

University of St Andrews

CODE OF PRACTICE ON SELECTING STAFF FOR SUBMISSION TO REF 2014

- [1. INTRODUCTION](#)
- [2. EQUALITY STATEMENT](#)
- [3. GENERAL PRINCIPLES](#)
- [4. KEY REF TEAM DATES FOR REF 2014](#)
- [5. STAFF ELIGIBLE FOR INCLUSION IN REF 2014](#)
- [6. OVERVIEW OF THE UNIVERSITY OF ST ANDREWS' SUBMISSION TO REF 2014](#)
- [7. THE DECISION-MAKING PROCESS FOR INCLUSION IN THE SUBMISSION TO REF 2014](#)
- [8. INDIVIDUAL STAFF CIRCUMSTANCES](#)
- [9. MONITORING/IMPACT ASSESSMENT](#)
- [10. TRAINING AND COMMUNICATION FOR REF](#)
- [11. JOINT SUBMISSION](#)
- [12. DATA PROTECTION](#)
- [13. FURTHER INFORMATION AND CONTACTS](#)
- [APPENDIX 1](#)
- [APPENDIX 2](#)

1. Introduction

This Code of Practice aims to ensure that all members of the University of St Andrews staff are made aware of the processes that have been put in place for our preparation for REF 2014 (the Research Excellence Framework). This Code has been written to supplement the University's policies on employment and set them in the context of the REF. It also reinforces the University's commitment to equality of opportunity and fairness.

The University's 'Equality & Diversity Inclusion Policy'¹ reflects updated equality law, such as the Single Equality Act (2010) and Scottish Public Sector Equality Duty (2011). The policy declares that all members of staff on fixed term and part-time contracts, students and anyone associated with the University, both existing and potential, should receive equal and fair treatment in all aspects of University life and that it will not tolerate discrimination on any grounds, as detailed in the policy. Other supporting policies² include ones pertaining to maternity, paternity, mental health and wellbeing, and bullying and harassment.

This Code has been developed using, as a starting point, the information provided in the REF 2014 Assessment Framework and Guidance on Submissions³. The University is required to submit the Code of Practice to the REF team by 31 July 2012. The Principal will be required to confirm adherence to the institutional Code of practice when making the University submission to REF 2014. Following submission to REF 2014 this Code will be made public online by the REF team. In addition, the University will publish a final equality impact assessment for REF 2014.

¹ Equality & Diversity Inclusion Policy: <http://www.st-andrews.ac.uk/hr/edi/>

² University of St Andrews Human Resources Policies: <http://www.st-andrews.ac.uk/staff/policy/hr/>

³ REF 2014 Guidance on Submission: http://www.hefce.ac.uk/research/ref/pubs/2011/02_11/

2. Equality Statement

The University of St Andrews is fully committed to respect and fair treatment for everyone, eliminating discrimination and actively promoting equality of opportunity and delivering fairness to all.

In addition to being compliant with the equality laws, public duties and Human Rights Acts (Universal and European), the University also supports diversity and promotes equality of opportunity for all staff, students and visitors, regardless of their:

- ‘Protected Characteristic’ (Single Equality Act):
 - Age
 - Disability
 - Gender Reassignment
 - Marriage and Civil partnership
 - Pregnancy and Maternity (including Paternity)
 - Race (colour, ethnic or national background)
 - Religion or Belief (including non-belief)
 - Sex/Gender
 - Sexual Orientation
- Caring responsibilities for a ‘Protected Characteristic’ including dependants
- Socio-economic background/grouping
- Trade union activity
- Unrelated spent criminal convictions

The Equality & Diversity Inclusion Policy⁴ outlines the responsibility for promoting inclusive environments, which are free from discrimination for our national and international staff, students and anyone associated with the University (e.g. visitors, contractors and service providers). Appendix 1 provides a glossary of terms relevant to equality and diversity issues.

3. General Principles

The REF exists to measure the quality of research in Higher Education Institutions, and it will be used to determine future quality-related research funding from the Funding Councils. Under the terms of the guidance from the national REF team, all institutions are “encouraged to ensure that HEIs submit the work of all of their excellent researchers” (REF 2014 Guidance on Submissions). This Code of Practice aims to ensure that, at the University of St Andrews, the processes concerned with selection of staff for inclusion in the submission to REF 2014 adhere to the following principles:

- Transparency: The processes for selection of staff are detailed in this Code (Section 7: **The Decision-Making Process for Inclusion in the submission to REF 2014**). Staff will be made aware of the Code by their Head of School but also by direct email. The Code will be available in an easily accessible format and staff who are absent from work will be made aware of the Code. Any general enquiries on REF can be directed to the REF Institutional Contact (rpo@st-and.ac.uk), and optional briefing sessions on REF 2014 will be made available to staff. Information on REF, including this Code, is available to staff on an internal REF webpage for staff⁵.
- Consistency: The University is committed to a consistent approach to the selection of staff for REF across the institution, and the **REF Steering Group** and the **Institutional REF Equality and Diversity Review Group** will ensure that this principle is uniformly implemented.

⁴ Equality & Diversity Inclusion Policy: www.st-andrews.ac.uk/hr

⁵ Internal REF Webpage for Staff: <https://www.st-andrews.ac.uk/staff/research/quality/ref2014/>

- **Accountability:** This Code describes in detail how decisions on submission to REF will be made and describes the people and processes involved. Ultimately, the Principal is responsible for the submission to REF 2014.
- **Inclusivity:** The University of St Andrews is firmly committed to fostering and promoting an inclusive environment and will apply this code across all Units of Assessment, enabling the University to identify all eligible staff members who have produced “excellent research” for submission to the REF. The University recognises that academic staff members contribute to the success of the University of St Andrews as a world-leading institution in many different ways. There will be individuals performing highly valued roles, whose primary focus is not directly research-oriented, where exclusion from REF 2014 submission will not affect a person’s career opportunities within the University.

4. Key REF Team Dates for REF 2014

31 October 2013	Census date for staff to be in post
1 January 2008 to 31 December 2013	Publication period
29 November 2013	Submission deadline
January 2014 to December 2014	Assessment by panels
December 2014	Results published
Financial Year 2015/16	REF informs funding from the Funding Councils

5. Staff Eligible for inclusion in REF 2014

Staff groups eligible for submission to REF 2014 are described in Guidance on Submission (HEFCE document REF 02/2011)⁶.

Heads of School are responsible for ensuring that all REF-eligible staff within their School are considered for submission to REF.

Category A Staff⁷: Category A staff are defined as academic staff with a contract of employment of 0.2 FTE or greater and on the payroll of the submitting HEI on the census date (31 October 2013), and whose primary employment function is to undertake either ‘research only’ or ‘teaching and research.’

Research assistants on ‘research only’ contracts are **not** eligible to be returned to the REF unless, exceptionally, where they are named as principal investigator or equivalent on a research grant or significant piece of research work on the census date and satisfy the definition of category A. A member of staff is not deemed to have undertaken independent research purely on the basis of being named on one or more research outputs. Members of staff on ‘research only’ contracts and eligible for REF 2014 are likely to be employed on independent fellowships.

Category C staff: Eligible staff are defined as individuals employed by an organisation other than an HEI, whose contract or job role (as documented by their employer) includes the undertaking of research, and whose research is primarily focused in the submitting unit on the census date (31 October 2013), e.g. staff employed by the NHS. Heads of Schools are responsible for identifying Category C staff eligible for inclusion in REF.

Early Career Researcher: Early Career Researchers (ECR) are defined as members of staff of any age who meet the criteria to be selected as Category A or Category C staff **and** who started their careers as independent researchers on employment terms that qualified them for submission to REF2014 on or after 1 August 2009.

⁶ The Higher Education Funding Council for England ([HEFCE](#)), the Scottish Funding Council ([SFC](#)), the Higher Education Funding Council for Wales ([HEFCW](#)), and the Department of Employment and Learning, Northern Ireland ([DELNI](#)) will conduct the REF jointly. The four funding bodies have been developing the REF as the replacement for the [Research Assessment Exercise](#) (RAE) since 2006 (<http://www.sfc.ac.uk/research/ResearchExcellence/ResearchExcellenceFramework.aspx>).

⁷ According to current guidelines, Category B and Category D staff can no longer be submitted.

6. Overview of the University of St Andrews' Submission to REF 2014

The University aims to ensure that the institutional submission to REF 2014 is made at the highest level achievable and submission decisions will be based on a research Quality Threshold. As background, the current model for funding of research in Scottish HEIs from the Scottish Funding Council, is in the form of the Research Excellence Grant (REG) and is based on performance in RAE 2008. The resultant funding is weighted, so that research of quality rated 4* attracts three times the level of funding of 3* rated research. Research rated as 2* and below attracts no REG funding at all. In terms of the outcomes of RAE2008, approximately 60% of our submission was rated 4* or 3*. The final submission to REF 2014 will be a strategic decision and not all REF-eligible staff will be included in the submission. For academic staff employed at the University of St Andrews, no direct link will be made between non-inclusion (or inclusion) in REF 2014 and future promotions. Ultimate responsibility for the submission to REF 2014 lies with the **Principal** who is supported by the members of the **Office of the Principal**⁸, the senior management group of the University.

The **REF Steering Group** is charged with ensuring that the resultant REF profile accurately reflects the excellence in research at the University of St Andrews and will pursue strategic decisions that shape the submission to REF 2014. The composition of the REF Steering Group includes the Deputy Principal and Vice Principal (Research), the Master and two members of the Academic Senate. The composition of the REF Steering Group is approved by the Principal's Office and provides a strong mix of previous research assessment experience and broad representation of research disciplines. The list of REF Steering Group members is available on the internal REF webpage for staff. The Deputy Principal and Vice Principal (Research) is responsible for communicating all decisions and information on REF to the Office of the Principal. The Deputy Principal and Vice Principal (Research) and the Master are responsible for the ultimate decisions with regards to the most appropriate Units of Assessment (UOAs) to submit to REF 2014. The REF Steering Group is supported by Policy Officers from the Research Policy Office. The REF Steering Group is responsible for overseeing all REF strategy and planning activities. **UOA REF Executive Panel** take the decision on who will be included in the submission to each REF UOA based on recommendations from relevant Heads of School and UOA Directors of Research following the outcomes of **REF Interviews**. Any decisions resulting in a member of staff not being included in the submission to REF will be reviewed by a separate group, the **Institutional REF Equality and Diversity Review Group**. The remit of this group is to ensure that all equality-related issues have been taken into account in the decision-making process. If a decision is taken that an individual will not be submitted to REF 2014 upon the conclusion of the review, this will be communicated by letter from the Head of School on the behalf of the UOA REF Executive Panel to the staff member. If, following the above process, an individual is still dissatisfied with a non-submission decision, they have recourse to an **Appeals** process based only on procedural grounds, i.e. that the decision-making process, with respect to due consideration of special circumstances, has not been properly or fairly carried out.

All REF-related institutional groups at the University are summarised in Appendix 2 and described in the next section. In addition, further up-to-date information related to how committees have been formed, their membership and the definition of their position within the advisory or decision-making process can be found on the internal REF webpage for staff.

7. The Decision-Making Process for Inclusion in the submission to REF 2014

The timetable for decision-making, herein, is indicative only and, where it is deemed too early to make a final decision on inclusion or exclusion of a staff member, then appropriate and equivalent procedures will be put in place prior to the REF submission. This flexibility will, in addition, assist staff joining the institution.

From spring 2012, Heads of Schools will ensure that all REF-eligible staff are requested to complete a form detailing whether they have individual circumstances which should be taken into account for REF (FORM A: on the internal REF webpage for staff).

⁸ University of St Andrews Office of The Principal: www.st-andrews.ac.uk/administration/principalsoffice/

REF Interviews: Each Head of School and UOA Director of Research will meet confidentially, at least once between April 2012 and October 2013, with members of staff eligible to be submitted to the REF (referred to as 'REF Interviews'). If neither the Head of School nor the UOA Director of Research is of the same gender as the member of staff being interviewed, then the member of staff will be offered the option of having a senior member of academic staff, of their gender, present at the interview.

All eligible staff members will be offered a REF Interview between April 2012 and October 2012 to make the first round of recommendations to the UOA REF Executive Panels on staff submission to REF 2014. Individuals will be made fully aware, at these meetings, of any initial recommendation on submission status which will be made to the Panel. Possible recommendations are, in terms of planned submission to REF 2014, either 'include', 'pending' or 'exclude'. These meetings will also provide an additional opportunity for staff to indicate whether there are circumstances that have significantly, adversely affected their potential contribution. Staff with a 'pending' submission recommendation, e.g. individuals who are awaiting publication of research outputs, will be offered additional rounds of REF Interviews in 2013 until an 'inclusion' or 'exclusion' recommendation has been made. The basis for an 'inclusion' recommendation is that the research outputs achieve the Quality Threshold, which will be based on the REF 2014 grading for research quality of publications in terms of their 'originality, significance and rigour', giving rise to starred levels of 4*, 3*, 2*, 1* and unclassified (as defined by the REF Panel Criteria and Working Methods⁹) and will be communicated to individuals through their Head of School and UOA Director of Research. External advice may be sought on specific outputs as deemed necessary by the UOA Director of Research. Recommendations will take into account any reduction in outputs due to staff circumstances and any national REF Panel or UOA-specific definitions related to quality and output eligibility.

UOA REF Executive Panel: Following the REF Interviews, the UOA REF Executive Panels will meet and, taking all relevant circumstances into account, will make initial decisions regarding who will be submitted to REF 2014 based on the recommendations from the REF Interviews. These panels will meet in late autumn 2012 and spring 2013 and further meetings will be arranged as required. Where possible, all initial non-submission decisions will have been completed by end of April 2013.

The composition of each UOA REF Executive Panel includes the members of the REF Steering Group and the appropriate Head of School and Director of Research for the UOA. When appropriate, the REF Steering Group may approve the presence at the UOA REF Executive Panel of other members of staff with, for example, specific expertise. The Deputy Principal will chair the UOA REF Executive Panels. The Executive Panels are supported by Policy Officers from the Research Policy Office. The UOA REF Executive Panels will meet from autumn 2012 to make the first round of decisions on staff submission to REF 2014. The initial decisions will be based on the key principle of the quality of the research, taking due consideration of this Code of Practice. The criteria for inclusion into REF 2014 are first an eligibility decision based on the REF guidance and then an output selection and assessment process based on a University-wide Quality Threshold. The University of St Andrews Quality Threshold for submission to REF 2014 will be determined by the REF Steering Group and will apply across all UOAs. The REF Steering Group has been transparent in their discussions with Heads of Schools and Directors of Research regarding the institutional expectations and that **Quality Thresholds** must be applied uniformly across all areas of the University submission. Heads of School and UOA Directors of Research will communicate to all of their REF-eligible staff how the Quality Threshold will be applied. Where an initial decision to 'exclude' an individual member of academic staff from the submission to REF 2014 is made, this decision will be reviewed by the Institutional REF Equality and Diversity Review Group as described below.

Institutional REF Equality and Diversity Review Group: Any initial decisions by the UOA REF Executive Panel to 'exclude' a member of staff from the submission to REF will be reviewed by the Institutional REF Equality and Diversity Review Group (referred to as the 'Review Group'). The University has established the Review Group with the remit of ensuring that, where an initial 'exclusion' decision has been made, the Review Group considers carefully any circumstances that are covered by equal opportunities legislation or other relevant circumstances that may have significantly, adversely affected their potential contribution to the submission. The Review Group

⁹ HEFCE document probable publish date in January 2012 (<http://www.hefce.ac.uk/research/ref/>).

will be convened by a member of the Office of the Principal, and its membership is as follows: either the Dean of Arts or the Dean of Science, the Equality & Diversity Officer, a representative from Human Resources (other than the Director of Human Resources) and a representative from the Research Policy Office. The Review Group will have access to any individual staff circumstances, with the permission of the individual, that have been raised by the individual (Section 8) and also information from the Executive Panel on the 'exclusion' decision. Confidential records of the Group's discussions will be kept, and this approach should ensure a consistent basis for judgement across all UOAs. This group will report findings to the relevant UOA REF Executive Panel, with further consultation between the two groups, as necessary, until a final decision is agreed. If a final decision is taken that an individual will not be submitted to REF 2014, this will be communicated as soon as possible following the final decision in writing by the Head of School on behalf of the UOA REF Executive Panel to the staff member. **Where possible, all final non-submission decisions will have been made and communicated to relevant staff members by end of June 2013.**

The Review Group may also be requested to review, with the permission of the individual REF-eligible staff member, any case of individual circumstances flagged to Human Resources (Section 8) where a judgement on complex circumstances may be required. This could apply to staff in 'included' and 'pending' categories upon request by the individual.

Appeals: Appeals regarding a final non-submission decision to REF will be based only on procedural grounds, i.e. that the decision-making process, with respect to due consideration of special circumstances, has not been properly or fairly carried out. An appeal must be lodged in writing to the Director of Human Resources, outlining the areas of disagreement, within 10 working days of the decision being communicated. The **Appeals Panel** will be convened by an Emeritus Professor of the University (to be appointed by the Deputy Principal), and its membership is as follows: the Director of Human Resources and one member of the University Court (to be appointed by the Principal). The staff member appealing may be accompanied by a member of staff from the institution to the meeting of the Appeals Panel. The representative may be an official of the appropriate trade union. No member of the Appeals Panel will have had any involvement with earlier REF submission decisions. The Appeals Panel will make a recommendation to the Principal, who will make the final appeal decision. The appellant and his/her Head of School will be notified of the outcome of the appeal in writing. **Where possible, all appeal decisions will have been made and communicated to the staff member by end of August 2013.**

8. Individual Staff Circumstances

The REF guidance published by the funding councils includes a set of clearly defined and more complex circumstances under which fewer than four outputs can be returned for a member of staff without any penalty. Where an individual is submitted with fewer than four outputs, and their research is deemed to have not been constrained by circumstances set out below, any 'missing' outputs will be graded as 'unclassified.'

The University will encourage staff to report circumstances and will adopt a centralised and inclusive approach. From spring 2012, Heads of Schools will ensure that all REF-eligible staff are requested to complete a form detailing whether they have individual circumstances which should be taken into account for REF (FORM A: on the internal REF webpage for staff). Where an individual has indicated that complex circumstances need to be considered, then a follow-up interview with Human Resources may be necessary. If a member of staff is selected for inclusion in the University's REF submission and has individual circumstances to be taken into consideration, the University is required to supply the national REF Assessment Panels with sufficiently explicit information about how the circumstances have adversely affected the contribution, but not necessarily the details of the case. The Human Resources interview will seek to verify the circumstances and record the information required by the UOA REF Executive Panel and for the final REF submission, which is:

Staff with complex circumstances (maximum 300 words): Institutions must:

- describe the nature and timing of the circumstances
- explain the effects on the individual's contracted working hours or ability to fulfill their contracted working hours
- explain any other effects on the individual's ability to work productively

- provide a calculation for the reduction in outputs and the number of outputs returned.

Any personal information on circumstances will be stored in a secure location with limited access and will be destroyed when the outcomes of REF 2014 are finalised.

Details of possible staff circumstances as detailed in REF Assessment Framework REF 02.2011 in the Guidance on Submission are listed below.

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. Clearly defined circumstances, which are:
 - i. Qualifying as an ECR.
 - ii. Part-time working.
 - iii. Maternity, paternity or adoption leave. (Note that maternity leave may involve related constraints on an individual's ability to conduct research in addition to the defined period of maternity leave itself. These cases can be returned as 'complex' as described at subparagraph b below, so that the full range of circumstances can be taken into account in making a judgement about the appropriate number of outputs that may be reduced without penalty).
 - iv. Secondments or career breaks outside the higher education sector, and in which the individual did not undertake academic research.
- b. Circumstances that are more complex and require a judgement about the appropriate number of outputs that can be reduced without penalty. These circumstances are:
 - i. Disability.
 - ii. Ill health or injury.
 - iii. Mental health conditions.
 - iv. Constraints related to pregnancy or maternity, in addition to a clearly defined period of maternity leave. (These may include but are not limited to: medical issues associated with pregnancy or maternity; health and safety restrictions in laboratory or field work during pregnancy or breastfeeding; constraints on the ability to travel to undertake fieldwork due to pregnancy or breast-feeding.)
 - v. Childcare or other caring responsibilities.
 - vi. Gender reassignment.
 - vii. Other circumstances.

9. Monitoring/Impact Assessment

The University is committed to promoting and monitoring fairness and equality of opportunity throughout its operations. To achieve this, the University has developed an 'Equality Impact Assessment (EIA) Toolkit', which has been utilised to review policies, practices, procedures and services provision. The EIA Toolkit is available at www.st-andrews.ac.uk/hr/edi.

To monitor the impact of the REF, the University will prepare an equality profile in terms of age, disability, gender and ethnicity of staff eligible for submission, covering those who are submitted and those who are not. Members of staff are able to update their confidential equality profile online via the Human Resources 'Self Service' facility; this is available at: www.st-andrews.ac.uk/selfservice. This profile will be continuously monitored as it evolves throughout the REF process to ensure that no group of staff is unfairly treated. The University Equality & Diversity Officer will provide updates on the profile to the **Institutional REF Equality and Diversity Review Group** and the University will take appropriate action to address areas of potential discrimination. Following submission the University will publish the final EIA.

10. Training and Communication for REF

All members of staff involved in the REF submission decision-making process must have completed the University's updated online 'Diversity Awareness' training; this is available online at www.st-andrews.ac.uk/staff/ppd/developyourself/courses/diversityawareness. In addition to this, all staff involved in REF decision-making process will undertake equality training specific to REF to ensure that members are well informed about their own and the institution's legal obligations regarding equality. Case studies will be used as an integral part of the training and will be developed taking advice from the Equality Challenge Unit REF related resources¹⁰.

When the Code of practice has been approved by Court (estimated approval by April 2012), the document will be placed on the internal REF web page for staff. Heads of Schools will be tasked with disseminating the Code of Practice to all staff eligible for submission to REF, including those staff away from the institution. In terms of on-going communication regular updates on REF will be submitted to Academic Council, the Research Forum, meetings with Heads of Schools and Directors of Research by the Research Policy Office. Voluntary briefing sessions on REF 2014 will be made available to all staff members who are eligible to be submitted to REF. In addition, all information related to REF internal processes will be available on the internal REF staff webpage.

11. Joint Submission

For the purpose of transparency, this Code will be made available to institutions with whom we make any joint submissions to REF 2014. The University will ensure that any joint-decision making across institutions does not compromise adherence to the terms of this Code and its overriding principles.

12. Data Protection

As requested by the national REF 2014 team, the University is collecting personal information on circumstances which may have significantly affected the potential contribution of an individual staff member to the submission. This information is being gathered solely for the purpose of REF 2014. Data will be collected and stored in compliance with the Data Protection Act of 1998. The University will only share information which it is under an obligation to provide. The University will ensure that personal data is only disclosed on a need-to-know basis and only to those individuals directly involved in preparations for the submission to REF 2014 and to the national REF Assessment Panels. For further information, contact the University's Data Protection Co-ordinator dataprot@st-and.ac.uk.

13. Further information and contacts:

The Research Policy Office (rpo@st-and.ac.uk) is responsible for planning submission to REF 2014, collecting and checking all data required for the REF 2014 submission, managing the submission software and the final submission.

Internal:

Internal REF website for staff: <https://www.st-andrews.ac.uk/staff/research/quality/ref2014/>

REF 2014 Enquiries –Institutional Contact, Email: rpo@st-andrews.ac.uk

Human Resources and Appeals: Mairi Stewart, Director of Human Resources, Email: hrdirector@st-and.ac.uk

Equality & Diversity Inclusion website: www.st-andrews.ac.uk/hr/edi

Equality and Diversity Officer: Sukhi Bains, Email: sb104@st-andrews.ac.uk

External:

National REF 2014 website: www.ref.ac.uk

Equality Challenge Unit website: www.ecu.ac.uk/our-projects/REF

¹⁰ Equality Challenge Unit –REF Project: <http://www.ecu.ac.uk/our-projects/REF>

This document is available in Alternative Format upon request and was written in consultation with University of St Andrews members of staff from the Office of the Principal, Human Resources, University and College Union (UCU), Academic Council and the Research Forum and approved by the University Court.

Appendix 1: Equality Act (2010) - Glossary of Terms

(Inclusive of the 'REF 2014: Equality Briefing for Panels' guidance)

Terminology	Description or example
Adverse impact:	Identified where a University operation has a less favourable effect on one or more groups covered by equality law than it has on other groups.
Age	<p>Staff are protected from unlawful age discrimination and harassment in employment. Individuals are also protected if they are perceived to be or if they are associated with a person of a particular age group. (The 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 researcher's 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 is not limited to young people.</p> <p>Panels should also note that, given developments in equalities law in the UK and Europe, the Default Retirement Age (DRA) was abolished on 1 October 2011.</p> <p>Refer to the online University 'Equality Staff Briefing on Age Positive – Without Age limits' that can be found at www.st-andrews.ac.uk/hr/edi/age.</p>
Associated Discrimination:	Where a victim of discrimination does not have a 'protected characteristic' but is discriminated against because of their association with someone who does e.g. the parent of a disabled child.
Dependants:	An employee's spouse, child or parent, or anyone who lives in the same household (except employees, tenants, lodgers or boarders).
Differential impact:	Identified where a policy or practice affects a given group or groups in a different way to other groups. Unlike adverse impact, differential impact can be positive or negative.
Direct Discrimination:	Occurs where a person is treated less favourably, on the grounds of being a member of a particular group, than a person who is not from that group would be treated in the same or similar circumstances.
Disability:	Staff are protected from unlawful discrimination due to disability. Individuals are

	<p>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 has a disability 'if they have a physical or mental impairment, and the impairment has a substantial (more than minor or trivial) and long-term adverse effect on his or her ability to carry out normal day-to-day activities'. An impairment is considered to have a long-term effect if:</p> <ul style="list-style-type: none"> • it has lasted for at least 12 months; • it is likely to last for at least 12 months; or • it is likely to last for the rest of the life of the person <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>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"> • sensory impairments • impairments with fluctuating or recurring effects such as rheumatoid arthritis, depression and epilepsy • progressive impairments, such as motor neurone disease, muscular dystrophy, HIV and cancer • organ-specific impairments, including respiratory conditions and cardiovascular diseases • developmental impairments, such as autistic spectrum disorders and dyslexia • mental health conditions such as depression and eating disorders • impairments caused by injury to the body or brain. <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.</p> <p>For the purpose of the REF census period it is important to note that people who have had a past disability are also protected from discrimination, victimisation and harassment because of disability.</p> <p>Refer to the online University guidance on disability that can be found at www.st-andrews.ac.uk/hr/edi/disability.</p>
<p>Diversity:</p>	<p>Diversity is about respecting and valuing the differences between people. It is also about recognising and understanding the mix of people and communities who use services and their different needs.</p>
<p>Equal Opportunities:</p>	<p>Equal opportunities, or equality of opportunity, may be defined as ensuring that everyone is entitled to freedom from discrimination. There are two main types of equality encompassed in equal opportunities. The term has mostly been replaced by Equality and Diversity (E&D) in recent years.</p>

Equality:	Equality is about fairness, and not discriminating against individuals or groups because of peoples' backgrounds.
Equality Impact Assessment (EIA):	A detailed and systematic analysis of how a policy, practice, procedure or service potentially or actually has differential impact on people of different 'protected characteristics'. Refer to the online University guidance on EIA that can be found at www.st-andrews.ac.uk/hr/edi .
Equality strands:	Different equality groups/communities in equal opportunities law, now replaced by the Single Equality Act (2010) - refer to 'Protected Characteristics'.
Gender Reassignment/ Identity:	<p>Process of transitioning from one gender to another (e.g. male to trans-female or female).</p> <p>Staff are protected from discrimination if they have proposed, started or completed a process to change their sex.</p> <p>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.</p> <p>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 very difficult period for the trans person as they seek recognition from their family, friends, employer and society as a whole of their new gender.</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. Consequently, panel members must ensure that information they may receive about gender reassignment is kept confidential.</p> <p>It is easy for people to change their names. While not all people undergoing gender reassignment will choose to change their name, where they do, panels should be aware that this may affect citation data.</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.</p> <p>Refer to the online University 'Equality Staff Briefing on Gender Identity' that can be found at www.st-andrews.ac.uk/hr/edi/genderReassignment.</p>
Harassment:	Unwanted behaviour that has the purpose or effect of violating a person's dignity or creates a degrading, humiliating, hostile, intimidating or offensive environment.
Indirect Discrimination:	Refers to applying University operations that disadvantages people of different 'protected characteristics'. Indirect discrimination is illegal if it cannot be justified as a proportionate means of achieving a legitimate aim.

<p>Marriage and Civil partnership:</p>	<p>Marriage is defined as a 'union between a man and a woman'. Same-sex couples can have their relationships legally recognised as 'civil partnerships'. Civil partners must be treated the same as married couples on a wide range of legal matters.</p> <p>There is protection from discrimination is to ensure that people who are married or in a civil partnership receive the same benefits and treatment in employment.</p> <p>If REF panels use citation data it is important that they are aware that people entering a civil partnership or marriage may change their name, and this may affect the citation data associated with their research outputs.</p>
<p>Perceived Discrimination:</p>	<p>Applicant/employee treated less favourably because it is perceived that the applicant/employee has a protected characteristic. Even though the employer may be mistaken it is still discriminatory.</p>
<p>Prejudice:</p>	<p>An adverse judgement, conviction or opinion formed beforehand or without knowledge or examination of the facts. It may be felt or expressed. It may be directed, without reason, toward a group or an individual of that group and may develop into an irrational suspicion or hatred.</p>
<p>Pregnancy and Maternity:</p>	<p>Maternity refers to the statutory period of after the birth, which reflects the period of a woman's ordinary maternity leave entitlement in the employment context.</p> <p>Consequently, if a researcher has taken time out of work because of pregnancy and/or maternity this should be taken into consideration when deciding how many research outputs they are expected to contribute to the submission.</p> <p>In addition, researchers who are pregnant or on maternity leave should not be overlooked during an HEI's submissions process.</p> <p>Additional paternity and adoption leave should be taken into consideration when deciding how many outputs the partners of new mothers are expected to contribute to the submission.</p> <p>Also refer to Sex/Gender.</p>
<p>Protected Characteristics:</p>	<p>Replaces the term 'Equality Strands'. Gives legislative protection from discrimination to the following 'protected characteristics':</p> <ul style="list-style-type: none"> • Age • Disability • Gender Reassignment • Marriage and Civil partnership • Pregnancy and Maternity (including Paternity) • Race (colour, ethnic or national background) • Religion or Belief (including non-belief) • Sex/Gender • Sexual Orientation
<p>Public Sector Equality Duty (2011):</p>	<p>General Duties of the Scottish - Public Sector Equality Duty (2011), which requires the University to:</p> <ul style="list-style-type: none"> • Advance equality of opportunity between people who share a protected characteristic and those who do not. • Eliminate unlawful discrimination, harassment and victimisation and other

	<p>conduct prohibited by the Act.</p> <ul style="list-style-type: none"> • Foster good relations between people who share a protected characteristic and those who do not.
Qualitative Data:	Information that is difficult to count measure or express in numerical terms (for example, feedback from focus groups or interviews).
Quantitative Data:	Information that can be expressed in numerical terms, counted or compared on a scale (for example, monitoring data).
Race:	<p>Refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.</p> <p>Staff are protected from unlawful discrimination connected to race. Individuals are also protected if they are perceived to be or are associated with a person of a particular race.</p> <p>Panels should be aware of not making any judgements on the quality of outputs based on a researcher's race or assumed race (for example based on their name).</p> <p>Refer to the online University 'Equality Staff Briefing on Race, Religion and Belief' that can be found at www.st-andrews.ac.uk/hr/edi/race.</p>
Reasonable Adjustment:	<p>Where a disabled person is at a substantial disadvantage in comparison with people who are not disabled, there is a duty to take reasonable steps to remove that disadvantage by:</p> <ul style="list-style-type: none"> • Changing provisions, criteria or practices • Altering, removing or providing a reasonable alternative means of avoiding physical features • Providing auxiliary aids
Religion or Belief:	<p>Religion has the meaning usually given to it but belief includes religious and philosophical beliefs including non- belief (e.g. Atheism). Generally, a belief should affect your life choices or the way you live for it to be included in the definition.</p> <p>Staff are protected 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>Panels should be aware of not making any judgements on the quality of outputs based on a researcher's actual or perceived religion or belief, including non-belief.</p> <p>Refer to the online University 'Equality Staff Briefing on Race, Religion and Belief' that can be found at www.st-andrews.ac.uk/hr/edi/religionBelief.</p>
Screening:	Involves identifying whether there is any risk that a policy or practice could result in adverse impact for people.

<p>Sex/Gender:</p>	<p>Staff are protected from unlawful discrimination to do with sex. Staff 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 Act explicitly protect women from less favourable treatment because they are breastfeeding. Consequently the impact of breastfeeding on a women’s ability to conduct research needs to be considered in the context of the REF.</p> <p>Additional paternity and adoption leave should be taken into consideration when deciding how many outputs the partners of new mothers are expected to contribute to the submission.</p>
<p>Sexual orientation:</p>	<p>A person's sexual attraction is towards their own sex; the opposite sex; or to both sexes.</p> <p>Staff are protected from unlawful discrimination to do with their 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>Panels should be aware of not making any judgements on the quality of outputs based on a researcher’s actual or perceived sexual orientation.</p> <p>Refer to the online University ‘Equality Staff Briefing on Sexual orientation’ that can be found at www.st-andrews.ac.uk/hr/edi/sexualOrientation.</p>
<p>Victimisation:</p>	<p>Subjecting a person to a detriment because they have done a protected act or there is a belief that they have done a protected act.</p>

Appendix 2: REF - related Institutional Groups

