equality agenda and raise awareness of issues to be considered as a part of the REF process. This comprised an interactive training session, using materials developed by the Equality Challenge Unit, for all members of staff involved in the staff selection process for REF. Feedback from the training session was positive in terms of raising awareness of the issues on equality and diversity and also providing the opportunity for participants to discuss any areas of concern. A web-based training module, with one-to-one support where requested, was available for staff unable to attend the training session.

12. Awareness of equality and diversity issues across the University was considerably increased because of the University's preparations for REF 2014. This included communications to academic staff about the University's *Code of Practice*, preparations for and the achievement of Athena SWAN awards for several departments, and the distribution of Individual Staff Circumstances questionnaires to all REF-eligible staff.

13. Once faculties had selected the outputs to be returned to REF 2014, individuals were invited to submit appeals against non-selection. A total of 15 appeals were received: of these 14 were in respect of the *quality of research* and 3 in respect of *protected characteristics* (two appeals covered both aspects). In accordance with the appeals process described in the University *Code of Practice*, the *REF Equality & Diversity Group* was able to determine the 3 appeals relating to protected characteristics obviating the need for the *Appeals Panel* to be convened.

Impact of protected characteristics on quality of research

14. An individual's ability to work productively throughout the REF 2014 assessment period may have been significantly constrained because of one or more protected characteristics. This could have had a detrimental effect on the quality of the individual's research, thereby reducing the likelihood of their outputs being selected for the University's REF 2014 return.

15. The following measures were implemented to prevent an individual's likelihood of being returned in the REF from being reduced because of a protected characteristic:

- The distribution of a questionnaire through which individuals could disclose circumstances that impacted upon their ability to undertake research during the REF 2014 assessment period. These circumstances were assessed according to REF criteria, and those individuals whose circumstances had a significant impact upon their ability to undertake research were eligible to submit fewer outputs in REF 2014 without penalty.
- The compulsory completion of equality and diversity training for all staff involved in staff selection for REF 2014 (see 11 above).
- A mechanism through which individuals could appeal against non-selection for REF 2014, the grounds for appeal including those relating to any protected characteristic under the Equality Act 2010 (see 13 above).

16. As a key measure for supporting equality and diversity, the funding councils made allowances for staff to be submitted with fewer than four outputs due to individual circumstances. These allowances were widely used. A comparison of the University's submission with that of the sector is shown in the table below.

Measure	University	Sector
Average outputs submitted per individual	3.47	3.41
Staff submitted with any individual circumstances	28.7%	29.2%
Early Career Researchers submitted	17.3%	18.0%
Staff submitted with maternity, paternity or adoption leave	3.7%	4.6%

17. The following sections explain further how these measures prevented an individual's likelihood of being returned in the REF from being reduced because of specific protected characteristics. A statistical analysis accompanying each section compares the rate of return of staff affected by a protected characteristic with the rate of return of the population of academic staff overall. The University's submission to REF 2014 comprised a headcount of 1207 staff, selected from an eligible population of 1361. This is equivalent to 88.7% of the headcount being returned.

Disability

Risk: An individual may not be able to carry out research at a comparable rate to their colleagues due to a disability.

Prevention: *The law states that the University has a duty to make reasonable adjustments on an individual with known disabilities. The University's Occupational Health service exists to assess the needs of disabled employees and promote the implementation of adjustments as necessary. If, despite such adjustments, an individual's disability has impacted upon their ability to undertake research during the REF 2014 period, they could be eligible for a reduction in outputs.*

Risk: An individual may need to take periods of absence from work to care for a disabled relative, reducing the time spent undertaking research.

Prevention: *Individuals with caring responsibilities could be eligible for a reduction in outputs depending on the impact of those responsibilities on their research during the REF 2014 assessment period.*

Analysis: 27 REF-eligible staff declared themselves to be disabled, 25 of whom were returned in REF 2014. This 92.6% rate of return is higher than that of the overall population, indicating that the potential barriers to excellent research due to disabilities have been minimised. The outputs reductions process will also have played a factor in this high rate of return.

Age

Risk: An individual approaching retirement age may be treated less favourably than a younger individual when considering resources for a long-term research project. This may deny the older individual the opportunity to produce high quality research.

Prevention: *The older individual is protected by law if the way they are treated is not a proportionate means of achieving a legitimate aim. The REF equality and diversity training highlighted age-related issues with regards to research.*

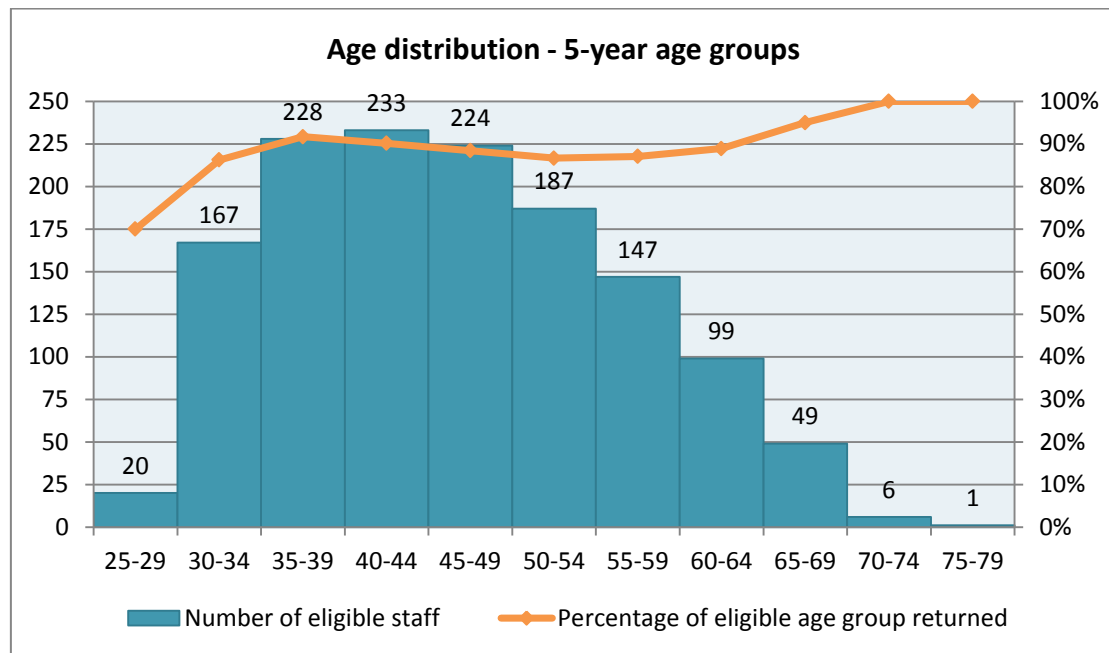
Risk: It is likely that young researchers will be less experienced than their older colleagues, and this may affect their ability to produce high quality research.

Prevention: *Early Career Researchers of any age could be eligible for a reduction in outputs depending on how late during the REF 2014 assessment period they began their independent research careers.*

Risk: An individual may need to take a period of absence from work to care for an elderly relative, reducing the time spent undertaking research.

Prevention: *Individuals with caring responsibilities could be eligible for a reduction in outputs depending on the impact of those responsibilities on their research during the REF 2014 assessment period.*

Analysis: The proportion of staff returned in REF was even across most age groups, with the rate of return between the ages of 30 and 64 within the range 80-90% for each 5-year bracket. The rate of selection for the youngest 25-29 bracket was lower at 70%. The selection of upwards of 90% for staff aged 65 and over demonstrates an encouraging attitude towards the inclusion of older researchers. (The rate of return at the lower and upper age bands is particularly sensitive to small changes in the number of staff selected).



Gender reassignment

Risk: An individual may need to take periods of absence from work to undergo gender reassignment, reducing the time spent undertaking research.

Prevention: *The law states that discrimination occurs if the individual is treated less favourably than if their period of absence was because of sickness or injury. The individual could be eligible for a reduction in outputs depending on impact of their gender reassignment on their research during the REF 2014 assessment period.*

Analysis: No REF-eligible staff declared significant periods of absence due to gender reassignment as part of the complex circumstances process.

Marriage and civil partnership

Risk: Individuals who are married or in a civil partnership may find it more difficult than other individuals to find new research employment when their fixed-term contract ends due to their partner's employment restricting their geographical mobility to source such opportunities.

Prevention: *This problem is most likely to affect Early Career Researchers, who are permitted reductions in outputs due to their limited time in research, and those affected may be granted additional reductions if they have been unable to be research active throughout the REF period.*

Analysis: The rate of return for staff who are married or in a civil partnership was 89.3%, slightly higher than the rate of return overall (88.7%).

Pregnancy and maternity

Risk: Individuals may need to take periods of absence from work for maternity, paternity or adoption leave. Further complications may require them to take further periods of absence.

Prevention: *Employment and Equality Law makes provisions for paid maternity, paternity and adoption leave. Those individuals who have taken such periods of leave substantially during the REF 2014 assessment period could be eligible for a reduction in outputs. Additional reductions could be afforded an individual if they took further periods of absence during the REF 2014 assessment period due to complications relating to maternity, paternity or adoption.*

Risk: Women may be prevented from conducting experimental research during pregnancy due to the increased risk such work may pose to the development of the unborn child.

Prevention: *Where possible, appropriate adjustments will be made by managers to ensure that researchers can maintain their research activity throughout pregnancy, perhaps by focusing on non-experimental work. The impact of such periods could also be considered under the complex circumstances process to determine if a reduction in outputs would enable such staff to be selected for REF return.*

Risk: A woman's breastfeeding may be incompatible with her research commitments, e.g. if her research requires frequent travel. This is likely to impact negatively on her ability to undertake research.

Prevention: *The law emphasises maternity discrimination particularly in cases where a woman is breastfeeding. Significant disruption to a woman's ability to undertake research due to breastfeeding could afford her a reduction in outputs.*

Analysis: 52 REF-eligible women took maternity leave within the REF 2014 period of which 47 were returned; this 90.4% rate of return is higher than the rate of return overall (88.7%) but is not statistically significant. The outputs reductions process is likely to have contributed to this positive outcome: of 47 women who had maternity leave during the REF 2014 period and who were returned, 45 had their outputs reduced due to maternity leave.

Race and nationality

Risk: An individual's ability to undertake research during the REF 2014 assessment period may be constrained by complications arising from racial harassment.

Prevention: *The law places an obligation on the University to take disciplinary action against those perpetrating racial harassment. The individual could be eligible for a reduction in outputs if their ability to undertake research had been significantly affected due to racial harassment.*

Risk: Staff who have come from other countries specifically to work for the University may not be aware or understand the terminology and processes we follow as readily as staff who have considerable experience of the UK higher-education sector, including the REF selection process.

Prevention: *The Code of Practice was developed to explain the process in an accessible manner to all staff, and UoA Champions in each faculty were available to explain any technicalities to staff who needed assistance.*

Analysis: 177 REF-eligible staff declared themselves to be black and minority ethnic (BME), with 149 of these staff being returned in REF 2014; this 84.2% rate of return is lower than the overall rate of return of 88.7% but of marginal statistical significance. This decreases further when considering only those BME staff declaring themselves as British: of the 53 British BME staff, 43 (81.1%) were returned; given the small numbers, however, this rate of return has low statistical significance.

405 of 455 REF-eligible international (includes EU) staff were returned giving a rate of return of 89.0%, almost identical to the rate of return for UK staff (88.5%).

Religion or belief

Risk: An individual's ability to undertake research during the REF 2014 assessment period may be constrained by complications arising from harassment due to their religion.

Prevention: *The law places an obligation on the University to take disciplinary action against staff perpetrating religious harassment. An individual could be eligible for a reduction in outputs if their ability to undertake research had been significantly affected by such harassment.*

Analysis: The number of individuals that have disclosed their religion or belief to the University is too low to draw any meaningful conclusions from the data, and no individuals identified complications arising from their religion or belief that affected their selection for REF 2014 through the complex circumstances process.

Part-time working

Risk: Individuals who work part-time may not be able to commit as much time to research as their full-time colleagues, and so cannot produce the same volume of research while maintaining a high standard.

Prevention: *Employment Law makes it unlawful to discriminate against employees because they work part-time. In addition, the University has a flexible-working policy which sets out the expectations of staff to not discriminate or treat others unfavourably because they work part-time or flexibly. Individuals could be eligible for outputs reductions on the basis of an FTE less than 1.0 over the REF period for any reason.*

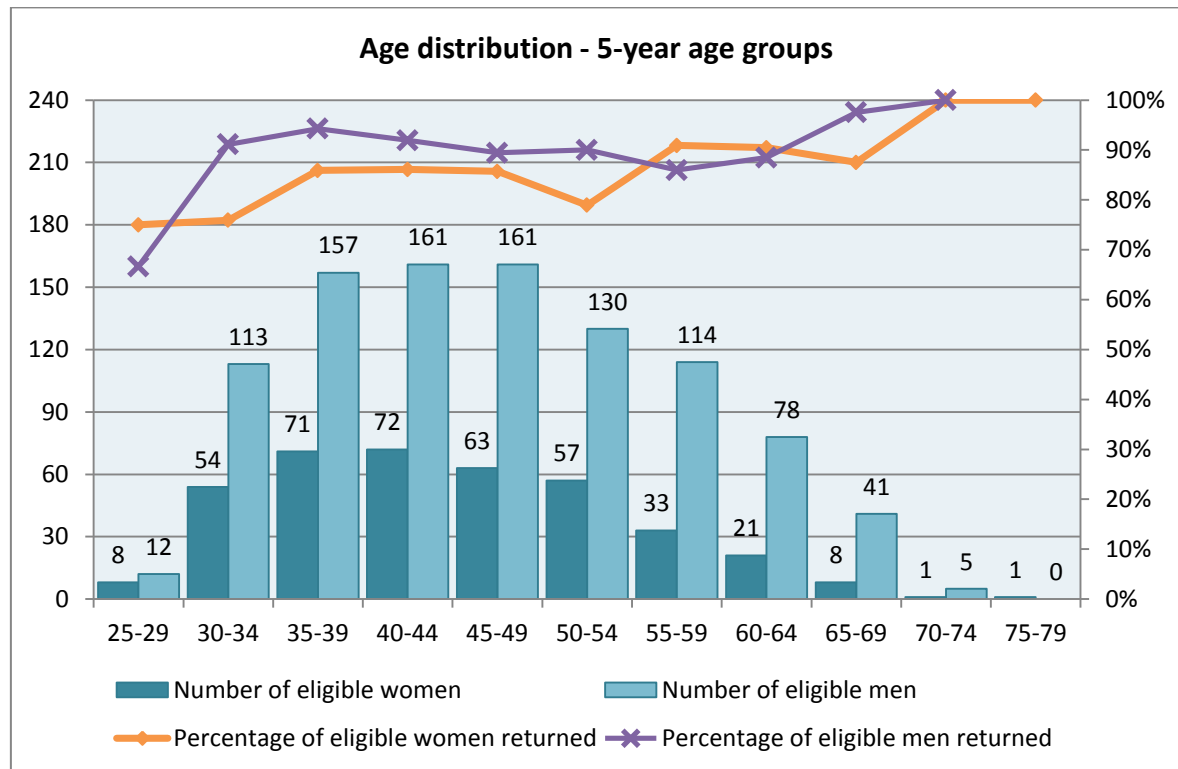
Analysis: Of the 193 eligible staff who were known to have worked part-time for some or all of the REF period, 167 were returned to REF. This 86.5% rate of return showed no significant variation for part-time workers of a particular age or sex. 51 staff were returned with reduced outputs due to part-time working.

Sex

Risk: A woman may be treated less favourably than a man when considering resources for a long-term research project. This may deny the woman the opportunity to produce high quality research.

Prevention: *The REF Equality and Diversity training highlighted gender-related issues with regards to research.*

Analysis: 327 women were returned out of an eligible population of 392, representing an 83.4% rate of return; this is slightly below the overall rate of return (88.7%). Breaking down the population and rate of return of women by age reveals a lower rate of return for those women aged 25-34, and those aged 50-54.



Sexual orientation

Risk: An individual's ability to undertake research during the REF 2014 assessment period may be constrained by complications arising from harassment relating to their sexual orientation.

Prevention: *The law places an obligation on the University to take disciplinary action against those perpetrating harassment relating to sexual orientation. An individual could be eligible for a reduction in outputs if their ability to undertake research had been significantly affected due to harassment relating to their sexual orientation.*

Analysis: The number of individuals that have disclosed their sexual orientation to the University is too low to draw any meaningful conclusions from the data, and no individuals identified complications arising from their sexual orientation that affected their selection for REF 2014 through the complex circumstances process.

Action Points

18. The following action points have been developed from feedback provided by representative groups and colleagues involved in the REF 2014 submission.

- a) In preparation for the next research assessment exercise the University should seek to ensure in a timely manner that:
 - All diverse groups are made aware of the eligibility and performance requirements for selection, undertaking targeted activities where necessary.
 - Eligibility criteria are clearly communicated to research staff who have no experience of research assessment exercises.
 - Briefings for managers on diversity-related issues are undertaken at an early stage and well in advance of the start of the selection process.
- b) The University should seek to build on the generally positive outcomes that have emerged from the EIA. This includes ongoing changes to policy, which could perhaps be considered "prevention" measures, as the process for some of these started before the REF submission and are testimony to the institutional attitude. For example, continuation funds provided by faculties for staff on leave of absence allow their research to continue, boosting their capacity to contribute to REF.
- c) A number of issues were identified that extend beyond the REF 2014 submission which the University will seek to address through the institutional Equality & Diversity strategy and plan. These include the perception that there is a small number of black and minority ethnic (BME) staff across the University, and the sense that the type of career and activities pursued by some female staff are affected disproportionately by career breaks.

19. The funding councils may wish to reflect on the following comments received as part of the feedback.

- a) The guidance on submission states that "*HEIs are strongly encouraged to submit the work of all their excellent researchers*" [REF 02.2011 paragraph 18b]. The facility for individuals with particular circumstances to reduce the number of outputs submitted enabled this principle to be effectively pursued by the University. However, a dampening effect was evident in some disciplines due to the requirement for high quality impact case studies which was driven by the number of researchers submitted.
- b) There is scope to improve the guidelines and examples in respect of eligible outputs to be reduced for carer responsibilities which for REF 2014 was limited to a single case study where the request from a female academic was turned down.