



Royal Conservatoire *of* Scotland

Research Excellence Framework 2014

Code of Practice

The Royal Conservatoire of Scotland welcomes a diverse population of staff and students. We are committed to promoting equality in all of our activities and we aim to provide a performing, learning, teaching, working and research environment free from unlawful discrimination against applicants, staff and students on the grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation.

Copies of this document are available in large print and on the Royal Conservatoire extranet and Moodle sites. It will also be emailed to all academic members of staff.

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1. Introduction

The Research Excellence Framework or REF is a process that assesses the quality and impact of the research undertaken in Higher Education Institutions across the UK.

Research for the REF is broadly conceived, including creative work like performances and compositions alongside more traditional forms of research like journal articles or books – therefore the REF has a wide applicability across both Schools of the Royal Conservatoire.

In the REF, institutions submit a range of research undertaken by selected members of staff, along with other contextual information, and this Code of Practice sets out the principles and processes whereby those staff members are selected, taking particular account of our small specialist status and particular staff profile.

It applies equally to all eligible members of staff, across the institution, and has therefore been written for a general audience. Based on an Equalities Impact Assessment, it also meets a requirement of the REF process that such a Code of Practice be developed, promoted and enacted.

If there is anything in this Code of Practice that you do not understand, please contact a member of the REF Working Group. Contact details are in Appendix A.

2. Statement of Principles

The Conservatoire's selection of staff for inclusion in the REF will be:

- Transparent
- Consistent
- Accountable
- Inclusive

This Code of Practice is part of the process of **transparency**. It has been written to set out how the selection will work, what special circumstances are taken into account, and how you can appeal a decision on non-inclusion. It will be **consistently** applied across all eligible staff, and help to ensure **accountability** by explaining who is making selection decisions and on what basis. Finally, while recognising that not all eligible staff will wish to take part, it sets out how we will make the process **inclusive** by identifying all eligible staff who have produced high-quality research.

3. Inclusion in the REF – What is it all about?

In the REF, each individual piece of research produced by a member of staff is described as an 'output', and the forthcoming REF refers back to outputs published (or otherwise put in the public domain) since January 2008.

A wide range of outputs are eligible, including performances and compositions, where these can be shown to lead to 'new or significantly improved insights'. In the past, the Conservatoire has submitted recordings, live performances, compositions and exhibitions, alongside the traditional research outputs like books, and articles for scholarly journals.

If you are unsure about the research-eligibility of some work you have completed, you can discuss this with a member of the REFWG (see Section 4).

The REF places a number of straightforward limitations on staff eligibility.

- Firstly, you must have an **academic contract**. Staff who do not have a contract for teaching and research are not eligible.
- Secondly, staff must **hold a contract that is equivalent to a minimum of 0.2 FTE**. Note that this does not exclude Part Time Hourly Paid (PTHP) staff, but it does mean that PTHP staff need to have worked enough hours to reach an equivalent of 0.2 FTE.

The normal expectation for full time staff is that they will submit **four outputs**. There is a reduction in the number of outputs required for part time staff, those who have taken maternity, paternity, or adoption leave, and for 'Early Career Researchers'. Other, more complex personal circumstances may also permit a reduction in outputs.

Section 7 on Personal Circumstances (below) sets out important information about how we will take account of individual circumstances and you should read this section carefully.

4. The Selection Process

The Royal Conservatoire will select staff on the basis of their eligibility, the quality of their research, and the 'fit' of that research with the Conservatoire's research strategy. This section sets out the process whereby we will make sure that the selection meets the key principles of transparency, consistency, accountability and inclusivity.

Two bodies have been specially constituted for the process. These are:

- The REF Working Group (REFWG)
- The Human Resource, Equality and Diversity Group (HREDG)

Opting In

In preparing its REF submission, we will proceed from the starting point that staff will **opt into** the process. We will do this by means of a poll of all academic staff, which will provide basic information about the REF and the process, including the associated data protection and publication arrangements, and this Code of Practice. The poll will provide an opportunity for all staff to either:

- i) Consent to be considered for inclusion in the REF
- ii) Decline to be considered for the REF
- iii) Request further information about the REF process

Consent to be considered for inclusion will also include consent for data on research outputs to be gathered, stored, and published as part of the submission process.

The process of determining whether the research of an individual member of staff is included in REF submission therefore begins with the member of staff.

Staff who request further information

An FAQ resource will be provided to staff who request further information, together with a named contact from the REFWG who will respond within 10 working days to any further specific questions that the member of staff may have.

Staff who decline to be included

We recognise that the Royal Conservatoire is not a traditional university and that not all eligible staff engage in research activities. Staff who decline to be considered for the REF will have their decision acknowledged in writing, and will take no further part in the process.

Staff who consent to be considered for inclusion

All staff who indicate that they wish to be considered for inclusion in the REF will be assigned a member of the REFWG to work with them to gather initial information about that staff member's research outputs. This information will encompass, as a minimum:

- All eligible research outputs
- Date of publication for each (or the date it was first in the public domain)
- Indicators of quality, taking account of the criteria of
 - Significance
 - Originality

- Rigour
- Any Indicators of impact, taking account of the criteria of
 - Reach
 - Significance
- Any other information considered important by the member of staff, or the assigned member of the REFWG.

Concurrent with this, details of staff who have indicated their consent to be considered for inclusion will be passed to HREDG, who will confirm the contractual eligibility of the member of staff and check for any previously disclosed personal circumstances that will need consideration. HREDG will contact each member of staff to ensure that staff have a chance to disclose all relevant personal circumstances, and will compile a summary report on all staff who have consented to be considered for inclusion, to include:

- Confirmation of each staff member's eligibility
- Where relevant, a note of any clearly-defined personal circumstances that apply, and the relevant reduction in the number of outputs (see below)
- Where relevant, a note that more complex personal circumstances may apply (*N.B. details of these personal circumstances will remain confidential to HREDG.*)

Initial decisions

Any researchers who are found by the HREDG to be contractually ineligible for inclusion will be informed by REFWG.

REFWG will then make an initial selection of researchers and outputs, based on the information provided by researchers (working with a REFWG member), and the summary report from HREDG. In making this selection, REFWG will refer to:

- The quality of each proposed output
- The profile of output quality for each staff member
- The 'fit' with the institutional research strategy

If necessary, the REFWG may refer to additional external specialists in making their initial judgement.

In the minute of the initial decisions meeting(s), the rationale for each decision will be formally noted, in relation to the terms of reference given above.

After the initial decisions have been made, the provisional results will be referred back to the HREDG for an Equality Impact Assessment (EIA).

When the EIA has been completed, the initial selection will be confirmed by REFWG in a further minuted meeting and staff will be individually informed of the initial decision. At this stage, any member of staff who wishes to appeal the initial decision of the REFWG should contact the convener of the REF Appeal Panel (see below).

Detailed Data Gathering

Following the initial decision of the REFWG, and in parallel with any appeal processes, the REFWG will work with selected members of staff and the HREDG to gather the detailed information required for the submission.

Final Decisions

Following the detailed data gathering, the REFWG will confirm the draft final submission decisions of the institution.

If any revisions are made to the initial decisions, the rationale for each revision will be formally noted according to the terms of reference given above.

Following the draft final decision, the HREDG will update the EIA. When the EIA has been updated, the draft final selection will be confirmed by REFWG in a further minuted meeting and staff will be individually informed of the decision. At this stage, any member of staff who wishes to appeal the decision of the REFWG will have a final opportunity to do so by contacting the convener of the REF Appeal Panel (see below).

5. The Appeal Process

Members of staff may appeal the decision of the REFWG by applying, in writing, to the convener of the REF Appeal Panel. There is no overlap in the membership of the REF Appeal Panel with either the REFWG or the HREDG.

In making its decision, the REF Appeal Panel will take evidence from the member of staff, the REFWG and the HREDG.

Grounds for Appeal

Three grounds for appeal will be considered by the REF Appeal Panel:

1. Appeal on the grounds that **the judgement of the REFWG was based on incomplete information**. In such cases, the member of staff should set out the additional information that s/he considers relevant to the decision of the REFWG.
2. Appeal on the grounds that **due process was not followed**. In such cases, the member of staff should set out the deviation from due process given in this document.
3. Appeal on the basis of **actual or perceived discrimination** relating to a relevant 'protected characteristic' according to the Equality Act 2010.

It should be noted that a disagreement on the quality of an output or profile of outputs cannot form the basis of an appeal.

Deadlines and turnaround time for Appeals

The Timeline in Section 6 sets out the main period in which we expect any appeals to be considered – after the initial decisions of the REFWG. However, it is recognised that a member of staff may appeal at any stage in the process, and the following tables summarizes the deadlines for appeal and how long the process will take.

Stage	Deadline	Response
Following initial decisions	2 weeks after intimation of initial decision	Within 4 weeks of receipt of appeal
Following final decisions	1 week after intimation of final decision	Within 2 weeks of receipt of appeal

6. Timeline

Stage	Notes	
Initial Poll of Staff	Aug-Sep 2012	
Reminder to Staff	4 Oct 2012	End of Week 1 of AY 2012-13
Closing date for Poll of Staff	11 Oct 2012	
REFWG work with consenting staff	Aug-Jan 2012	
HREDG collate data on consenting staff	Aug-Jan 2012	
Initial Decision of REFWG	Early Feb 2013	
Initial Appeal Period	Feb-Mar 2013	Exact deadlines as above
Detailed Data Gathering	Feb-Jul 2013	
Final Decision of REFWG	Jul 2013	
Final Appeal Period	Jul-Sep 2013	Exact deadlines as above
Final Preparation of Submission	Sep-Nov 2013	
Deadline	29 November 2013	

7. Personal Circumstances

A range of personal circumstances may affect the number of outputs that each researcher is expected to submit. Since we aim to achieve the best overall profile of output quality, it is important that we do not inadvertently submit more outputs than is required – in short, it is quality, not quantity, that counts.

Some of the relevant personal circumstances are clearly-defined, and the REF process sets out exactly how these should be handled; others are more complex. The following sections set out how we will work to make sure that all the excellent research undertaken by eligible staff can be included, whatever the individual staff circumstances.

In some cases, more than one ‘clearly-defined’ personal circumstance will apply – for example, if you are a part-time member of staff who has also had a period of maternity leave. In such cases, the reductions available from each circumstance can be combined, up to a maximum reduction of 3 outputs (that is, only 1 output required in the submission). In such cases, the HREDG will advise staff individually of the number of outputs required.

Clearly Defined Personal Circumstances

Part-time working

By far the majority of staff at the Royal Conservatoire work part-time, whether on a pro-rata contract or through hourly-paid (PTHP) arrangements.

The following table sets out how many outputs are required for staff with pro-rated contracts. Note that this table is for guidance only – if your contractual hours have fluctuated since January 2008, then a more precise calculation will be made for you.

FTE	Outputs required
<0.2	0 (Ineligible for REF)
0.2-0.36	1
0.37-0.61	2
0.62-0.83	3
>0.84	4

If you agree to be considered for the REF and work part-time, the HREDG will check your contractual eligibility, and calculate the exact number of outputs required.

Maternity, Paternity and Adoption Leave

Each separate period of statutory maternity or adoption leave between 1 January 2008 and 31 October 2013 reduces the number of outputs required by one.

Each period of additional paternity or adoption leave lasting four months or more also reduces the number of outputs required by one.

If you agree to be considered for the REF and have had a period or periods of maternity, paternity or adoption leave, the HREDG will ensure that these are noted and calculate the exact number of outputs required.

‘Early Career Researchers’

‘Early Career Researchers’ (ECRs) are defined by the REF as those who meet the contractual threshold of 0.2 FTE and who ‘started their careers as independent researchers on or after 1 August 2009’.

In the Royal Conservatoire’s developing research environment, where well-established and longstanding academic staff are, in some instances, beginning their research careers, the notion of an ECR will normally be used in the clearly-defined circumstances of a member of staff who has completed a PhD since 1 August 2009, and has followed this up with independent post-doctoral research that is eligible for inclusion in the REF submission.

An established member of academic staff who has recently begun to develop a research profile may also be considered as an ECR if a compelling and evidenced case can be made. In such cases, it will be important that an evidenced date can be identified for that member of staff making the transition to the status of ‘independent researcher’. The completion of the Royal Conservatoire’s Postgraduate Certificate in Learning and Teaching in Higher Arts Education, or a similar qualification, is an example of how a transition date could be identified.

ECRs

Date at which the individual first undertook ‘independent research’

Outputs required

On or before 31 July 2009	4 (ineligible for ECR status)
1 Aug 2009 – 31 Jul 2010 incl.	3
1 Aug 2010 – 31 Jul 2011 incl.	2
On or after 31 Aug 2011	1

If you agree to be considered for the REF and think you are eligible for Early Career Researcher status, you should discuss this with the member of the REFWG who works with you to gather the information about your outputs.

Complex Circumstances

We recognise that a very wide range of circumstance have the potential to reduce a member of staff’s research productivity, and these can also be taken into account in making an individual case for a reduction in the number of outputs required from an individual who is included in the Royal Conservatoire’s REF submission.

Such circumstances include:

- Disability
- Ill health or injury
- Mental health conditions
- Constraints relating to pregnancy, maternity, paternity, adoption or childcare that fall outside the allowance made in the section on ‘clearly-defined’ circumstances above
- Other caring responsibilities (such as caring for an elderly or disabled family member)
- Gender reassignment
- Other circumstances relating to the ‘protected characteristics’ set out in the Equality Act 2010.

Where such circumstances apply, they may or may not have been previously declared by the member of staff. When compiling its summary report at the initial decisions stage, the HREDG will note the existence of any previously-declared complex circumstances that may apply.

Members of staff who consent to be considered for the REF and have not previously declared such complex circumstances, may wish to have any relevant circumstances taken into account. If so, they should declare them to the HREDG when approached. A named contact from HREDG will be provided for each member of staff so that any complex circumstances can be fully but confidentially disclosed.

In reaching a decision about the number of outputs required when complex circumstances apply, the HREDG will estimate the actual or equivalent months absent from work as a result of these complex circumstances and apply the reductions set out in Table 2 of the REF2012 Panel Criteria and Working Methods. In doing so, it will refer to the worked examples provided by the Equality Challenge Unit at www.ecu.ac.uk/our-projects/REF .

At all times, the details of the complex circumstances will remain confidential to the members of the HREDG. At the point of making the submission, the REF submission system ensures that such details remain confidential to the HEFCE REF team, their Equality and Diversity Advisory Panel and the main panel chairs, all of whom are subject to confidentiality undertakings in respect of all submission information. All data on complex personal circumstances will be destroyed when the REF2014 process is complete.

If any of these circumstances apply to you, you should consider disclosing them confidentially to the HREDG.

8. Appendix A: REF Staff and Committees

This section sets out detailed information on the groups that will take part in the submission process, explaining their role, constituent personnel, how the group was formed and the training that underpins their activities.

A key consideration in the design of the Royal Conservatoire's approach to the REF submission is the small specialist nature of our institution, where individual members of staff often perform multiple roles that in larger institutions would be carried by central departments.

The three groups are therefore small, but have clearly defined roles, and special care has been taken to ensure that the appeals process is entirely independent of the main decision-making process.

REF Working Group (REFWG)

Rationale

The REFWG has general responsibility for coordinating the Royal Conservatoire's REF submission and making the judgments on quality that inform the decision to include individual members of staff, according to the terms of reference in Section 4 of this Code. It reports via the Research and Knowledge Exchange Committee to the Academic Board of the Royal Conservatoire, convened by the Principal.

Personnel

Professor Celia Duffy (Director of Academic Development)

c.duffy@rcs.ac.uk 0141 270 8275

Dr Stephen Broad (Head of Postgraduate Programmes and Research, Music)

s.broad@rcs.ac.uk 0141 270 8329

Dr Anna Birch (Lecturer, Research, Drama)

a.birch@rcs.ac.uk 0141 270 8396

In attendance: A member of the HREDG.

How the group was formed

The REFWG comprises of a group of staff with previous experience of research assessment processes and a breadth of academic expertise that covers the range of the (single) UoA that the Royal Conservatoire will submit to – Duffy and Broad coordinated the Conservatoire's submission to RAE2008 and Birch has been involved at the UoA level in her previous institution. Duffy is chair of the Royal Conservatoire's Research and Knowledge Exchange Committee.

Defined Roles

Birch and Broad bring expertise in Drama and Music and will be the first point of contact for staff from the Schools of Dance and Drama, and Music, respectively. They will therefore work with staff to resolve queries about the REF, to gather initial information on researchers and outputs, and to take an expert view on the quality of individual outputs and output profiles. Duffy will convene the group, ensuring objectivity and consistency across the submission. Notwithstanding these respective responsibilities, the decisions of the REFWG will in all cases be taken jointly.

Training

Members of the REFWG have attended the REF Briefings run by the REF Team (21 May 2012, Glasgow) and the 'Train the Trainer' event run by the Equality Challenge Unit (19 March 2012, Edinburgh). Broad and Duffy are also members of the REF Scottish Managers Group. All three members of the REFWG will receive further training from the Royal Conservatoire's Equality and Diversity Officer to ensure that they are fully aware of the implications of the Equality Act 2010 on the decision making process (this training will draw on the training material produced by the Equalities Challenge Unit).

Human Resource, Equality and Diversity Group (HREDG)

Rationale

The HREDG has general responsibility for supporting the Royal Conservatoire's REF submission by providing and processing data on staff, and ensuring that the selection processes take full account of all relevant personal circumstances and fully meet the requirements of the 2010 Equality Act.

Personnel

Mrs Jackie Russell (Director of Human Resources)

j.russell@rcs.ac.uk 0141 270 8338

Ms Lydia Demaison (Human Resources Manager)

l.demaison@rcs.ac.uk 0141 270 8228

Ms Roz Caplan (Equality and Diversity Officer)

r.caplan@rcs.ac.uk 0141 270 8228

In Attendance: A member of the REFWG

How the group was formed

The HREDG comprises of a group of staff with significant experience in human resources, equality and diversity. Russell and Demaison are the senior HR officers of the institution, while Caplan is the institution's designated Equality and Diversity Officer. Demaison and Caplan are also members of the institution's Equality and Diversity Forum.

Defined Roles

Demaison and Caplan bring expertise in human resources and equalities and will take principle responsibilities in these areas respectively. Demaison will therefore take responsibility for coordinating all relevant human resource data (including information on contracts and hours and declared personal circumstances) while Caplan will be responsible for ensuring that all steps of the REF submission process comply with the relevant legislation. Russell will convene the group, ensuring objectivity and consistency in the group's deliberations. Notwithstanding these respective responsibilities, the decisions of the HREDG will in all cases be taken jointly.

Training

Caplan is responsible for the training of other staff involved in the process, and draws on 16 years of experience as an equality and diversity specialist. In preparing for the REF process, she has attended the REF and Equality event (24 November 2011, Edinburgh).

REF Appeal Panel (REFAP)

Rationale

The REFAP will oversee and form a judgment on any staff appeals of the decisions of the REFWG. To ensure that the appeal is considered independently of the REFWG's original decisions, there is no overlap in the membership of these groups. The REFAP operates within the terms of reference set out in Sections 4 and 5 of this Code.

Personnel

Professor Maggie Kinloch (Vice-Principal)

m.kinloch@rcs.ac.uk 0141 270 8312 (PA, Christine Fair)

The Dean of the relevant School

Mr Havilland Willshire (Dean of Music), or

h.willshire@rcs.ac.uk 0141 270 8304 (PA, Mayo Michie)

Mr Hugh Hodgart (Dean of Dance and Drama)

h.hodgart@rcs.ac.uk 0141 270 8320 (PA, Louise Hamilton)

One other member of the academic staff of the relevant School not otherwise involved in the process. Kinloch convenes the institution's Equality and Diversity Forum.

How the group was formed

The REFAP comprises of senior academic staff who are not otherwise involved in the process of selection.

Defined Roles

Kinloch will convene the panel. There are no further defined roles on the REFAP.

Training

Members of the REFAP will receive training on the REF requirements from the convener of the REFWG, and from the Royal Conservatoire's Equality and Diversity Officer, to ensure that they are fully aware of the implications of the Equality Act 2010 with respect to the REF (this training will draw on the training material produced by the Equalities Challenge Unit).

9. Appendix B: Summary of Legislation

The REF Guidance on Submissions includes a summary of the equality legislation that informs this Code of Practice, which is reproduced below:

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"> • 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>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>
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<p>Gender reassignment</p>	<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>
<p>Marriage and civil partnership</p>	<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</p>

	<p>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>
<p>Religion and belief including non-belief</p>	<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</p>

	<p>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>
Sexual orientation	<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>
Welsh Language	<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>

10. Appendix C: Initial Equality Impact Assessment

EQUALITY IMPACT ASSESSMENT PRELIMINARY SCREENING

School/ Department	Human Resources / Research
Date	9 th July 2012

Name of Policy*
<i>REF 2014 Code of Practice (Royal Conservatoire of Scotland)</i>

What are the aims, objectives & projected outcomes?

The Code of Practice aims to provide clear guidelines and a formal structure and process for an application to be included in the REF, and how those applications will be assessed to determine whether staff will / can be included in the REF, in accordance with the requirements of the governing body. This is done by:

- Having a clear process for staff to elect to be included / not included
- Having a clear set of guidelines to assist staff in self determining whether they should be included / not included, and how their individual circumstances may affect the way in which they are included;
- Having a clear structure that will not only assess individuals against pre-determined criteria, but also having a formal check and review against the criteria to ensure fair treatment on the basis of each individuals' circumstances

The Conservatoire's efforts will be concentrated on ensuring that all staff who wish to be included and meet the required criteria will be supported to do so where this is reasonably practicable. That is, measures will be put in place to ensure staff are

* The term 'policy' incorporates all Academy procedures, processes and guidance documents

informed and supported.

These measures include;

- Providing a safe and healthy working environment
- Supporting and encouraging staff where appropriate to declare circumstances that may affect their contribution
- Recognising the contribution made by each member of staff
- Developing and maintaining a culture where staff feel they can raise health issues and know where to go for support/advice

The training of line managers will be designed with the above measures in mind.

This is a new policy	Yes
This is a change to an existing policy <i>(Check whether original policy was equality impact assessed. If so, review and update Action Plan).</i>	No
This is an existing policy	No

Will the policy have an impact on students, staff or members of the public?	Yes
Are particular communities or groups likely to have different needs, experiences and/or attitudes in relation to the policy?	Yes
Are there any aspects of the policy that could contribute to equality or inequality?	Yes
Could the aims of the policy be in conflict with equal opportunity, elimination of discrimination, promotion of good relations?	No

If you answer **YES** to any of these questions, go on to the full EIA.
If you answer **NO** to all of these questions, please provide appropriate evidence and sign off.

This policy was screened for impact on equalities. The following evidence has been considered. No full equality impact assessment is required.	
N/A – Proceed to full EIA	
Senior Manager sign-off	N/A
Date	N/A

Please return the completed form to Roz Caplan, Conservatoire Equality and Diversity Officer either by internal mail or by email to:
r.caplan@rcs.ac.uk

**FULL EQUALITY IMPACT ASSESSMENT
TEMPLATE**

School/ Department	Human Resources / Research
Date	9 th July 2012

Name of Policy
<i>REF 2014 Code of Practice (Royal Conservatoire of Scotland)</i>

What are the aims, objectives & projected outcomes?

The Code of Practice aims to provide clear guidelines, and a formal structure and process for inclusion of individual members of staff in the REF. This is done by:

- Having a clear process for staff to elect to be included / not included
- Having a clear set of guidelines to assist staff in self determining whether they should be included / not included, and how their individual circumstances may affect the way in which they are included;
- Having a clear structure that will not only assess individuals against pre-determined criteria, but which also includes a formal check and review against the criteria to ensure fair treatment on the basis of each individuals' circumstances

The Conservatoire's efforts will be concentrated on ensuring that all staff who wish to be included and meet the required criteria will be supported to do so where this is reasonably practicable. That is, measures will be put in place to ensure staff are informed and supported.

These measures include;

- Providing a safe and healthy working environment
- Supporting and encouraging staff where appropriate to declare circumstances that may affect their contribution
- Recognising the contribution made by each member of staff
- Developing and maintaining a culture where staff feel they can raise health issues and know where to go for support/advice

The training of staff will be designed with the above measures in mind.

1 SCOPING THE EIA

1.1 Scope of the EIA work

The Code of Practice has deliberately been designed to ensure fair and equitable treatment of all eligible staff within the Conservatoire. Furthermore, it is operated within the context of the Conservatoire's broader range of activities to enhance and promote equality and diversity.

For all protected characteristics, the guidance provided by the higher education funding bodies and the Equality Challenge Unit has been fully considered. This includes national analyses of previous research assessment processes and scrutiny of new and revised equality legislation.

This EIA, and the Code of Practice to which it relates, has been prepared by research staff with the guidance and assistance of the HR Manager and the Equality and Diversity Officer.

Data collection includes the recording and monitoring of individual circumstances for staff on a quarterly and annual basis, to enable analysis to be undertaken regarding the various protected characteristics that are

specified by REF and that affect the submission requirements for each individual. While there is the potential for the restrictions to be viewed as discriminatory, they are intended to be reasonable in terms what is a realistic expectation of outputs for each individual based on their individual circumstances, and support will be available to staff to ensure that they are comfortable with and understand the criteria to enable them to make the best possible submission of work. This will be done in tandem with the HR and Equality and Diversity function to ensure equality of treatment, within the specifications detailed by the REF.

The Code of Practice will be circulated to the Consultative Forum and the Equality and Diversity Forum for approval.

2 COLLECTING DATA

2.1 What relevant quantitative and qualitative data do you have?

This may include national research, surveys or reports, or research done by colleagues in similar areas of work.

Please list any evidence in the boxes below (complaints, satisfaction surveys, focus groups, questionnaires, meetings, email, research interviews etc) of communities or groups having different needs, experiences or attitudes in relation to this policy/guidance/operational activity.

Race	<i>The Conservatoire employs staff from a variety of races, and where the information has been provided by the staff member, it will be possible to report on the levels of submissions made and assess the findings to determine if particular groups have specific needs.</i>
Religion or belief & non-belief	<i>The Conservatoire employs staff with a variety of religions and beliefs, and where the information has been provided by the staff member, it will be possible to report on the levels of submissions and assess the findings to determine if particular groups have specific needs.</i>
Disability	<i>Staff with disabilities may find this Code of Practice useful in providing a structure for enabling them to submit work where previously they may not have been able to meet the full demands of the submission. For example, an individual who has a disability who works full time would have</i>

	<p><i>previously been required to make a bespoke case for a reduction in tariff; under the new specifications, clear guidance is given on reducing the number of outputs based on absence levels and other criteria, therefore potentially enabling a greater number of individuals to participate. It is expected that the monitoring of their health and clear information provided to them as to how they will be supported as a member of staff will encourage staff to declare personal circumstances and be included in the REF.</i></p>
Gender	<p><i>The Conservatoire's sickness absence records show that female staff have a greater proportion of absences related to caring for dependents, which may affect their opportunity to submit the full number of outputs. This could potentially discourage female staff from participating in the REF process and therefore it is essential to ensure that the Code of Practice is clear in expressing that the declaration of 'complex circumstances' is a mechanism to assist participation in the REF.</i></p> <p><i>It is also noted that a greater proportion of female staff work on a part time basis, which may also reduce the number of outputs they are able to submit. However, as this policy is designed to support staff and ensure that submissions are reasonable and enable an appropriate work/life balance, it provides a framework for equal treatment of full time and part time staff, and therefore would not adversely affect one gender over another.</i></p> <p><i>The Conservatoire's family friendly policy and records based on the uptake of leave it entitles staff to shows that maternity leave could potentially be a major cause of reduced outputs for women. It is important that the tariff reduction for periods of maternity leave are clearly communicated to the relevant members of staff. It is noted that in October 2012 the requirements for maternity / paternity leave will change which will aim to provide a balance to men and women in being able to take time off and any subsequent impact will be taken in to account as submissions are made.</i></p>
Gender Identity	<p><i>There is currently no local data available in this area. However, it is acknowledged that staff who are undergoing gender reassignment may be less able to submit a full number of outputs and thus consideration will be given to</i></p>

	<i>mitigate against possible disadvantage.</i>
Sexual Orientation	<i>There is currently no data available in this area.</i>
Age	<i>The Conservatoire's sickness absence records show that staff within the 41 – 60 age range have a greater proportion of absences related to long-term ill-health than other age groups. However, as this policy is designed to support staff and ensure appropriate submissions based on individual circumstances, it provides a framework for equal treatment and therefore would not adversely affect one age group over another.</i>

2.2 What are the overall trends/patterns in this data?

As indicated above, the Conservatoire's absence management analysis shows that female staff within the age range of 41 – 60 have the most significant levels of absence and in most cases there are extenuating circumstances that have increased the individual's susceptibility to absences and decreased their ability to manage the absence when it occurs, such as increased caring responsibilities out-with the work place, increase in personal health issues. Furthermore, our records show that the uptake of maternity leave is much greater than paternity leave.

However, as the Code of Practice for REF is new, there is little data available to consider whether there are:

- Disproportionalities*
- Different levels of access, needs or experiences*
- Combined impacts*
- Barriers to engagement*

Data will be gathered and analysed on an annual basis to determine whether any changes are required to the document.

2.3 Please list the specific equality issues and data gaps that may need to be addressed through consultation and/or further research?

It is acknowledged that people with different protected characteristics must have an opportunity to have any such characteristics recognised so that any inadvertent discrimination may be avoided and equality and diversity fully promoted.

It is recommended that detailed analysis be undertaken following the first complete submission following the Code of Practice being active, and a brief survey be done to determine how the Code has been received, whether there is an awareness and understanding of its purpose, and whether further research or consultation is required to ensure no specific groups are adversely affected. This process could also take the opportunity to explore possibilities for actively promoting inclusion in the REF to individuals and groups who may benefit from enhanced support and encouragement.

3 INVOLVING AND CONSULTING STAKEHOLDERS

In this section, describe the data you have gathered through stakeholder involvement and engagement.

3.1 Internal and external consultation and Involvement:

(e.g. with other Departments, Staff (including support groups), Students etc

The Code of Practice will be circulated to the Consultative Forum and Equality and Diversity Forum for amendment and approval. A briefing session will also be conducted with those involved in applying the Code to allow feedback on the Policy and information as to how the Code should be applied, including particular groups that should be considered and the options available to line managers to ensure such groups are not adversely affected.

Staff are able to seek advice from the HR Department or those involved in the application process in relation to their particular requirements.

4 ASSESSING IMPACT

In this section please record your assessment and analysis of the evidence. This is a key element of the EIA process as it explains how you reached your

conclusions, decided on priorities, identified actions and any necessary mitigation.

4.1 Assessment of the impact

The result of this EIA shows a potential for a differential impact, however the measures put in place to support staff mean that such differential impact would be addressed, particularly for those with a disability, female staff, and in particular those of a higher age range with caring responsibilities.

The Code promotes equality of opportunity by detailing a standard approach to dealing with the outputs that will be required for each individual based on their individual circumstances, ensuring the well-being of staff and fairness in the manner in which the issue is approached by those involved in assessing the level of outputs required. The Code offers a range of support that can be used flexibly to suit the needs of the individual, and sets out how the process will be monitored.

As the Code is new, there is currently no data available to analyse its impact, however this will be available in the future and when gathered, it will be possible to consider whether there are any concerns that require further research and assessment.

Date of completion of EIA	9 th July 2012
Compiled by	Lydia Demaison, HR Manager
Senior Manager sign-off	 Celia Duffy, Director of Academic Development
Date to Equality + Diversity Officer	9 th July 2012
Date of publication of EIA Report	
Review date	July 2013