

# **EQUALITY IMPACT ASSESSMENT: RESEARCH EXCELLENCE FRAMEWORK**

**Revised  
13 December 2013**

## **Introduction**

This Assessment covers all aspects of the University's preparations for submission to REF2014, with emphasis on aspects of policy and procedures relating to the selection of staff for submission. The EIA has been informed by advice published by the Equality Challenge Unit (ECU) (see Annex A), the Sector Impact Assessment for the REF conducted and published by HEFCE in 2011 (see Annex B) and extracts from the HEFCE *Assessment Framework and Guidance on Submissions* (see Annex C and D).

The Impact Assessment was carried out in spring 2012 by the Deputy Director of Policy and Planning, Dr Diana Newport-Peace, from the Office of Policy and Planning.

The following officers and representative groups were consulted:

Professor Jane Millar, Pro-Vice-Chancellor (Research)  
Mrs Marlene Bertrand, Equality and Diversity Manager  
Dr Maria Wells, Executive Assistant to the Pro-Vice-Chancellor (Research)  
Mrs Katy McKen, Research and Information Manager, RDSO  
Mr Scott Blum, HR Manager, Management Information  
Mr Mark Humphriss, Chair of the Equality Management Group and Equalities and Diversity Committee  
Self-Organised Disabled Staff group  
Academic Members of the Equality and Diversity Network

The analysis and recommendations were considered by the REF steering group on 24 April 2012 and 26 July 2012. The EIA was also considered by the Equality Management Group (EMG), which has oversight of all equality impact assessments/analyses, in Autumn 2013 and the Chair of EMG confirmed that no further equality issues were raised. In accordance with ECU guidance, the University's EIA was reviewed after two key points in the REF process, the Dress Rehearsal and the final submission. Following the resignation of Dr Diana Newport-Peace, reviews have been undertaken by the Director of Policy and Planning, Dr Nicky Kemp, and the Policy and Planning Analyst, Ms Elizabeth Bird.

The reviews undertaken following the REF dress rehearsal and final selection did not identify any equality-related issues that would require the amendment of the University's selection policies and practices and/or its Code of Practice more generally.

## **1. Who are the main stakeholders?**

The EIA focuses on research active staff eligible for submission to the REF. A provisional cohort of eligible academics was identified by the Department of Human Resources working with RDSO. Precise identification of the eligible cohort is complicated by the mismatch of definitions used by HESA and HEFCE.

Eligible staff are academics employed by the University to conduct teaching and or research on the census date of 31 October 2013. For the purposes of the REF dry run and the July 2012 impact assessment a census date of 31 October 2011 was used. For the purpose of the REF dress rehearsal review a census date of 13 May 2013 was used. For the purpose of the final

selection review, a census date of 8 November 2013 was used, with one final amendment following the decision on a pending case.

Externally funded research staff are eligible for submission to REF only in exceptional cases where they have a significant portfolio of independently conducted research. Such individuals have been identified by RDSO and HR and are included in the cohort of eligible staff.

## **2. Aspects of the policy that particularly impact on equality and diversity**

### Research volume

The requirement to submit a specified volume of research outputs (normally four items) impinged on any eligible researcher whose ability to conduct research for publication was significantly constrained by personal circumstances. Two sets of guidelines were developed by HEFCE to ensure that institutions could take account of such constraints in setting internal thresholds for the volume of research for submission and that appropriate consideration could be given to each of the 9 protected characteristics listed in the Equality Act 2010. This guidance is included for reference in Annexes C and D.

Professional constraints on the ability to conduct research, such as high volumes of teaching or administrative responsibility were not accepted by HEFCE as justification for submitting a reduced volume of research.

### Communication

The Equality Impact Assessment considered whether the communication strategy to be adopted by the REF Steering Group was likely to have an unequal impact on any particular group of staff.

## **3. Analysis**

A consultation was carried out in February/March 2012. Academic members of the equality and diversity network were contacted by email and invited to comment on the questions below. Four responses were received. An interview was also conducted with a member of the Self Organised Disabled Staff group using the same broad approach to questioning.

### **REF Equalities consultation**

Do any aspects of the proposed REF arrangements impinge differently on staff according to:

- Gender
- Disability status
- Ethnic origin
- Age

Aspects for consideration include:

- Mechanisms for identifying eligible staff
- Mechanisms for identifying the volume of eligible research (number of outputs)
- Mechanisms for assessing the quality of eligible research
- Communication – by the central team and within faculties/departments
- Anything else?

Does the supporting information provide adequate detail of how relevant equality issues will be

managed within the REF?

Is the code of practice fit for purpose?

What more could be done to improve the equality and diversity aspects of the University's preparations for the REF?

The consultation revealed a mixed level of awareness of the details of the University's REF preparations and of the specific measures to promote equality and diversity. One respondent considered that more could be done to ensure a greater level of awareness of the University's planned approach to the REF. Another respondent indicated that information had been circulated but not always read owing to the pressure of work and the length of time before the submission was due. Respondents did not appear to have read the code of practice on selecting staff for submission.

There was no evidence that the communications strategy had an adverse impact on any particular group of staff.

One respondent noted that all of the unit of assessment leaders selected to prepare submissions for the Dry Run were male. All of the Heads of Department in post at the time were also male as were all of the Deans. This was discussed with the Pro-Vice-Chancellor (Research) who advised that she was aware of the fact that unit of assessment leaders were all male but was satisfied that the involvement of women throughout the decision-making process would enable the Code of Practice to be implemented without gender disadvantage. During the selection process, a number of senior women were involved in decision making, including the Vice-Chancellor, the Pro-Vice-Chancellor (Research), an Associate Dean for Research, one new Dean, two academic members of the University Research Committee, and the Director of Finance and Commercial Services.

Anonymised data relating to the academic staff provisionally identified as being eligible for submission to the REF was provided by the Department of Human Resources. The data include information held by the University relating to protected characteristics listed in the Equality Act 2010:

- Age
- Gender
- Disability Status
- Ethnicity

Robust qualitative data about the marital status, religion or belief, sexual orientation, pregnancy and recent childbirth of REF eligible staff was not available for analysis. Accordingly, a second round of consultation was conducted in which, academic members of the Equality and Diversity Committee were invited to comment specifically on how REF preparations might impinge on:

- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Religion and belief including non-belief
- Sexual orientation

Five responses to the additional round of consultation were received. No specific issues were raised. One respondent noted that pregnancy and maternity were of particular relevance in that they could impinge on the time available to conduct research. Detailed guidance on how to

manage reduced volumes of research relating to pregnancy and maternity was provided by HEFCE.

#### 4. Additional considerations

As both employers and public bodies, HEIs needed to ensure that their REF procedures did not discriminate unlawfully against individuals because of age, disability, gender identity, marriage and civil partnership, race, religion or belief, sex or sexual orientation or because they were pregnant or had recently given birth. The specific advice provided by HEFCE in relation to all of the protected characteristics in the context of the REF is provided in full in Annex C. All individuals involved in the selection of staff for submission to the REF received training about the nine protected characteristics.

#### 5. Areas of Equality Relevance

On the basis of the qualitative and quantitative information gathered in the course of the impact assessment, “gender” and “pregnancy and maternity” were identified as areas of medium risk. These two characteristics were considered the most likely to impinge on an individual’s ability to conduct research. All other protected characteristics were rated “low risk” in this context.

	High	Medium	Low
Gender		✓	
Age			✓
Disability			✓
Race			✓
Gender reassignment			✓
Marriage and civil partnership			✓
Pregnancy and maternity		✓	
Religion and belief including non-belief			✓
Sexual orientation			✓

#### 6. Review of Equality Impact Assessment

The most recent review of the University’s EIA gave due consideration to the following issues raised by ECU:

- ***When identifying staff who are likely to be selected. Are they representative of the staff within the institution who are eligible to submit? If not, institutions need to consider if there are equality related reasons for staff not being selected.***  
The data analysis conducted by the Office of Policy and Planning found no statistically significant differences between the eligible population and the proportions of staff submitted
- ***When considering appeals. Have any appeals highlighted issues that have a negative impact on a particular protected group and if so, do policy and procedures for selecting staff need to be revised?***  
An analysis of the REF appeals cases was undertaken; no issues were identified as having a negative impact on a particular protected group.
- ***When preparing the final submission. Have all equality related issues that have arisen during any mock exercises been taken into consideration? Where institutions have not undertaken mock exercises, an analysis of eligible staff who are selected will need to be undertaken to ensure there are no equality related barriers to selection.***

See section 7 below where the recommendations from each stage of the selection process and the actions taken to address them are summarised.

## **7. Conclusions and recommendations for amendments to the policy/practice**

The initial EIA identified a specific issue in respect of gender and a broader issue relating to communication about REF preparations.

The following three recommendations were made and the institutional responses are summarised beneath each recommendation:

Recommendation 1: It is recommended that the Pro-Vice-Chancellor (Research) should review the selection of UoA leaders after the REF dry run to ensure that the diversity of the eligible staff is broadly reflected in the REF preparations, where possible. This could mean involving more people to work alongside unit of assessment leaders.

### **Action taken:**

- (1) Recommendations were considered at the meeting of the REF 2014 Steering Group on 24<sup>th</sup> April 2012. It was agreed that if there were to be any changes to UoA leaders and their support roles, gender would be considered when appointing a replacement. In the event, none of the UoA roles fell vacant during the period April 2012 to November 2013. However, where other members of academic staff were asked to support UoA Leads in developing the submissions a number of these staff were female.
- (2) As far as practicable given staff availability, the Chair of the REF Appeals Panel ensured that there was a gender balance when designating the two academic members of REF Appeals Panels. In the single instance where this balance was not achieved, the appeal was upheld by the Panel.

Recommendation 2: It is recommended that the Research Information Manager should work with the Internal Communications Manager to consider what more could be done to ensure that eligible staff were made aware of the equality and diversity elements of the University's REF preparations.

### **Action taken:**

1. The Code of Practice was circulated to all REF eligible staff and was made available on the University's internal REF web page
2. Three briefing sessions were held on the REF - these were open to all members of University staff and were publicised on the University home page
3. All eligible staff were emailed offering them the opportunity to register circumstances which would have considerably constrained their ability to produce four outputs or to work productively throughout the assessment period. Alternative arrangements were made for staff on extended leave and a mechanism put in place to ensure that all new staff were made aware of the process for registering such circumstances.

Recommendation 3: It is recommended that following the initial selection of staff at a later phase in REF preparations, the cohort of eligible staff should be compared to a provisional cohort of staff selected for submission looking in particular at the protected characteristics of age, gender, disability and ethnicity.

### **Action taken:**

An analysis of the provisional cohort of staff selected for submission following the dress rehearsal was undertaken and no statistically significant variation was found against the eligible

population. The data analysis undertaken on the cohort of provisionally selected staff can be found in Annex E.

The EIA review following the Dress Rehearsal prompted the following additional recommendations:

Recommendation 4: It is recommended that an analysis of Individual Staff Circumstances forms should be undertaken to determine if there are any learning points related to equality issues.

**Action taken:**

Analysis of Individual Staff Circumstances cases was conducted at the same time as the data analysis on the final submission. The analysis did not raise any equality issues and determined that a similar proportion of male and female cases were accepted across all categories. Populations of other protected groups were too small to provide any statistically significant data.

Recommendation 5: It is recommended that an analysis of REF appeals should be undertaken to determine if there are any learning points related to equality issues.

An analysis of the grounds for the appeals was undertaken. One appellant raised a concern about the timing of the dress rehearsal as it related to the assessment of outputs for individuals whose personal circumstances meant that their publications would fall towards the end of the REF assessment period. The Pro-Vice-Chancellor (Research) confirmed that the intent of the Code of Practice was to allow all outputs to be considered even those published following the dress rehearsal. The Code of Practice was found to be permissive on this point and it was clear that the implementation of the Code was not acting to prevent consideration of late publications.

**Final submission**

The data analysis was performed for a final time on the selected population prior to submission in November 2013.

A census date of 8 November 2013 was used, with one final amendment following the decision on the one outstanding pending case.

Following the data analysis methodology conducted as part of the REF dress rehearsal (census data of 13 May 2013), the submitted population was compared with the non-submitted population by:

- Gender
- Disability
- Age
- Ethnicity

The data analysis conducted by the Office of Policy and Planning found no statistically significant differences between the eligible population and the proportions of staff likely to be submitted. The data analysis undertaken on the selected population is in Annex F.

The final recommendation associated with the EIA is:

Recommendation 6: It is recommended that the REF Steering Group consider the desirability of providing feedback to HEFCE on the high thresholds established for reductions in outputs.

Office of Policy and Planning  
13 December 2013

## ECU guidance to institutions

### Equality impact assessment and the REF

<http://www.ecu.ac.uk/documents/ref-materials/equality-impact-assessment-and-the-ref>

Practical information on carrying out an equality impact assessment in relation to their Research Excellence Framework (REF) code of practice. These web pages are aimed at REF managers and equality and diversity staff and have been commissioned by the REF team.

### Equality impact assessments and the REF

The UK funding bodies require all higher education institutions (HEIs) to conduct an equality impact assessment (EIA) on their policy and procedures for selecting staff for the Research Excellence Framework (REF) 2014. The EIA should inform an institution's code of practice and be kept under review as submissions are prepared. The UK funding bodies have considered the equality impact of their policies and guidance through analyses of the Research Assessment Exercise 2008, the work of the Equality and Diversity Advisory Group and public consultations.

These web pages should be read alongside the REF Assessment framework and guidance on submissions. ECU has chosen to use the term equality impact assessment but HEIs may choose to use other terms for example, equality analysis or inclusive policy making.

### Areas covered by the EIA

An EIA on the selection of staff for the REF will need to explore the equality impacts of proposed policy and processes. For example:

- Will the selection policy pose a barrier to eligible staff from a particular group? Table 2: Summary of equality legislation on pages 36-38 of the Assessment framework and guidance on submissions includes equality considerations in relation to the REF.
- How will the selection policy be communicated to **all** eligible staff, including those who are currently absent?
- If there are quality thresholds for selection, will there be a negative impact on certain groups who may be eligible to submit reduced outputs?

### Information to be considered

When conducting an EIA, an institution can consider a range of information that may indicate the likely impact on its ability to show due regard to the equality duty of the Equality Act 2010 and Section 75 of the Northern Ireland Act 1998:

- Analyses of the institution's submission to the RAE 2008 and the findings from any evaluation that followed
- Analyses of HESA staff data on staff who are eligible to submit to the REF and staff who are selected during any mock exercises that are conducted
- Learning points from any mock exercises that are conducted, including feedback from staff from protected groups



- Any other engagement with staff from protected groups that may inform an HEI's selection policy and procedures or the institution's code of practice more generally.

### **Number of EIAs**

Institutions may wish to conduct more than one EIA, for example on each policy or procedure that relates to the selection of staff for the REF. However, there is no need for institutions to repeat EIAs, as they can be reviewed at key points of the REF process:

- When identifying staff who are likely to be selected. Are they representative of the staff within the institution who are eligible to submit? If not, institutions need to consider if there are equality related reasons for staff not being selected.
- When considering appeals. Have any appeals highlighted issues that have a negative impact on a particular protected group and if so, do policy and procedures for selecting staff need to be revised?
- When preparing the final submission. Have all equality related issues that have arisen during any mock exercises been taken into consideration? Where institutions have not undertaken mock exercises, an analysis of eligible staff who are selected will need to be undertaken to ensure there are no equality related barriers to selection.

## Extract from: REF sector impact assessment, HEFCE, February 2011

<b>Equality and diversity</b>	
7. Which of the various groups protected by equality legislation are likely to be affected by this policy/initiative/project, and how?	All groups protected by equality legislation are likely to be affected in some way by the REF if they are active researchers. They may be affected by selection (or not) for an institution's submission or to a REF panel. This could potentially have implications for career progression.
8. What evidence have you used to ascertain whether there will be an impact (or not) on these groups?	Research on RAE2008 <sup>1</sup> has indicated differences in rates of staff selection that have persisted from RAE2001. However, there were difficulties with the underlying data used in monitoring staff selection in the RAE by HEIs. We do not know the full extent of the impact on LGBT groups or religious groups due to a lack of data. Our forthcoming report on citations analysis also shows similar differences in this data. Although the primary responsibility for adopting fair equality practices lies with HEIs, we are in the process of considering what mitigating actions we can take, should we proceed with using this information.
9. Which negative impacts have been identified during the development of this policy/project/initiative, and what actions have been taken to mitigate the effect?	Our research concludes that there are differences in selection rates by gender, ethnicity (specifically staff in the black ethnic group), age and disability status. We have engaged in a dialogue with equality and diversity colleagues in HEFCE and at the ECU to identify and take mitigating actions. We have also drawn the issues arising to the attention of the HEFCE Board, which is content with the action we are taking in response. Details of our actions are provided below.

<sup>1</sup> ['Selection of staff for inclusion in RAE2008'](#) (HEFCE 2009/34)

<p>10. What actions will be taken to ensure that this policy/project/initiative promotes both equality and diversity?</p>	<p>Equalities measures were taken in the RAE and these have been evaluated. Research undertaken by the ECU<sup>2</sup> found that codes of practice written by HEIs to support equality and diversity needed strengthening. For the REF, we have therefore set up an Equality and Diversity Advisory Group to advise on the development of guidance on equality and diversity issues and on special circumstances. The group will develop best practice guidance for institutional codes of practice, develop clear and consistent processes for individual staff circumstances, and will proactively disseminate this information to the sector. We are also improving the quality of data used to monitor selection, and have strengthened our criteria and guidance for panel selection.</p> <p>Alongside the REF, HEFCE continues to support diversity in research careers through ongoing projects funded through the LGM Fund (for example, women in academic medicine, academic career workload management) and through VITAE, the body which helps researchers develop their careers. Funding has just been agreed for them to streamline equality and diversity into all of their programmes and to raise awareness of the importance of this issue.</p>
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<sup>2</sup> Impact of the process to promote equality and diversity in RAE 2008 (Equality Challenge Unit, 2009)

**Extract from *Assessment framework and guidance on submissions* (REF 02/2011)****Paragraphs 198-201****HEIs' legal responsibilities**

198. As both employers and public bodies, HEIs need to ensure that their REF procedures do not discriminate unlawfully against individuals because of age, disability, gender identity, marriage and civil partnership, race, religion or belief, sex or sexual orientation or because they are pregnant or have recently given birth. In addition, in Northern Ireland, HEIs must ensure that their procedures do not discriminate on the grounds of political opinion.

199. When developing their REF procedures, HEIs will also need to be mindful that under the fixed-term employee and part-time workers regulations, fixed-term employees and part-time workers have the right not to be treated by an employer any less favourably than the employer treats comparable employees on open contracts or full-time workers. The relevant regulations are:

- a. Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000
- b. Part-time Workers (Prevention of Less Favourable Treatment) Regulations (Northern Ireland) 2000
- c. Fixed-term Employees (Prevention of Less Favourable Treatment) Regulations 2002
- d. Fixed-term Employees (Prevention of Less Favourable Treatment) Regulations (Northern Ireland) 2002.

200. As public sector organisations, in order to show compliance with the requirements of the public sector equality duty of the Equality Act 2010, HEIs in England, Scotland and Wales need to consider and understand the effect of their REF policies on equality. Equalities legislation in Northern Ireland and Wales places a specific duty on HEIs to conduct equality impact assessments on new and existing policies. Consequently, the funding bodies require all HEIs to conduct equality impact assessments on their policies for selecting staff for the REF.

**Summary of legislation**

201. A summary of the equality legislation with which institutions have to comply generally, and which they should take into account when preparing REF 2014 submissions is included in Table 2. Panel chairs, members and secretaries have received a briefing about this legislation (see 'Equality briefing for REF panels' available at [www.ref.ac.uk](http://www.ref.ac.uk) under 'Publications'). The briefing instructs them to develop working methods and assessment criteria that encourage HEIs to submit the work of all of their excellent researchers, including those whose ability to produce four outputs or work productively throughout the assessment period had been constrained for reasons covered by equality legislation.

**Table 2: Summary of equality legislation**

Age	<p>All employees within the higher education sector are protected from unlawful age discrimination in employment under the Equality Act 2010 and the Employment Equality (Age) Regulations (Northern Ireland) 2006. Individuals are also protected if they are perceived to be or if they are associated with a person of a particular age group. (These provisions in the Equality Act 2010 are partially in force, but should be fully in place by April 2012.)</p> <p>Age discrimination can occur when people of a particular age group are treated less favourably than people in other age groups. An age group could be for example, people of the same age, the under 30s or people aged 45-50. A person can belong to a number of different age groups.</p> <p>Age discrimination will not be unlawful if it is a proportionate means of achieving a legitimate aim. However, in the context of the REF, the view of the funding bodies is that if a researcher produces excellent research an HEI will not be able to justify not submitting them because of the their age group.</p> <p>It is important to note that early career researchers are likely to come from a range of age groups. The definition of early career researcher used in the REF (see paragraph 85) is not limited to young people.</p> <p>HEIs should also note that given developments in equalities law in the UK and Europe, the default retirement age will be abolished from 1 October 2011 in England, Scotland, Wales and Northern Ireland.</p>
Disability	<p>The Equality Act 2010, the Disability Discrimination Act (1995) (Northern Ireland only) and the Disability Discrimination (Northern Ireland) Order 2006 prevent unlawful discrimination relating to disability. Individuals are also protected if they are perceived to have a disability or if they are associated with a person who is disabled, for example, if they are responsible for caring for a disabled family member.</p> <p>A person is considered to be disabled if they have or have had a physical and/or mental impairment which has ‘a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities’. Long-term impairments include those that last or are likely to last for at least 12 months.</p> <p>Cancer, HIV, multiple sclerosis and progressive/degenerative conditions are disabilities too, even if they do not currently have an adverse effect on the carrying out of day-to-day activities.</p> <p>The definition of disability is different in Northern Ireland in that a list of day-to-day activities is referred to. There is no list of day-to-day activities for England, Scotland and Wales but day-to-day activities are taken to mean activities that people, not individuals, carry out on a daily or frequent basis.</p> <p>While there is no definitive list of what is considered a disability, it covers a wide range of impairments including:</p> <ul style="list-style-type: none"> <li>• sensory impairments</li> <li>• impairments with fluctuating or recurring effects such as rheumatoid</li> </ul>

	<p>arthritis, depression and epilepsy</p> <ul style="list-style-type: none"> <li>• progressive impairments, such as motor neurone disease, muscular dystrophy, HIV and cancer</li> <li>• organ-specific impairments, including respiratory conditions and cardiovascular diseases</li> <li>• developmental impairments, such as autistic spectrum disorders and dyslexia</li> <li>• mental health conditions such as depression and eating disorders</li> <li>• impairments caused by injury to the body or brain.</li> </ul> <p>It is important for HEIs to note that people who have had a past disability are also protected from discrimination, victimisation and harassment because of disability.</p> <p>Equality law requires HEIs to anticipate the needs of disabled people and make reasonable adjustments for them. Failure to make a reasonable adjustment constitutes discrimination. If a disabled researcher's impairment has affected the quantity of their research outputs, they may be submitted with a reduced number of outputs (see paragraphs 90-100 and the panel criteria).</p>
Gender reassignment	<p>The Equality Act 2010 and the Sex Discrimination (Northern Ireland) Order 1976 protect from discrimination trans people who have proposed, started or completed a process to change their sex. Staff in HE do not have to be under medical supervision to be afforded protection because of gender reassignment and staff are protected if they are perceived to be undergoing or have undergone gender reassignment. They are also protected if they are associated with someone who has proposed, is undergoing or has undergone gender reassignment.</p> <p>Trans people who undergo gender reassignment will need to take time off for appointments and in some cases, for medical assistance. The transition process is lengthy, often taking several years and it is likely to be a difficult period for the trans person as they seek recognition of their new gender from their family, friends, employer and society as a whole.</p> <p>The Gender Recognition Act 2004 gave enhanced privacy rights to trans people who undergo gender reassignment. A person acting in an official capacity who acquires information about a person's status as a transsexual may commit a criminal offence if they pass the information to a third party without consent.</p> <p>Consequently, staff within HEIs with responsibility for REF submissions must ensure that the information they receive about gender reassignment is treated with particular care.</p> <p>Staff whose ability to work productively throughout the REF assessment period has been constrained due to gender reassignment may be submitted with a reduced number of research outputs (see paragraphs 90-100, and the panel criteria). Information about the member of staff will be kept confidential as described in paragraph 98.</p>

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

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



**Extract from *Assessment framework and guidance on submissions* (Addendum to REF 02/2011)**

**Paragraphs 65 and 68 to 69**

65. As a key measure to support equality and diversity in research careers, in all UOAs individuals may be returned with fewer than four outputs without penalty in the assessment, where their individual circumstances have significantly constrained their ability to produce four outputs or to work productively throughout the assessment period. This measure is intended to encourage institutions to submit all their eligible staff who have produced excellent research.

68. Where an individual is submitted with fewer than four outputs and they do not satisfy the criteria described at paragraphs 69-91 below, any ‘missing’ outputs will be graded as ‘unclassified’.

69. Category A and C staff may be returned with fewer than four outputs without penalty in the assessment, if one or more of the following circumstances significantly constrained their ability to produce four outputs or to work productively throughout the assessment period:

- a. Circumstances with a **clearly defined** reduction in outputs, which are:
  - i. Qualifying as an early career researcher (on the basis set out in paragraph 72 and Table 1).
  - ii. Absence from work due to working part-time, secondments or career breaks (on the basis set out in paragraphs 73-74 and Table 2).
  - iii. Qualifying periods of maternity, paternity or adoption leave (on the basis set out in paragraphs 75-81).
  - iv. Other circumstances that apply in UOAs 1-6, as defined at paragraph 86.
- b. **Complex circumstances** that require a judgement about the appropriate reduction in outputs, which are:
  - i. Disability. This is defined in ‘guidance on submissions’ Part 4, Table 2 under ‘Disability’.
  - ii. Ill health or injury.
  - iii. Mental health conditions.
  - iv. Constraints relating to pregnancy, maternity, paternity, adoption or childcare that fall outside of – or justify the reduction of further outputs in addition to – the allowances made in paragraph 75.
  - v. Other caring responsibilities (such as caring for an elderly or disabled family member).
  - vi. Gender reassignment.
  - vii. Other circumstances relating to the protected characteristics listed at paragraph 190 of ‘guidance of submissions’ or relating to activities protected by employment legislation.

### Data analysis on the Provisional cohort of selected staff following the dress rehearsal exercise

For the purpose of the REF dress rehearsal data analysis a census date of 13 May 2013 was used. At this time, the eligible population was compared with the provisional cohort of staff selected for submission.

The following analysis compares the provisional cohort of staff selected for submission as at 13/05/2013 with all eligible staff by:

- Gender
- Disability
- Age
- Ethnicity

### GENDER

GENGER	Percentage in eligible population	Percentage in provisionally selected population
Female	24.3	22.6
Male	75.7	77.4

### Gender analysis by job grade

GRADE	% Eligible Population		% Provisionally included in REF	
	Female	Male	Female	Male
Lecturer (Grade 8)	51.0	31.0	45.1%	27.0%
Senior Lecturer/Reader (Grade 9)	37.0	35.0	37.3%	31.8%
Professor	12.0	34.0	17.6%	41.2%

### UoA leads

All the unit assessment leaders and additional leads involved in the internal dress rehearsal exercise are male, as were all of the Deans. However there are several women involved in the decision-making process including the Pro-Vice-Chancellor (Research), an Associate Dean (Research), two academic members of the University Research Committee, the Research Information Manager and the Director of Finance and Commercial Services. The new Dean of the School of Management is female and will be involved in the final submission decisions from 1 August 2013.

### Analysis

- 22.6% of our staff provisionally included in the REF are female compared with 24.3% of our eligible population.
- The analysis by job grade suggests that this difference arises at the Lecturer (Grade 8) level where we have 51% of our eligible female population but only 45.1% of our provisionally submitted population; this is reversed at the Professorial grade. However, the same variations are also true in our male population where 31% of our eligible male population but only 27% of our submitted population.

DISABILITY	Percentage in eligible population	Percentage in provisionally selected population
No	77.6	80.1
Not known	16.4	14.7
Yes	2.5	1.7
No data	3.5	3.5

AGE	Percentage in eligible population	Percentage in provisionally selected population
20-30	3.5	4.2
30-40	26.5	28.6
40-50	33.0	33.2
50-60	24.0	22.1
60+	13.0	11.9

ETHNICITY	Percentage in eligible population	Percentage in provisionally selected population
White British	57.2	57.5
Other	37.9	37.3
Not known/ no data	4.8	5.2

## Data analysis on final submission

For the purpose of this final REF data analysis, a census date of 8 November 2013 was used, with one final amendment following the decision on a pending case.

Following the data analysis methodology conducted as part of the REF dress rehearsal (census data of 13 May 2013), the submitted population was compared with the non-submitted population by:

- Gender
- Disability
- Age
- Ethnicity

### GENDER

<u>Gender</u>	<u>Percentage in eligible population</u>	<u>Percentage in submitted population</u>
<u>Female</u>	<u>25.3</u>	<u>24.7</u>
<u>Male</u>	<u>74.7</u>	<u>75.3</u>

### Analysis

- 24.7% of our staff included in the REF are female compared with 25.3% of our eligible population.
- There has been an increase in the percentage of female staff submitted compared to the REF dress rehearsal analysis where eligible female staff made up 24.3% of the population and 22.6% of the submitted staff.
- The difference between the percentage of female staff in the submitted population compared to the eligible population has decreased to 0.6% and is not statistically significant, nor was it statistically significant at the Dress Rehearsal stage.

### UoA leads

- (3) Since the REF dress rehearsal, where other members of academic staff were asked to support UoA Leads in developing the submissions a number of these staff were female and the new female Dean and Head of the School of Management has taken up her position and been involved in the final submission.

<b>DISABILITY</b>	<u>Percentage in eligible population</u>	<u>Percentage in submitted population</u>
No	80.1	79.1
Not known	14.1	15.3
Yes	2.1	2.4
No data	3.7	3.2

<b>AGE</b>	<u>Percentage in eligible population</u>	<u>Percentage in submitted population</u>
20-30	4.5	3.9
30-40	30.0	28.0
40-50	31.5	31.6
50-60	22.0	23.9
60+	12.0	12.6

<b>ETHNICITY</b>	<u>Percentage in eligible population</u>	<u>Percentage in submitted population</u>
White	54.7	55.5
British		
Other	38.7	38.2
Not	6.6	6.3
Known		

\* Includes information refused, not known and no data available