

## University of Sheffield REF 2021 Code of Practice

### **Part 1: Introduction**

1. This Code of Practice sets out the University of Sheffield's approach to ensuring equality of opportunity for eligible staff in each Unit of Assessment (UOA) for submission to the Research Excellence Framework 2021 (REF 2021). All decision-making bodies will adhere to the principles of this Code of Practice, ensuring equality, transparency, consistency and accountability.
2. The general framework for assessment in REF 2021 and guidance to UK higher education institutions about making submissions are published in the '[Guidance on Submissions](#)', with the assessment criteria and working methods of the main and sub-panels detailed in the '[Panel criteria and working methods](#)'<sup>1</sup>.
3. This Code of Practice was revised in October 2020 following the publication of the revised submission guidance to take account of the effects of the COVID-19 pandemic.

#### ***1.1 How this Code of Practice has been developed***

4. We took as a basis the approach used successfully in the University's preparations for REF 2014, taking account of the learning from that exercise as well as from our annual Stocktake Exercise, and adapting our policies and procedures to the requirements of REF 2021. This Code of Practice is the result of an iterative process. Early drafts were reviewed by the REF Steering Group (REF-SG) before a final draft version was considered and approved by the University Executive Board (UEB), and then shared with staff representative groups, including the University Equality, Diversity and Inclusion Committee and the campus trade unions. It was also considered by the University Senate as the academic authority of the University.
5. The final draft was circulated to all academic staff as part of a consultation that any individual, group, department or faculty was welcome to respond to. Simultaneously, as encouraged by the funding bodies<sup>2</sup>, it was used in our mock exercise (the 2019 REF Stocktake) to gain experience on the proposed processes. The draft was reviewed in light of the consultation responses received, the experience gained from the Stocktake, and the outcomes of the Equality Impact Assessments (EIA) undertaken on completed processes. This final Code of Practice was then approved by the UEB. Following submission, the REF Equality and Diversity Advisory Panel will examine the codes and advise the UK funding bodies on their adherence to the published guidance. The President and Vice-Chancellor will be required to confirm adherence to it when making the University submission to REF 2021.

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<sup>1</sup> Available at <https://www.ref.ac.uk/>

<sup>2</sup> The REF is undertaken by the four UK higher education funding bodies: Research England, the Scottish Funding Council, the Higher Education Funding Council for Wales, and the Department for the Economy, Northern Ireland.

## **1.2. Our approach to Equality, Diversity & Inclusion (ED&I)**

6. Our research community is at the forefront of our mission to discover and understand, and it makes a huge contribution to the vitality of one of the UK's most dynamic, innovative and entrepreneurial learning environments.

7. We recognise the importance of building the kind of university campus that we want to be, which is inclusive, diverse and high performing, because we know that when people come together with different views, approaches and insights it can lead to richer, more creative and innovative research. Our vision is to build a university community that actively attracts, engages and develops talented individuals from many different backgrounds.

8. In line with the legislative framework as outlined in the Equality Act 2010, and as part of our longstanding and ongoing commitment to diversity and inclusion, the University remains dedicated to treating all people with dignity and respect equally, irrespective of their protected characteristics, and to creating a university community that enables people, regardless of protected characteristics, to reach their potential.

9. We take a holistic approach to equality, diversity and inclusion (ED&I): our actions focus on organisation culture change, actively building diversity into processes, and increased partnership working with key stakeholders, along with specific and targeted action.

10. Since REF 2014 we have:

- Introduced an Academic Careers Pathway framework with ED&I embedded, to help take account of individual circumstances.
- Developed an ED&I governance framework that allows for workload allocation for Faculty ED&I Committee chairs, staff network chairs and vice-chairs, and the chairs of departmental Athena Swan teams.
- Worked in partnership with students and staff to develop a University wide Black, Asian and Other Minority Ethnic (BAME) strategy and action plan.
- Worked with staff, students and trade unions to address sexual harassment (ongoing).
- Integrated gender pay gap analysis and action planning into equal pay reporting and the work of the Gender Equality Committee, to ensure strong governance and alignment with our institutional Athena Swan work.
- Developed a new approach to actively build diversity into the recruitment process, which is showing some success.
- Expanded our mentoring scheme targeting female academics to include BAME academics regardless of gender.
- Run a poster and online campaign around Rainbow Lanyards in January 2018, increasing the number of LGBT+ allies to circa 2,000.
- Worked with colleagues to develop training for LGBT+ allies to include a focus on transgender and non-gender binary identities (ongoing)

11. We are one of only 18 Athena Swan silver universities; have been a Stonewall Top 100 employer for six years running, achieving our highest ever placing of 23rd in 2019; have had our transgender guidance included by Stonewall as good practice in their guidance; and have been cited by the Universities and Colleges Employers' Association (UCEA) as a good practice example in how we work on the gender pay gap and for our Women Academic

Returners Programme. Staff members who are interested in reading more about equality, diversity and inclusion at the University can do so at [www.sheffield.ac.uk/hr/equality](http://www.sheffield.ac.uk/hr/equality).

### **1.3 The legislative context**

12. Throughout all stages of the planning and selection processes of REF 2021, the University must meet key legislative requirements. The Equality Act 2010 provides legal protection to nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation. In each of these areas the University has a legal responsibility to advance equality of opportunity, to eliminate all forms of unfair discrimination, and to foster good relations between people who share a protected characteristic and people who do not. In addition, pursuant to the Fixed-Term Employees (Prevention of Less Favourable Treatment) Regulations 2002 and the Part-Time Workers (Prevention of Less Favourable Treatment) Regulations 2000, the University should not treat those employed on fixed-term contracts and those staff working part-time less favourably than a comparable permanent full-time employee. Annex A lists all relevant employment and anti-discrimination legislation which must be applied to decision-making processes for REF 2021.

### **1.4. Underlying principles**

13. The following principles of equality and fairness will be applied consistently, and throughout all stages of REF 2021:

- **Transparency:** The University is committed to being open and transparent about its decision-making processes for REF 2021. This will be achieved primarily through the implementation of this Code of Practice and the programme of communication activity to disseminate it (see 1.6 below).
- **Consistency:** This Code of Practice is applicable to all 'Category A Eligible' staff (as defined in Part 2) and will be applied consistently across the University. Robust decision-making processes are in place to ensure that all eligible staff are treated fairly and consistently within and across units. REF-SG will ensure that this Code of Practice is uniformly implemented.
- **Accountability:** This Code of Practice describes in detail the decision-making processes for REF 2021. The roles, responsibilities and modus operandi of all individuals and bodies involved in REF 2021 decision-making processes are set out in Annex B. Decisions will be based on evidence, will be in line with this Code of Practice, and will be made by managers with relevant knowledge and expertise and awareness of equality legislation, supported by internal expertise.
- **Inclusivity:** The University is committed to promoting an environment that is inclusive of all members of its community and extends this principle to REF 2021. The processes outlined in this Code of Practice will enable the University to identify all eligible staff, including those who are independent researchers and those with protected characteristics, and to consider all of their eligible outputs. Eligibility for submission will be based on REF 2021 definitions (see Parts 2 and 3).

### **1.5 Staff, committees and training**

14. The staff and committees involved in all decision-making processes covered by this Code of Practice are detailed in Annex B. The University will draw upon existing structures, together with REF-specific committees and individuals with senior-level responsibility for REF matters. All of the decision-making bodies comprise staff who have appropriate knowledge and experience, and committees are permitted to exercise their professional judgment in choosing to seek advice from others, both internal and external to the University.

15. All staff on REF 2021 decision-making bodies are required to undertake tailored training on this Code of Practice, the implications of the Equality Act 2010, and on how to apply equal opportunities legislation to REF 2021. This is led by the Department of Human Resources and Research Services and provided online, based on materials provided by Advance HE, the sector's professional body supporting equality, leadership and teaching. The training covers:

- Background and theoretical information on ED&I including the Equality Act 2010 and the legislative environment.
- Training on recognising and mitigating unconscious bias.
- Equality-related issues with the use of metrics.
- Application of the theory specific to our REF processes (including decisions on research independence, equality-related circumstances, and output review and allocation).

16. Completion of the training is mandatory for all members of the groups detailed in Annex B, including the REF Steering Group, UOA Management Teams, Faculty HR Managers and the central REF team. Completion of the training is monitored by HR. In addition, follow-up training will be delivered to units where the outcome of an EIA indicates that further support is required.

17. A specific tailored briefing will also be provided to members of the REF University Appeals Panel (REF-UAP) and the REF Equality-related Circumstance Review Panel (REF-ERP) at their first meeting, and HR Managers will provide advice and guidance on all cases submitted to both of these committees.

### **1.6 Programme of communication**

18. The University has put in place a comprehensive communication plan to ensure that all potential eligible staff are informed of this Code of Practice. The following activities were completed once when the draft Code of Practice was published, and will be repeated for this final version:

- It is openly published on the University's REF website at [www.sheffield.ac.uk/rs/ref](http://www.sheffield.ac.uk/rs/ref).
- The Chair of the REF-SG will email all potential Category A eligible staff (i.e. those with a 'teaching and research' or 'research-only' contract at all grades) to introduce the Code of Practice. It will also be featured in the internal staff newsletter.
- All UOA REF Coordinators will present the contents of this Code of Practice during regular staff meetings in their constituent departments.

- Any members of staff absent from the University at the time that it is published will receive a print copy to their home address. The HR Managers will ensure that all absent staff are identified and will keep a central record of print copies sent.
- New members of academic staff who join the University after the Code of Practice has been published will be sent an introductory email introducing it and including a link to the University REF website and contact details for the UOA REF Coordinators.
- All eligible staff will be reminded of this Code of Practice when asked to nominate outputs for review.

## **Part 2: Identifying staff with significant responsibility for research**

19. Staff groups eligible for submission to REF 2021 are described in Part 3 of the '[Guidance on Submissions](#)'. UOA Management Teams are responsible for ensuring that all REF-eligible staff within their unit are considered for submission to REF 2021.

### **2.1. Category A Eligible**

20. '**Category A Eligible**' describes staff meeting the core eligibility criteria who will form the total pool of eligible staff. These are academic staff with a contract of employment of 0.2 FTE or greater, on the payroll of the University of Sheffield on the census date (31 July 2020), and whose primary employment function is to undertake either 'research-only' or 'teaching and research'. For staff on 'research-only' contracts, the eligible pool should only include those who are independent researchers (see Part 3).

21. For the avoidance of doubt, in line with the '[Guidance on Submissions](#)', teaching specialists are ineligible. Such staff are employed on 'teaching-only' contracts and have been appointed specifically to teach.

### **2.2 Category A Submitted**

22. '**Category A Submitted**' describes 'Category A Eligible' staff who have been identified as having significant responsibility for research on the census date (31 July 2020), and therefore must be submitted to REF 2021. This differs from REF 2014 wherein institutions were free to choose which eligible staff to submit. Staff with significant responsibility for research are defined by the funding bodies as those *"for whom explicit time and resources are made available to engage actively in independent research, and that this is an expectation of their job role"*.

23. The funding bodies recognise that in many institutions the core eligibility criteria set out in 2.1 above will accurately identify staff with significant responsibility for research, and in which case 100 per cent of 'Category A Eligible' staff should be submitted. The University considers that, as a research-intensive institution, the core eligibility criteria accurately identifies all staff with a significant responsibility for research. The 'Teaching and Research' and 'Research Specialist' Academic Career Pathways framework clearly identify the undertaking of high quality and independent research as a core criterion for staff at all grades from Lecturer (Grade 8) to Professor. As such, the University will submit 100 per cent of 'Category A Eligible' staff.

### **Part 3: Determining research independence**

24. Staff on 'research-only' contracts must be independent researchers to meet the definition of 'Category A Eligible'. Provided that they meet the other core eligibility criteria (see Part 2), then all independent researchers must be submitted to REF 2021.

#### ***3.1. Policies and procedures for determining research independence***

##### ***3.1.1 Research assistants***

25. Research assistants (sometimes also described as research associates or PDRAs) are defined in paragraphs 129-130 of the '[Guidance on Submissions](#)' as academic staff whose primary employment function is 'research-only', and are employed to carry out another individual's research programme rather than as independent researchers in their own right. They are usually funded from research grants or contracts, but they may also be funded internally. Research assistants are **not eligible** to be returned to the REF unless exceptionally they meet both the definition of an independent researcher and the core eligibility criteria on the census date.

##### ***3.1.2 Independent researchers***

26. An independent researcher is defined in paragraphs 131-133 of the '[Guidance on Submissions](#)' as "**an individual who undertakes self-directed research, rather than carrying out another individual's research programme**".

27. The funding bodies have provided several possible indicators of research independence, which the University has used as the basis for the criteria below. It is important to note that each indicator may not individually demonstrate independence, and where appropriate multiple factors may need to be considered:

- Acting as principal investigator or equivalent on an externally funded research project. To meet the criteria of independence we would normally expect this to be a project proposed by the individual that extends over a number of months and for which the individual is responsible for the direction of the research, management of staffing and other budget, and for the delivery of the outputs.
- Leading a discrete and substantial work package of a large externally funded research project, which is equivalent to a principal investigator role on a responsive mode grant.
- Holding an independently won, competitively awarded fellowship where research independence is a requirement. An illustrative, but not exhaustive, list of independent fellowships has been provided by the funding bodies and can be found at [www.ref.ac.uk](http://www.ref.ac.uk), under Guidance.
- Recruited to an internally-funded fellowship where independent research is a requirement of the role.

28. In addition, Main Panels C and D (corresponding to our Faculties of Arts & Humanities and Social Sciences) also consider that the following attributes may generally indicate research independence in their disciplines, although the core criteria of undertaking self-directed research, rather than carrying out another individual's research programme, still applies:

- Being named as a co-investigator on an externally funded research project.
- Having significant input into the design, conduct and interpretation of the research.

29. For the avoidance of doubt, individuals are not deemed to be independent purely on the basis that they are named on one or more outputs.

30. Under the Fixed-Term Employees (Prevention of Less Favourable Treatment) Regulations 2002, a fixed-term employee has the right not to be treated by his or her employer less favourably than the employer treats a comparable permanent employee. Therefore, determination of research independence should be made irrespective of an individual's contractual status.

**Example 1:** *I'm not a principal investigator on a grant, although I am responsible for the intellectual leadership of a large work package on a multi-institution healthcare programme.*

Decision: this staff member is an independent researcher as they are leading a discrete and substantial work package of a large externally funded research project.

**Example 2:** *I was recruited by the University to undertake my own programme of independent research. I'm in the early stages of my career and not yet a PI on a grant.*

Decision: this staff member is an independent researcher as despite being funded internally, they were specifically recruited to undertake self-directed research.

**Example 3:** *I am employed on someone else's research grant. I undertake my research tasks independently, but following the programme of the project lead, reporting my findings to them.*

Decision: this individual is a research assistant and not an independent researcher. They are employed to carry out someone else's research programme.

**Example 4:** *I am employed on a short-term postdoctoral fellowship. The grant allows me to undertake or consolidate my PhD research and to build networks crucial to my future career.*

Decision: this individual is not an independent researcher. Fellowships come in many forms, and this particular type of fellowship is designed to support the development of very early career researchers and therefore would not indicate research independence. An example of this type of fellowship is the ESRC Postdoctoral Fellowship.

**Example 5:** *I contribute to research projects by collecting data and independently interpreting it by applying existing models to answer questions provided by funders.*

Decision: this individual is not an independent researcher as the work undertaken does not meet the REF definition of research.

**Example 6:** *I work/lead on industrially-funded projects, drawing on knowledge gained from research and practical experience to improve industrial processes and designs.*

Decision: this individual is not an independent researcher as the activities undertaken do not meet the REF definition of research.



31. The University Grade Profiles are clear that staff at Grade 7 and below are not normally expected to be independent researchers and will most likely meet the definition of a research assistant. Grade 8 is the career grade for academic staff in research careers, and the Academic Career Pathways Framework outlines that staff at this and higher grades should be working towards independence, and that regular publication of high quality research outputs as a main author and winning external funding to support independent research is an expectation of their job role. However, it is recognised that not all research-only staff at these grades will meet the definition of an independent researcher as defined by the funding bodies for the purposes of the REF. The research independence of all 'research-only' staff will therefore be systematically determined by their unit using the criteria above.

32. Decisions made on whether a staff member on a 'research-only' contract meets the definition of an independent researcher for the purposes of the REF will not be used by the University as a measure of research performance of an individual member of staff, will not lead to any contractual changes, and will not be regarded as material to the University's probation, promotion, or hiring procedures.

### 3.1.3 Procedure for determining research independence

33. The following procedures have been developed to ensure that the research independence of 'research-only' staff is fairly and transparently determined and must be used by all units. In recognition that independence status may change over time, particularly for staff working towards independence, this process has been undertaken once in 2019 and will be repeated twice in 2020.



- 1. Communication:** Before each review period, the central University REF Team will communicate the process and timescales to all 'research-only' staff.
- 2. Unit review:** The University considers that decisions on research independence are best made by UOA Management Teams in the context of their disciplines, and



who are actively supporting staff in their research careers. Research Services will provide them with a list of all 'research-only' staff within the unit, regardless of contract end date, and they will consistently apply the criteria in section 3.1.2 to all listed staff. To minimise the burden on individual researchers, where possible standard information provided by Research Services will be used, including a list of current grants and fellowships held by each individual. Where more information or clarification is required, then units will request this from the individual directly.

3. **Scrutiny:** After each review period, the Faculty REF Coordinators will review the initial unit decisions, address any arising issues and then submit the decisions to REF-SG. This group will scrutinise the application of the process used by each unit to ensure consistency of interpretation, and will also consider an EIA undertaken on the decisions (see Part 6). They will approve the recommended decisions where this Code of Practice has been adhered to, and where the outcome of the EIA does not require immediate investigation. If REF-SG is not satisfied, then they will declare the decisions void. The Faculty REF Coordinator will then work with the unit to apply the process and criteria as described above.
4. **Feedback:** Following approval from the REF-SG, the central REF team will notify staff of the decision on their research independence within the timescales set out in 3.3 below. This notification will include a rationale for the decision in accordance with the established criteria. Individuals will also be informed of their right to appeal the decision, as outlined in 3.2 below.
5. **Appeals:** Staff can appeal the decision of their UOA Management Team where this Code of Practice has not been followed, as outlined below.

### **3.2. Appeals**

34. Following each review period staff can appeal the decision of their UOA Management Team.

#### *3.2.1 Eligible grounds for appeal*

35. The appeals process documented here relates to a discrete procedure pertaining solely to the determination of research independence for REF 2021. The potential grounds for appeal under this procedure are limited to the following:

- The individual can evidence that the criteria for determining research independence have not been appropriately applied. For the avoidance of doubt, individuals can appeal both against and for being deemed to be an independent researcher.
- The UOA has not adhered to the procedures detailed in this Code of Practice with relation to determining research independence.

36. An appeal will not be considered on other grounds for which there exist other University procedures for redress (such as the University's Grievance Procedure).

#### *3.2.2 Appeals process*

37. Staff members wishing to make an appeal under points (1) or (2) in Section 3.2.1 should complete the online form available at [www.sheffield.ac.uk/rs/ref](http://www.sheffield.ac.uk/rs/ref) in advance of the deadline

for the relevant appeals period, as outlined in 3.3 below. This form requires a rationale for the appeal in accordance with the established criteria, and a copy of the individual's current CV.

38. The appeal will be reviewed by the dedicated University REF Appeals Panel (REF-UAP, as described in Annex B) within one month of the appeals deadline. All appeals will be considered in advance of the final submission. It is expected that most matters will be considered by written representation, although an appeal can be heard in person if preferred by the individual. In such cases the individual may be accompanied by a work colleague or trade union representative. The panel will review the appeal, alongside standard information provided by Research Services (such as a list of current grants and fellowships held by each individual) and the UOA Management Team's original rationale for the decision. The panel will come to an agreed decision on the research independence of the staff member. The decision of the REF-UAP is final.

39. The outcome of the appeals process will be communicated to the staff member and the relevant UOA REF Coordinator by Research Services as soon as possible following the panel meeting, and certainly by the start of the next review period (or final submission in the case of the final appeals period).

### ***3.3 Timescales for determining research independence***

40. Initial review period:

- January 2020: units determine the interim eligible staff pool and identify independent researchers.
- February 2020: EIA undertaken. REF-SG meets to review the processes used to arrive at decisions alongside the EIA.
- April 2020: staff informed of decisions.
- July 2020: appeals process complete by the end of July.

41. Final review period:

- August-September 2020: units determine the final eligible staff pool and identify independent researchers. Staff informed of decisions by the end of October.
- December 2020: REF-UAP considered appeals. REF-SG meets to review the processes used to arrive at decisions alongside the final EIA.

## **Part 4: Selection of outputs**

42. Each submission must include a set number of research outputs, equal to 2.5 times the combined FTE of 'Category A Submitted' staff. Rounding to the nearest whole number will be applied to give a whole number of outputs for submission. This number will be adjusted, as appropriate, to take account of approved requests for unit reductions (see 4.2 below). In addition, a minimum of one output will be required for each 'Category A Submitted' staff member, with no more than five outputs attributed to any individual (including former staff).

### ***4.1. The University's expectations***

43. The University's publication expectations are clearly stated in the 'Teaching and Research' and 'Research Specialist' Academic Career Pathways. This is that staff publish

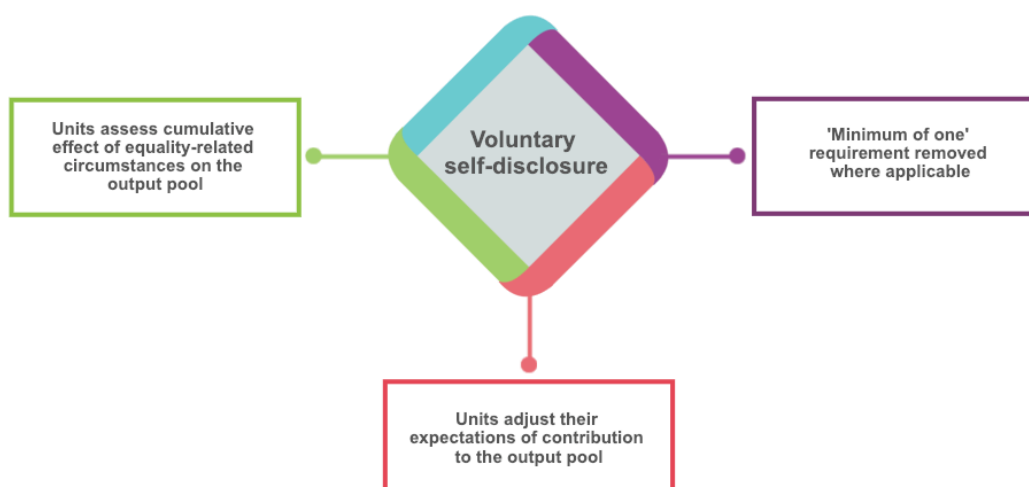
regularly, and with at least one item in a rolling period being a major contribution to a high quality publication or output (in the form of peer reviewed articles, performances, portfolios etc. as appropriate to the discipline) that is judged through peer review as being internationally excellent or better in terms of originality, significance and rigour. Where appropriate, a substantive monograph may be double weighted. The translation of the Academic Career Pathways expectations into defined objectives for outputs is undertaken by the senior management teams of academic departments and research centres.

44. The University recognises that there are many reasons why an excellent researcher may contribute fewer or more outputs to the pool available for selection than the average during the publication period. It has not and will not expect that staff members make a uniform contribution of outputs to the output pool. Further, the University does not expect or require staff to be submitted with the same number of outputs attributed to them. The output selection process, as described in 4.4 below, is designed to fairly and transparently select the strongest outputs available, regardless of attribution, within the limits of between one and five outputs per person.

#### **4.2. Measures to support staff with equality-related circumstances**

45. Submission of a pool of outputs rather than a fixed number per person is intended to provide increased flexibility in selecting outputs for submission. However, as a key measure to support equality and diversity in research careers, the funding bodies have put in place additional measures to recognise the effect that equality-related circumstances may have on research productivity:

- Ensure that units recognise the effect circumstances can have upon individual researcher productivity and reflect these in their expectations of individual staff contribution to the output pool.
- Enable the 'minimum of one' requirement to be removed where exceptional circumstances have prevented staff from producing an eligible output.
- Allow units to request a reduction in the total number of outputs required for submission where the cumulative effect of equality-related circumstances has had a disproportionate effect on the available output pool.



#### 4.2.1 Eligible circumstances

46. The funding bodies have identified the following equality-related circumstances that, in isolation or together, may significantly constrain the ability of eligible staff to produce outputs or to work productively throughout the assessment period. Further details are provided in Annex L of the [‘Guidance on Submissions’](#), and are reproduced in Annex C of this Code of Practice.

<b>Qualifying as an early career researcher (ECR)</b>	Category A eligible staff who started their research careers as independent researcher on or after 1 August 2016.
<b>Secondments or career breaks</b>	Absence from work due to secondments or career breaks outside of the HE sector that lasted at least 12 months.
<b>Family-related leave</b>	Statutory maternity leave or statutory adoption leave taken substantially during the period 1 January 2014 to 31 July 2020, regardless of the length of the leave. Additional paternity / adoption leave, or shared parental leave lasting for four months or more, taken substantially between 1 January 2014 to 31 July 2020.
<b>Junior clinical academics</b>	Clinically qualified academics still completing clinical training in medicine or dentistry and have not gained a Certificate of Completion of Training (CCT) or equivalent prior to 31 July 2020.
<b>Circumstances equivalent to absence</b>	Usually require a judgement about the appropriate reduction in outputs, including: <ul style="list-style-type: none"> <li>• Disability</li> <li>• Ill health, injury, or mental health conditions</li> <li>• Constraints relating to pregnancy, maternity, paternity, adoption or child care that fall outside of, or justify the reduction of further outputs in addition to, the allowances made above,</li> <li>• Other caring responsibilities</li> <li>• Gender reassignment</li> <li>• Other circumstances relating to the characteristics protected by employment legislation.</li> </ul>

#### 4.2.2 Criteria for removing the ‘minimum of one’ requirement

47. All ‘Category A Submitted’ staff must be returned with a minimum of one output attributed to them in the submission, including staff with equality-related circumstances. However, where an individual’s circumstances have had an exceptional effect on their ability to work productively throughout the assessment period, **so that they have been unable to produce an eligible output<sup>3</sup>**, a request may be made for the ‘minimum of one’ requirement

<sup>3</sup> Ineligible outputs include those where the submitted staff member has not made a substantial research contribution, or where the output is not the product of research.

to be removed. Where the request is accepted, an individual may be returned with no outputs attributed to them in the submission, and the total outputs required by the unit will be reduced by one. Paragraphs 179-180 of the '[Guidance on Submissions](#)' detail the applicable circumstances, which are summarised below:

- An overall period of 46 months or more absence from research, or circumstances equivalent to 46 months or more absence from research, within the period 1 January 2014 to 31 July 2020, due to one or more of the circumstances set out in section 4.2.1 above.
- Two or more qualifying periods of family-related leave (as defined above).

48. Where the above does not apply, but the individual's circumstances are deemed to have resulted in a similar impact (including where there are a combination of circumstances that would not individually meet the thresholds set out), a request may still be made.

#### *4.2.3 Process for disclosure and review of equality-related circumstances*

49. The University strongly agrees with the funding bodies' view that individual staff are best placed to consider whether circumstances have affected their productivity over the REF assessment period, and that they should not feel under any pressure to declare their circumstances where they do not wish to do so. Staff who choose not to disclose circumstances through the confidential process outlined below will be treated the same as staff without equality-related circumstances.

50. The University has put in place a safe and supportive process to enable staff to declare voluntarily their equality-related circumstances and to recognise the effect of those circumstances on their ability to contribute to the output pool at the same rate as other staff. To enable individuals to disclose circumstances in confidence, the process will be administered centrally, ensuring that decisions are consistent, transparent and robust, and taken by specifically-trained staff with relevant knowledge, expertise and awareness of equality legislation.

51. Further, faculties and units **must not** put in place any separate policies, data collection processes, or in any other way encourage or pressure staff into declaring circumstances. This is a key part of the online ED&I training provided to them. If a staff member feels that they have been put under undue pressure to disclose a circumstance, then they should discuss this confidentially with their Faculty HR Manager in the first instance.



52. The procedure is:

- 1. Communication:** The Chair of the REF-SG has written to all potential eligible staff detailing the equality-related circumstances, process for disclosure, and relevant timescales. It has been made very clear that staff are not required to provide this information where they do not wish to do so.
- 2. Self-disclosure:** Individual staff voluntarily disclose, in confidence, any equality-related circumstances that they feel have constrained their ability to produce outputs or to work productively throughout the assessment period, and/or has exceptionally resulted in them not being able to produce an eligible output. Staff who wish to disclose circumstances and are willing to provide the associated information should complete the online form available at [www.sheffield.ac.uk/rs/ref](http://www.sheffield.ac.uk/rs/ref), and submit it before one of the deadlines of 30 April 2019, 30 June 2019, 30 Oct 2019 and 17 January 2020. A final call will be made in autumn 2020 for circumstances that occurred until the census date of 31 July 2020.

This form is based on a template provided by the funding bodies, and requests details about which circumstances apply, and where a judgement is required, a brief statement describing how the circumstances have affected their productivity or ability to produce an eligible output in the period. Sufficient information should be provided to enable a judgement to be confidently formed, and the information provided must be based on verifiable evidence (although, for the avoidance of doubt, the REF and the University typically will accept individuals' self-descriptions of their circumstances). Staff can seek support in completing the form from the REF Manager or their Faculty HR Manager.

To ensure that processes are applied equally to all applicable circumstances, the University will only consider circumstances that have been voluntarily disclosed by the staff concerned via this route. It will not take into consideration any other data, whether held centrally or locally, or any data provided by units on the behalf of researchers.

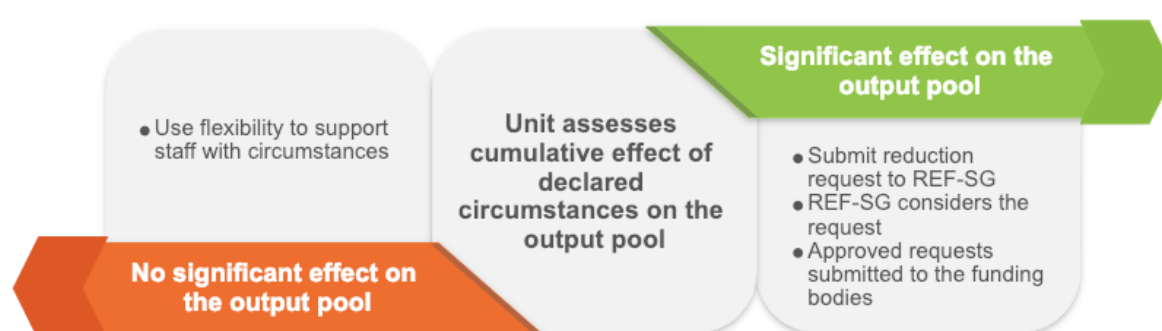
3. **Review:** The disclosed circumstances are initially reviewed and categorised by the REF Manager in Research Services, before one of two routes is taken:
- a. Circumstances that are clearly defined and do not require a judgement will be processed by the REF Manager. These include qualifying as an ECR, absence due to secondments or career breaks outside of the HE sector, qualifying periods of family-related leave, and other circumstances that apply in UOAs 1-6.
  - b. Circumstances that require a judgement to be made, including those with an equivalent effect to absence, will be considered at the next meeting of the REF-ERP. Decisions will be reached by consensus and are final. In both cases, the appropriate unit reduction will be determined using the tariffs in Annex L of the [‘Guidance on Submissions’](#) and reproduced in Annex C of this Code of Practice.
4. **Outcomes:**
- a. In all cases, the REF Manager will inform the relevant Faculty HR Manager that a self-disclosure of equality-related circumstances has been made and reviewed. They will be provided with the nature of the circumstances, the approved unit reduction, and whether a request to remove the ‘minimum of one’ requirement has been approved.
  - b. *Recognising the effect of circumstances:* in all cases, the relevant HR Manager will work with the individual and their Head of Department to set a realistic expectation of their contribution to the overall output pool, bearing in mind that the University’s published expectations. These will normally be adjusted in light of the approved unit reduction as determined above, and whether the ‘minimum of one’ requirement has been removed, to leave a corresponding reduction for the individual concerned. The Head of Department will be given further information about the circumstances only if the staff member has given consent on the declaration form. The department may be unable to adjust their expectations and put in place appropriate support where consent is withheld.
  - c. *Removing the ‘minimum of one’:* where a request to remove the ‘minimum of one’ requirement has been approved, then the REF Manager will inform the unit that the requirement has been removed on the basis of equality-related circumstances, and that this must be reflected in the output selection process. The unit will not have access to further information about the circumstances. Requests to remove the ‘minimum of one’ requirement must be submitted to the funding bodies for approval by March 2020 or at submission. The REF Manager will prepare the request (REF6a) based on the information provided. This decision is provisional until approved by the funding bodies.
  - d. *Unit reduction of outputs:* units may request a reduction in the total number of outputs required for submission where the cumulative effect of the approved circumstances has had a disproportionate effect on the available output pool. The process for this is outlined in 4.2.4 below.



#### 4.2.4 Requesting unit reductions

53. A unit may, without penalty, request a reduction in the total number of outputs required for submission due to the cumulative effect of equality-related circumstances on their overall output pool. However, in view of the flexibility offered by the ability to allocate between 1-5 outputs per submitted staff member, and the reduction in output requirement since the previous exercise (from four outputs per person in REF 2014 to an average of 2.5 per FTE in REF 2021), the funding bodies do not expect units to routinely need to request reductions.

54. It is appropriate to seek a reduction where the cumulative effect of the approved equality-related circumstances has had a disproportionate effect on the available output pool (defined as those outputs that have been peer reviewed and considered for submission). This will typically be in small units where there are very high proportions of staff whose circumstances have affected their productivity over the REF publication period, or in disciplines where fewer outputs are traditionally published.



55. The procedure for requesting a reduction in the total number of outputs required is:

1. The REF Manager will calculate the total number of approved individual reductions arising from self-disclosures within each unit (see 4.2.3), including a reduction of one for each case where the 'minimum of one' requirement has been removed. Rounding to the nearest whole number will be applied to give a whole number of outputs for reduction. This will be provided to units during August 2019, February 2020 and January 2021.
2. Units consider whether, in the context of the overall output pool (defined as those outputs that have been peer reviewed and considered for submission), equality-related circumstances have had a disproportionate effect. If the UOA Management Team collectively agrees that a unit reduction is warranted, then a case is submitted to the REF-SG outlining the rationale in accordance with this Code of Practice, in particular comparing the scale of the approved reductions with the size of the available output pool and the total number of outputs required (max. 300 words).
3. The REF-SG will review the submitted unit cases and make a recommendation to the UEB as to whether the request should be supported.
4. Where unit reductions are supported, the REF Manager will work with those units (whilst maintaining confidentiality) to produce the case to be submitted to the funding bodies by their deadline in March 2020 or at submission.

5. Upon confirmation from the funding bodies that the request has been approved, then the unit output pool will be reduced as appropriate.

56. For the avoidance of doubt, requests to remove the 'minimum of one' fall outside of this process. Where such a request has been approved under 4.2.3 then the case will be made to the funding bodies by the REF Manager, without any need to consider the impact on the overall output pool.

*Worked examples of unit reductions:*

	Example 1	Example 2
Starting position	Unit of 32 staff that total 24.3 FTE No. of outputs required = $24.3 \times 2.5 = 60.75$ Rounding applied 61 outputs required	Unit of 18 staff that total 14.5 FTE No. of outputs required = $14.5 \times 2.5 = 36.25$ Rounding applied 36 outputs required
Minimum of one (Pool A)	3 x staff with 46+ months absence and no eligible outputs Request minimum of one removed for each Reduction of 3	1 x staff with 46+ months absence and no eligible outputs Request minimum of one removed for each Reduction of 1
Unit reduction (Pool B)	3 x staff with 46+ months absence 2 x staff with periods of family leave 2 x ECRs Potential unit reduction of 7 Has had a disproportionate effect on output pool = <u>unit reduction requested</u>	1 x staff with 46+ months absence 3 x ECRs Potential unit reduction of 3 Has not had a disproportionate effect on output pool = <u>unit reduction NOT requested</u>
Submission	Minimum of one + unit reduction = total reduction of 10 51 outputs required 29 x staff with the minimum of one (Pool A) 22 x further outputs (Pool B)	Total reduction of 1 due to minimum of one Unit reduction not requested 35 outputs required 17 x staff with the minimum of one (Pool A) 18 x further outputs (Pool B)

#### 4.2.5 Use of data

57. Voluntarily disclosed equality-related circumstance information will be used only for the respective purposes of (a) determining whether the circumstances are eligible and the scale of the applicable reduction, (b) ensuring that units have realistic expectations of a staff member's contribution to the overall output pool, (c) considering whether it is appropriate to seek a unit reduction, and (d) seeking to remove the 'minimum of one' requirement.

58. Information will not be used for any other purpose, unless the individual explicitly asks for a member of HR to contact them to discuss their circumstances and the support that the University may provide. Information disclosed during this process will be seen only by the REF Team in Research Services and the REF-ERP. Heads of Department will be provided with information about the circumstances to facilitate discussions on adjusting expectations only where the staff member has given consent on the declaration form. These individuals will observe confidentiality and information will be stored securely in compliance with current

data protection legislation – General Data Protection Regulation (EU) 2016/679 and the Data Protection Act 2018. This information will be destroyed on completion of the REF in December 2021.

59. UOA Management Teams will know where the ‘minimum of one’ requirement has been removed on the basis of equality-related circumstances but will not have access to further information about the circumstances.

### **4.3. Outputs of former staff**

60. Paragraphs 211-216 of the [‘Guidance on Submissions’](#) sets out that the outputs of former staff that were first made publicly available while the staff member was employed by the institution as ‘Category A Eligible’ can be submitted to REF 2021. This includes:

- Staff who have left the employment of the institution on the census date.
- Staff who remain employed at the institution, but no longer meet the core eligibility criteria (see Part 2). This includes staff that have moved onto an ineligible contract type, such as an administrative contract, or have dropped below the 0.2 FTE threshold.
- Staff who are on a period of unpaid leave of absence or secondment that is longer than two years.

61. For the avoidance of doubt, the outputs of former staff who were not ‘Category A Eligible’ at the time of publication are ineligible. This includes outputs of former research-only staff who did not meet the definition of an independent researcher at the time of publication.

62. In line with the University’s response to the 2018 consultation on the draft [‘Guidance on Submissions’](#), the University does not consider it appropriate to submit former staff that were made redundant whilst holding permanent contracts, or were part way into a fixed-term contract. It is therefore University policy that this group of former staff will not be considered for submission to REF 2021. However, the University does consider it appropriate to submit former staff whose contracts ended as per a scheduled date.

63. All eligible outputs of former staff, except those staff excluded above, will be considered equally with the outputs of current staff members during the review and selection process (see 4.4). Outputs co-authored jointly by current staff and staff that were made redundant remain eligible for submission by the current staff member.

## **4.4 Selecting outputs for submissions**

### **4.4.1 Policies and procedures for the selection of outputs**

64. In line with its objective of being recognised worldwide for excellence in research-led learning and teaching and for research and innovation of the highest international quality, the University will seek to maximise the quality of the outputs profile in each submission it makes. It will do this by selecting the strongest outputs available within the unit.

65. The following procedures have been developed to ensure the fair and transparent selection of outputs. They have been developed incrementally using experience from the annual REF Stocktake exercises. This process is iterative and will be undertaken in two

review periods as described in 4.4.2, thus enabling newly published outputs to be reviewed and selected fairly against older outputs.

66. It is the collective responsibility of the UOA Management Team to put in place a calibrated and rigorous peer review process in order to assess the quality of eligible outputs, and then to select the outputs for submission.



67. The procedure for the review, selection and allocation of outputs is:

- 1. Selection of outputs for review:** Given differing publishing volumes between disciplines it will not always be possible to peer review every eligible output. As a first step, each unit will invite their eligible staff to nominate what they consider to be their strongest outputs for review, whilst providing clear timescales and information on the process to be followed. It is expected that each staff member will nominate at least one output for review, except where they have had approval for the 'minimum of one' requirement to be removed (see 4.2). UOA Management Teams may also select additional outputs for review from the total pool of eligible outputs to ensure that all potentially strong publications have been identified and considered. This will include the outputs of former staff.
- 2. Reviewing process:** Each output will be reviewed by a minimum of two academic staff, who where possible have appropriate subject expertise. Reviewers will not score their own outputs and UOA Management Teams will be responsible for ensuring that there are no conflicts of interest.
  - Calibration:* each UOA Management Team will follow best practice developed by the REF-SG to undertake a calibration exercise with the objective of developing a shared understanding of the characteristics of outputs at each REF star rating level. This will help to ensure that outputs are assessed fairly and consistently.
  - Author contribution:* outputs will only be reviewed where the staff member satisfies the author contribution criteria as outlined in the 'Panel criteria and working methods', paragraphs 216-236. Once this determination has been

made, then outputs will be assessed based on the quality of the research content alone and not the contribution of the author. Where the same output has been nominated by more than one individual, then it will be given the same score.

- *Use of metrics:* all outputs must be read in detail by the reviewers, but where the UOA Management Team deems it appropriate for the discipline then output-level metrics such as citations may be used to help inform the assessment. In line with the University's signature to the San Francisco Declaration on Research Assessment (DORA), journal-level metrics will not be used at all in the assessment of individual outputs.
  - *Scoring scale:* outputs will be scored with reference to the published criteria in the '[Guidance on Submissions](#)', but using a more granular version of that 5-point scale (e.g. within the 3\* band outputs will be scored as 3, 3.25, 3.5, 3.75). This will enable the strongest outputs to be fairly identified and submitted.
  - *Former staff:* Research Services will provide each unit with a list of outputs published by former staff within the census period, ensuring that potentially high-quality outputs can be fairly and consistency identified.
3. **Scoring process:** Each output will be given a single agreed score on the internal scoring scale (see above). Where the scores of the reviewers differ, then an agreed score will be determined through discussion. If they cannot agree, then the UOA Management Team will collectively agree a score.
4. **Output selection:** Within each unit, the outputs will be ranked by their agreed score. The UOA Management Team will collectively review the list and agree whether the ranking is fair and appropriate. They will then select the strongest outputs available and allocate them to eligible staff using the following methodology:

*Pool A:* the strongest available output will be selected for each eligible staff member as their 'minimum of one', except where this requirement has been removed on the basis of equality-related circumstances. Where two co-authors in the same unit share an output, and each has no other output of equal strength available, then it will be assigned to the author who has the weaker next *available* output (e.g. if the shared output has been scored 3.75 and Author X has another output scored 3.5, while the next best available output for Author Y is scored 2.75, then it will be assigned Author Y).

*Pool B:* additional outputs will be selected in rank order to arrive at the number required for submission. The eligible outputs of former staff will be considered equally with those of current staff. The identity of the staff member will not be taken into consideration, other than to ensure that the maximum of five outputs is not exceeded for any one individual, and that the submitted author meets the author contribution criteria. Where an output can be attributed to more than one co-author within the unit, then it will be allocated to the individual who has the weaker next available output. If a unit reaches the stage where it has excess Pool B outputs at the same grade (e.g. many more outputs scored 3.25

than required to submit), then it will take the following into account when deciding which to submit:

- The distribution of outputs attributed to staff (i.e. the number of outputs allocated per person).
  - The distribution of outputs between disciplines.
  - Consideration of staff with protected characteristics.
5. **Scrutiny:** After each review period, the REF-SG will scrutinise the process used by each UOA Management Team to review the outputs, and to select and allocate them to staff members. Approval will be given where the group is satisfied that this Code of Practice has been adhered to and that the process has been rigorous, fair and transparent, and that the outcome is the strongest selection of outputs without bias to any individual. The REF-SG will in turn report to the UEB, who will provide oversight of processes and of the Equality Impact Assessment.
6. **Feedback:** The University is committed to supporting and developing its researchers and to ensuring that each member of staff reaches his/her potential in this regard. It is recognised that clear and timely feedback is key to providing this support. Therefore, after each stage of review and selection, all eligible staff will be notified of the agreed score for all of their reviewed outputs (regardless of whether they are eventually selected for submission or allocated to them). UOA REF Coordinators are responsible for communicating to staff and will do so individually and promptly within the timescales outlined below.

68. The University recognises that the decoupling of staff and outputs in REF 2021 increases the flexibility for a unit to build a portfolio of outputs for submission with no expectation that all staff members will be returned with the same number of outputs attributed to them. It is also recognised that outputs submitted to REF 2021 for any particular individual will not necessarily give a complete picture of their research portfolio. The selection and allocation of outputs will be made by the UOA Management Team to maximise the quality of the outputs profile. As such, the number of outputs allocated to an individual member of staff beyond the minimum of one, or the choice of outputs attributed to an individual, will not be used by the University as a measure of research performance, will not lead to any contractual changes, and will not be regarded as material to the University's probation, promotion, or hiring procedures.

#### *4.4.2 Timescales for the selection of outputs*

69. Initial review period:

- January-May 2020: units identify and peer review eligible outputs, including those of former staff, make interim output selections, and allocate them to staff.
- May-June 2020: EIA undertaken on the distribution (i.e. quantity) and assessment (i.e. quality) of outputs across staff.
- July 2020: REF-SG reviews the process and the EIA. Units inform staff of output scores.

70. Final review period:

- August 2020-January 2021: units identify and peer review eligible outputs, including those of former staff, make the final output selections, and allocate them to staff.
- February 2021: EIA undertaken on the distribution (i.e. quantity) and assessment (i.e. quality) of outputs across staff. REF-SG reviews the process used and the final EIA.
- March 2021: units inform staff of final output scores.

## **Part 5: Equality impact assessment**

71. Equality impact assessments (EIA) are a tool to help ensure that policies, practices and decisions are fair, meet the needs of their staff, and are not inadvertently discriminating against any protected group. The University will produce an EIA on the policy and processes outlined in this Code of Practice for (a) determining research independence, and (b) selecting outputs. This will be a living document that is reviewed and updated at key stages in the selection process.

72. The objective of the EIA is to identify:

- Where discrimination may inadvertently occur within the processes.
- Where a particular policy or practice has a positive impact on the advancement of equality.
- Where there is an opportunity to take a step that will have a positive impact.

73. This will be a meaningful assessment of the impact of the policies and processes from an equality perspective, involving a systematic analysis of whether they may have had a differential impact on particular groups by reference to the protected characteristics for which data is available, and to identify where discrimination may have inadvertently occurred. Analysis will be undertaken at University and unit level, and we will be mindful of instances where the analysis involves small numbers that can heavily influence percentages. Additionally, disclosure rates for some protected characteristics are too low to undertake meaningful analysis, and we will therefore aim to run a campaign to improve disclosure rates.

74. The assessment will consider data on:

- The characteristics of staff determined to meet the definition of an independent researcher in the context of all 'research-only' staff at Grade 8 and above.
- The distribution (i.e. quantity) and assessment (i.e. quality) of selected outputs across staff, in relation to the protected characteristics of the unit.

75. The EIA will be conducted by staff in HR and Research Services, who together have knowledge and understanding of equality and of the policies to be assessed. The process is:

1. The EIA will be reviewed and updated at key stages in the selection process, including after each review period. This may include seeking feedback from staff from protected groups on their experiences of any mock exercises that are conducted.
2. After each update, the EIA will be considered by the REF-SG. Where differential impact is identified, the policy or practice will be investigated with the support of a HR Manager (which may include in-depth analysis at unit level). REF-SG will then



decide whether the policy or practice operates within the constraints of the law, or what action is required to change the policy or practice.

3. This Code of Practice will be reviewed after each EIA to ensure that any necessary changes identified by REF-SG are implemented prior to the submission deadline. Affected groups will be engaged to ensure that the proposed changes are fit for purpose. This may involve working with the relevant Faculty Equality and Diversity Committees.
4. Information about the findings of each EIA review will be clearly set out in Annex D, together with a description of how it has informed the final policy and procedures. This section will also include information of where a particular policy or practice is found to have had a positive impact on equality.

76. The results of the EIA and any ongoing investigations and actions will be reported to the UEB through existing structures. Where an opportunity to advance equality is identified, we will give due consideration to implementing it.

77. The final EIA will be undertaken in February 2021 and will be openly published on the University's website after the REF 2021 submission has been made.

## **Annex A: Summary of relevant employment and anti-discrimination legislation**

### ***The Equality Act 2010***

1. The Equality Act came into force in October 2010 to reform and harmonise discrimination law, and to strengthen the law to support progress on equality. It replaced the following equality legislation:

- Equal Pay Act 1970
- Sex Discrimination Act 1975
- Race Relations Act 1976
- Disability Discrimination Act 1995
- Employment Equality (Religion or Belief) Regulations 2003
- Employment Equality (Sexual Orientation) Regulations 2003
- Employment Equality (Age) Regulations 2006
- Equality Act 2006, Part 2
- Equality Act (Sexual Orientation) Regulations 2007

### ***Protected Characteristics***

2. The Equality Act 2010 covers the same groups that were protected by previous equality legislation and now refers to these as 'protected characteristics':

#### *Age*

3. All employees within the University are protected from unlawful age discrimination, harassment and victimisation in employment under the Equality Act 2010. Individuals are also protected if they are perceived to be or if they are associated with a person of a particular age group.

4. 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.

5. 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 and the University is that if a researcher produces excellent research then units will not be able to justify not selecting their outputs because of their age group.

6. It is important to note that early career researchers (ECRs) are likely to come from a range of age groups. The definition of ECR used in the REF is not limited to young people: *"members of staff who meet the definition of Category A eligible on the census date, and who started their careers as independent researchers on or after 1 August 2016. For the purposes of the REF, an individual is deemed to have started their career as an independent researcher from the point at which (a) they held a contract of employment of 0.2 FTE or greater, which included a primary employment function of undertaking 'research' or 'teaching and research', with any HEI or other organisation, whether in the UK or overseas, and (b) they first met the definition of an independent researcher (see Part 3)."*

7. The default retirement age has now been abolished, so those who had previously been scheduled for retirement before the census date, should not be assumed to be ineligible.
8. It should be noted that the default retirement age was abolished from 1 October 2011, and therefore it should not be assumed that a member of staff will be ineligible on the census date.

### *Disability*

9. The Equality Act 2010 prevents unlawful discrimination, victimisation and harassment relating to disability. Individuals are also protected if they are perceived to have a disability or if they are associated with a person who has a disability (e.g. if they are responsible for caring for a family member with a disability).
10. A person is considered to have a disability if they have or have had a physical and/or mental impairment which has 'a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities'. Long-term impairments include those that last or are likely to last or are likely to last for at least 12 months.
11. Cancer, HIV, multiple sclerosis and progressive/degenerative conditions are disabilities too, even if they do not currently have an adverse effect on the carrying out of day-to-day activities. An impairment which is managed by medication or medical treatment, but which would have had a substantial and long-term adverse effect if not so managed, is also a disability.
12. Day-to-day activities are taken to mean activities that people generally, not a specific individual, carry out on a daily or frequent basis.
13. While there is no definitive list of what is considered a disability, it covers a wide range of impairments including:
  - 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
14. It is important to note that people who have had a past disability are also protected from discrimination, victimisation and harassment because of disability.
15. Equality law requires the University to anticipate the needs of people with disabilities and make reasonable adjustments for them. Failure to make a reasonable adjustment constitutes discrimination.
16. If a staff member's ability to work productively throughout the REF assessment period has been constrained due to disability, then they may voluntarily disclose their circumstances to ensure that their unit can set realistic expectations of their contribution to the overall output pool. The unit may request to return a reduced number of outputs if the

cumulative effect of staff circumstances has had a disproportionate effect on the available output pool (see Part 4).

### *Gender Reassignment*

17. The Equality Act 2010 protects from discrimination, harassment and victimisation of transgender people who are proposing to undergo, are undergoing or have undergone a process (or part of a process) for the purpose of reassigning the person's sex by changing physiological or other attributes of sex. Staff do not have to be under medical supervision to be afforded protection because they are transgender and staff are protected if they are perceived to be transgender. They are also protected if they are associated with someone who has proposed, is undergoing or has undergone gender reassignment.

18. Transgender people who undergo gender reassignment may 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 individual as they seek recognition of their new gender from their family, friends, employer and society as a whole.

19. The Gender Recognition Act 2004 gave enhanced privacy rights to transgender people who undergo gender reassignment. A person acting in an official capacity who acquires information about a person's status as transgender may commit a criminal offence if they pass the information to a third party without consent. Consequently, staff with responsibility for REF submissions must ensure that the information they receive about gender reassignment is treated with particular care.

20. If a staff member's ability to work productively throughout the REF assessment period has been constrained due to gender reassignment, then they may voluntarily disclose their circumstances to ensure that their unit can set realistic expectations of their contribution to the overall output pool. The unit may request to return a reduced number of outputs if the cumulative effect of staff circumstances has had a disproportionate effect on the available output pool (see Part 4).

### *Marriage and Civil Partnership*

21. Under the Equality Act 2010 individuals are protected from unlawful discrimination, harassment and victimisation on the grounds of marriage and civil partnership status. The protection from discrimination is to ensure that people who are married or in a civil partnership receive the same benefits and treatment in employment. The protection from discrimination does not apply to single people.

22. In relation to the REF the University must ensure that its processes and decision-making processes do not inadvertently discriminate against staff who are married or in civil partnerships.

### *Pregnancy and Maternity*

23. Under the Equality Act 2010 women are protected from unlawful discrimination, harassment and victimisation related to pregnancy and maternity.

24. Consequently, where staff have taken time out of work, or their ability to work productively throughout the assessment period has been affected, because of pregnancy

and/or maternity, then they may voluntarily disclosure their circumstances to ensure that their unit can set realistic expectations of their contribution to the overall output pool. The unit may request to return a reduced number of outputs if the cumulative effect of staff circumstances has had a disproportionate effect on the available output pool (see Part 4).

25. In addition, the University should ensure that female staff who are pregnant or on maternity leave are kept informed about and included in the submissions process.

26. It is important to note that primary adopters have similar entitlements to women on maternity leave.

### *Race*

27. The Equality Act 2010 protects staff from unlawful discrimination, harassment and victimisation connected to race. The definition of race includes colour, ethnic or national origins, or nationality. Individuals are also protected if they are perceived to be or are associated with a person of a particular race.

28. In relation to the REF the University must ensure that its processes and decision-making processes do not discriminate against staff based on their race or assumed race (e.g. based on their name).

### *Religion or Belief*

29. The Equality Act 2010 protects staff from unlawful discrimination, harassment and victimisation related to religion or belief. Individuals are also protected if they are perceived to be or are associated with a person of a particular religion or belief.

30. In relation to the REF the University must ensure that its processes and decision-making processes do not discriminate against staff based on their actual or perceived religion or belief, including non-belief. 'Belief' includes any structured philosophical belief with clear values that has an effect on how its adherents conduct their lives. Prolonged leave due to pilgrimage would be one example of where this might become a factor.

### *Sex*

31. The Equality Act 2010 protects staff from unlawful discrimination, harassment and victimisation related to sex. Employees are also protected because of their perceived sex or because of their association with someone of a particular sex.

32. 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, for example doing lab work, may be taken into account.

33. If a mother who meets the continuity of employment test wishes to return to work early or shorten her maternity leave/pay, she will be entitled to shared parental leave with the father or her partner within the first year of the baby's birth. Partners may also be eligible for shared parental leave or pay. Fathers/partners who take additional paternity or adoption leave will have similar entitlements to women on maternity leave and barriers that exist to taking the leave, or as a result of having taken it, could constitute unlawful sex discrimination. Consequently, where researchers have taken additional paternity and

adoption leave, then they may voluntarily disclosure their circumstances to ensure that their unit can set realistic expectations of their contribution to the overall output pool. The unit may request to return a reduced number of outputs if the cumulative effect of staff circumstances has had a disproportionate effect on the available output pool (see Part 4).

34. The University needs to ensure that its procedures and decision-making processes in relation to REF 2021 are not 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.

### *Sexual Orientation*

35. The Equality Act 2010 protects staff from unlawful discrimination, harassment and victimisation related to sexual orientation. Individuals are also protected if they are perceived to be or are associated with a person who is of a particular sexual orientation.

36. In relation to the REF the University must ensure that its processes and decision-making processes do not discriminate against staff based on their actual or perceived sexual orientation.

### *Other Relevant Legislation*

37. Under the **Fixed-Term Employees (Prevention of Less Favourable Treatment) Regulations 2002**, a fixed-term employee has the right not to be treated by his or her employer less favourably than the employer treats a comparable permanent employee. In particular, determination of research independence should be made irrespective of an individual's contractual status.

38. Under the **Part-Time Workers (Prevention of Less Favourable Treatment) Regulations 2000**, a part-time worker has the right not to be treated less favourably than a comparable full-time worker.

### *Types of Discrimination*

39. **Direct discrimination** occurs when someone is treated less favourably than another person because of a protected characteristic they have or are thought to have or because they associate with someone who has a protected characteristic.

40. **Indirect discrimination** can occur when there is a condition, rule, policy or even a practice that applies to everyone but particularly disadvantages people who share a protected characteristic.

41. **Discrimination by association** is direct discrimination against someone because they associate with another person who possesses a protected characteristic.

42. **Perception discrimination** is direct discrimination against an individual because others think they possess a particular protected characteristic. It applies even if the person does not actually possess that characteristic.

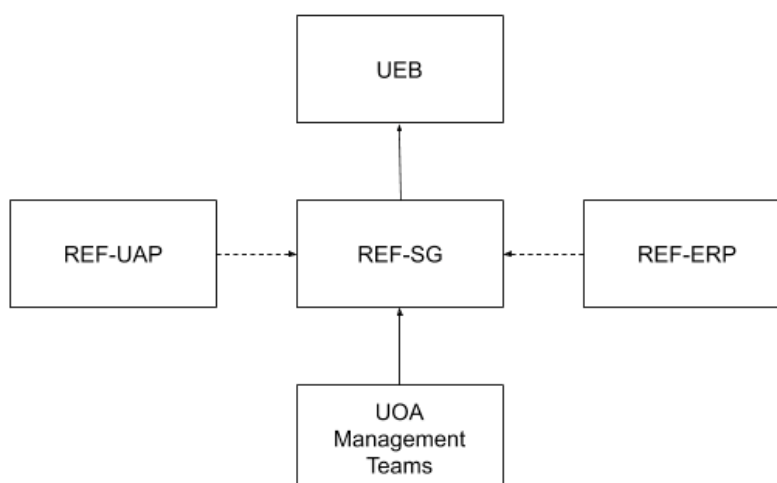
43. **Victimisation** occurs when an employee is treated badly because they have made or supported a complaint or raised a grievance under the Equality Act; or because they are suspected of doing so.

44. **Harassment** is 'unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual'. Employees will now be able to complain of behaviour that they find offensive even if it is not directed at them, and the complainant need not possess the relevant characteristic themselves. Employees are also protected from harassment because of perception and association.



## **Annex B: Staff and committees**

1. The University will draw upon existing Faculty structures, together with REF-specific committees and individuals with senior-level responsibility for REF matters. All of the decision-making bodies comprise staff who have appropriate knowledge and experience, and committees are permitted to exercise their professional judgment in choosing to seek advice from others, both internal and external to the University. The remits of key decision-making bodies and individuals are detailed below.



### ***The University Executive Board (UEB)***

<b>Role description</b>	The UEB is the executive body of the University. They determine the overarching principles to guide REF 2021 strategies and will approve the final submission.
<b>Decision-making responsibilities</b>	The UEB is the ultimate decision-making body in all aspects of REF 2021, and the wider University.
<b>Membership</b>	Chaired by the President and Vice-Chancellor, it includes the Provost and Deputy Vice-Chancellor, all of the Vice-Presidents and Heads of Faculty, the Chief Financial Officer and the Executive Directors of Academic Services and Corporate Services.
<b>Record-keeping procedures</b>	The UEB seeks to be open and transparent and make information available to staff. Minutes of meetings are available at <a href="http://www.sheffield.ac.uk/ueb">www.sheffield.ac.uk/ueb</a> , with appropriate provision for closed items.

### ***The REF Steering Group (REF-SG)***

<b>Role description</b>	The REF-SG reports to the UEB. Its terms of reference are to: <ul style="list-style-type: none"><li>• Oversee the University's REF 2021 preparations and provide a regular corporate overview to the UEB.</li></ul>
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	<ul style="list-style-type: none"> <li>• Ensure that faculty and UOA strategies are synonymous with the principles agreed with the UEB.</li> <li>• Make recommendations to the UEB on policy relating to REF, acting as a conduit back to faculties for dissemination and implementation of agreed policies.</li> <li>• Interpret REF guidance and provide a steer for its implementation.</li> <li>• Oversee the eligible staff pool and scrutinise UOA procedures for determining research independence, ensuring adherence to this Code of Practice.</li> <li>• Oversee UOA Management Team peer review and selection processes for outputs (REF2), impact case studies (REF3) and UOA-level environment templates (REF5b), ensuring adherence to this Code of Practice where relevant, reviewing the unit submissions and reporting the findings to the UEB.</li> <li>• Make strategic recommendations to the UEB on submission strategies following review and scrutiny of outputs, impact, and environment.</li> <li>• Agree the content of the institutional-level environment template (REF5a).</li> <li>• Consider equality and diversity implications in all aspects of the REF, including regular review of Equality Impact Assessments and deciding when action is required.</li> <li>• Encourage the sharing of good practice across faculties.</li> <li>• Act as a conduit of communication for addressing staff concerns.</li> </ul>
<b>Decision-making responsibilities</b>	<p>The REF-SG reviews UOA Management Team recommendations on research independence and output selection, giving approval where this Code of Practice has been adhered to. They will also review requests to make a unit reduction in the number of outputs required due to equality-related circumstances, determining whether there has been a disproportionate impact on the overall output pool. The REF-SG reviews the Equality Impact Assessments and decides when further action is required. They also make recommendations to the UEB on policy relating to REF.</p>
<b>Membership</b>	<p>Chaired by the Deputy Vice-President for Research &amp; Innovation with responsibility for REF, Professor John Derrick, its membership includes the five Faculty REF Coordinators (see below); the Faculty Directors of Research and Innovation; the Vice-President for Research, the Director, REF Manager, and Institutional Impact Coordinator from Research Services; and the HR REF Lead.</p>

<b>Record-keeping procedures</b>	The REF-SG seeks to be open and transparent and make information available to University colleagues. Minutes of meetings are available at <a href="http://www.sheffield.ac.uk/rs/ref">www.sheffield.ac.uk/rs/ref</a> .
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### ***Faculty REF Coordinators***

<b>Role description</b>	<p>Each Faculty has an academic Faculty REF Coordinator that are ultimately responsible for the submissions within their remit. Their role is to:</p> <ul style="list-style-type: none"> <li>• Oversee the preparations of the UOA Management Teams within their remit, ensuring compliance with University processes and timescales and providing regular updates to the REF-SG.</li> <li>• Oversee the processes used by UOA Management Teams within their remit for determining research independence, ensuring adherence to this Code of Practice and advising on individual cases where appropriate. They will review initial unit decisions and submit to the REF-SG.</li> <li>• Oversee the output peer review and selection processes for UOA Management Teams within their remit, ensuring adherence to this Code of Practice.</li> <li>• Ensure that feedback mechanisms for research independence and output review and selection are appropriate, effective and applied.</li> <li>• Work with Heads of Department to ensure resourcing and workload allocation to facilitate impact case study development and ensure a programme of support including faculty-level workshops.</li> <li>• Support UOA Management Teams with faculty-specific contributions to the UOA-level environment template.</li> <li>• Consider the strategies proposed by the UOA Management Teams and whether they are synonymous with the Faculty's overall objectives.</li> </ul>
<b>Decision-making responsibilities</b>	The Faculty REF Coordinators have a responsibility to ensure that the processes outlined in this Code of Practice are being adhered to, and to ensure that the outcome of the peer review process is calibrated and realistic. They will act as arbitrators if there is a disagreement within or between UOA Management Teams that cannot be resolved independently.
<b>Membership</b>	The Faculty REF Coordinators have been appointed by the relevant Vice-President and Head of Faculty on the basis of their experience and professional standing with their peers. They are senior members of academic staff who have been involved with prior REF exercises:

	<ul style="list-style-type: none"> <li>• Faculty of Arts &amp; Humanities: Professor Nikki Dibben</li> <li>• Faculty of Engineering: Professor George Panoutsos</li> <li>• Faculty of Medicine, Dentistry and Health: Professor Jon Sayers</li> <li>• Faculty of Science: Professor Andy Fleming</li> <li>• Faculty of Social Sciences: Professor John Flint</li> </ul>
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### **UOA Management Teams**

<b>Role description</b>	<p>There is in place a UOA Management Team for each unit to which the University intends to submit. Their remit is to:</p> <ul style="list-style-type: none"> <li>• Coordinate the preparation of the UOA REF submission, including the staff (REF1), outputs (REF2), impact (REF3) and environment (REF4/5) elements.</li> <li>• Oversee timely submissions to the internal REF review periods, with a focus on the quality of information provided.</li> <li>• Lead on REF communications within the departments represented in the unit.</li> <li>• Work with the Head(s) of Department to ensure that all 'Category A Eligible' and 'Category A Submitted' staff are identified.</li> <li>• Determine the independence of research staff, ensuring adherence to the procedures outlined in this Code of Practice, and that decisions are clearly communicated to those staff members.</li> <li>• Develop and oversee a rigorous and calibrated peer review process in order to assess output quality, and then to select the outputs for submission, ensuring adherence to the procedures outlined in this Code of Practice.</li> <li>• Where applicable, determine whether outputs should be double-weighted and ensure the quality of any additional information required.</li> <li>• Ensure that all staff are aware of the REF Open Access requirements, and that appropriate mechanisms are in place for the deposit of newly accepted outputs.</li> <li>• Work with the Departmental Impact Coordinator(s) to facilitate the preparation of high-quality impact case studies, ensuring that authors have the necessary support and resources required.</li> <li>• Lead the preparation of the UOA-level Environment Template, liaising within the constituent departments as appropriate, and working with Research Services on the provision of supporting data.</li> </ul>
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<b>Decision-making responsibilities</b>	The UOA Management Teams make recommendations to the REF-SG on research independence and output selection, following the policies and procedures in this Code of Practice. All decisions are collective and agreed by consensus.
<b>Membership</b>	Each UOA Management Team is chaired by a UOA REF Coordinator, who is an experienced member of academic staff and reports directly to the Faculty REF Coordinator. They were recommended to the Faculty Vice President by the Head of Department in consultation with the Faculty Director of Research and Innovation. Group members are also experienced academic staff and have an appropriate range of research expertise across the unit. Each Team is supported by administrative staff. A list of Chairs of the UOA Management Teams is available at <a href="http://www.sheffield.ac.uk/rs/ref">www.sheffield.ac.uk/rs/ref</a> . The membership of the UOA Management Teams will be reviewed via an Equality Impact Assessment, which will be considered by the REF-SG.
<b>Record-keeping procedures</b>	UOA Management Teams are encouraged to be open and transparent and are required to regularly report at staff meetings. In addition, they are required to use mandatory centrally administered systems to collect staff and output data. This ensures consistency, transparency and accountability in identifying eligible staff and in the scoring, selection and attribution of outputs.

***The REF Equality-related Circumstance Review Panel (REF-ERP)***

<b>Role description</b>	The REF-ERP has been convened for the sole purpose of considering those self-disclosures of equality-related circumstances where a judgement is required and agreeing the appropriate reduction. This will help to ensure that decisions are consistent, transparent and robust, and taken by those with relevant knowledge, expertise and awareness of equality legislation. It is fully independent of all other decision-making bodies.
<b>Decision-making responsibilities</b>	The REF-ERP will make the final decision on the appropriate reduction in relation to self-disclosures of equality-related circumstances that require a judgement.
<b>Membership</b>	REF-ERP is constituted of three academic staff members identified by the REF-SG as having appropriate experience of promoting and supporting equality, diversity and inclusion and who together represent a fair cross-section of the research community. A fourth position on the group is reserved for an academic representative of the campus trade unions. They will be supported by the REF Manager and a HR Manager.

	<ul style="list-style-type: none"> <li>• Professor Julie Gray (Chair): from the Faculty of Science and a former chair of the Women@TUoS Network.</li> <li>• Professor Rob Gaizauskas: from the Faculty of Engineering and a member of the equivalent REF 2014 ED&amp;I review panel, providing experience and ensuring a consistency of approach.</li> <li>• Professor Charlotte Burns: member of the Faculty of Social Sciences ED&amp;I Committee.</li> <li>• Dr Mark Pendleton: academic representative of the campus trade unions.</li> <li>• Liz Robinson: HR Manager in the Department of Human Resources</li> <li>• Dave Jones: REF Manager in Research Services.</li> </ul>
<b>Record-keeping procedures</b>	The REF-ERP will be formally minuted, but to maintain confidentiality these will not be publicly available. They will be provided to the REF-SG for information (while protecting confidentiality).

### ***The REF University Appeals Panel (REF-UAP)***

<b>Role description</b>	The REF-UAP has been convened for the sole purpose of reviewing appeals against decisions on research independence. It is fully independent of all other decision-making bodies, but will report decisions to the REF-SG for information (while protecting confidentiality).
<b>Decision-making responsibilities</b>	The REF-UAP will make the final determination on research independence following an appeal.
<b>Membership</b>	<p>REF-UAP is constituted of two former Heads of Department identified by the REF-SG as having appropriate experience of working with independent research staff. A third position on the group is reserved for an academic representative of the campus trade unions. Members are independent of the original decision-making process. They will be supported by the REF Manager and a HR Manager.</p> <ul style="list-style-type: none"> <li>• Professor Sheila Francis (Chair) from the Faculty of Medicine, Dentistry and Health</li> <li>• Professor Rob Dwyer-Joyce from the Faculty of Engineering</li> <li>• Dr Simon Stevens: academic representative of the campus trade unions</li> <li>• Liz Robinson: HR Manager in the Department of Human Resources</li> <li>• Dave Jones: REF Manager in Research Services</li> </ul>

<b>Record-keeping procedures</b>	The REF-UAP will be formally minuted, but to maintain confidentiality these will not be publicly available.
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### **Annex C: Reproduction of the equality-related circumstances guidance**

1. This Annex combined and summaries the information available in Part 3 and Annex L of the '[Guidance on Submissions](#)'.
2. Given the reduced output requirement for REF 2021, the tariffs for the defined reductions differ from those set in REF 2014. This is to ensure that a broadly equivalent reduction is given in the context of the submitted output pool, and to ensure that panels receive a sufficient selection of research outputs from each submitted unit upon which to base judgements about the quality of that unit's outputs.

#### ***Early career researchers***

3. ECRs are defined in paragraph 148 of the '[Guidance on Submissions](#)' as members of staff who meet the definition of 'Category A Eligible' on the census date, and who started their careers as independent researchers on or after 1 August 2016. For the purposes of the REF, an individual is deemed to have started their career as an independent researcher from the point at which (a) they held a contract of employment of 0.2 FTE or greater, which included a primary employment function of undertaking 'research' or 'teaching and research', with any HEI or other organisation, whether in the UK or overseas, and (b) they first met the definition of an independent researcher (Guidance on Submissions, paragraphs to 131 to 133).
4. Table D1 sets out the permitted reduction in outputs that may be requested for ECRs who meet this definition.

*Table D1: Early career researchers: Permitted reduction in outputs*

<b>Date at which the individual first met the REF definition of an ECR:</b>	<b>Output pool may be reduced by up to:</b>
On or before 31 July 2016	0
Between 1 August 2016 and 31 July 2017 inclusive	0.5
Between 1 August 2017 and 31 July 2018 inclusive	1
On or after 1 August 2018	1.5

#### ***Absence from work due to secondments or career breaks***

5. Table D2 sets out the permitted reduction in outputs that may be requested for absence from work due to secondments or career breaks outside of the HE sector, and in which the individual did not undertake academic research. The allowances are based on the length of the individual's absence or time away from working in HE. They are defined in terms of total months absent from work.



*Table D2: Secondments or career breaks: Permitted reduction in outputs*

<b>Total months absent between 1 January 2014 and 31 July 2020 due to a staff member's secondment or career break:</b>	<b>Output pool may be reduced by up to:</b>
Fewer than 12 calendar months	0
At least 12 calendar months but less than 28	0.5
At least 28 calendar months but less than 46	1
46 calendar months or more	1.5

***Qualifying periods of family-related leave***

6. The total output pool may be reduced by 0.5 for each discrete period of:
  - a. Statutory maternity leave or statutory adoption leave taken substantially during the period 1 January 2014 to 31 July 2020, regardless of the length of the leave.
  - b. Additional paternity or adoption leave, or shared parental leave lasting for four months or more, taken substantially during the period 1 January 2014 to 31 July 2020.
7. This approach is based on the funding bodies' considered judgement following consultation in the previous REF exercise that the impact of such a period of leave and the arrival of a new child into a family is generally sufficiently disruptive of an individual's research work to justify the specified reduction.
8. While the above reduction of outputs due to additional paternity or adoption leave is subject to a minimum period of four months, shorter periods of such leave could be taken into account as follows:
  - a. By applying a reduction in outputs where there are additional circumstances, for example where the period of leave had an impact in combination with other factors such as ongoing childcare responsibilities.
  - b. By combining the number of months for shorter periods of such leave in combination with other circumstances, according to Table D2.
9. Any period of maternity, adoption, paternity or shared parental leave that qualifies for the reduction of an output under the provisions above may in individual cases be associated with prolonged constraints on work that justify more than the defined reduction set out. In such cases, the circumstances should be explained in the request.

***Other circumstances that apply in UOAs 1–6***

10. In UOAs 1-6, the number of outputs may be reduced by up to one, without penalty in the assessment, for Category A submitted staff who are junior clinical academics. These are defined as clinically qualified academics who are still completing their clinical training in medicine or dentistry and have not gained a Certificate of Completion of Training (CCT) or its equivalent prior to 31 July 2020.

11. This allowance is made on the basis that the staff concerned are normally significantly constrained in the time they have available to undertake research during the assessment period. Where the individual meets the criteria above, and has had significant additional circumstances, the institution can make a case for further reductions in the unit reduction request.

### ***Circumstances requiring a judgement about reductions***

12. Where staff have had other circumstances during the period (see paragraph 160e. in this [‘Guidance on Submissions’](#) document) – including in combination with any circumstances with a defined reduction in outputs – the institution will need to make a judgement about the effect of the circumstances in terms of the equivalent period of time absent, apply the reductions as set out in Table D2 by analogy, and provide a brief rationale for this judgement.

### ***Combining circumstances***

13. Where individuals have had a combination of circumstances that have a defined reduction in outputs, these may be accumulated up to a maximum reduction of 1.5 outputs. For each circumstance, the relevant reduction should be applied and added together to calculate the total maximum reduction.

14. Where Table D1 is combined with Table D2, the period of time since 1 January 2014 up until the individual met the definition of an ECR should be calculated in months, and Table D2 should be applied.

15. When combining circumstances, only one circumstance should be taken into account for any period of time during which they took place simultaneously.

16. Where an individual has a combination of circumstances with a defined reduction in outputs and additional circumstances that require a judgement, a single judgement should be made about the appropriate reduction in outputs, taking into account all the circumstances. The circumstances with a defined reduction in outputs to be requested should be calculated according to the guidance above.

### ***Part-time working***

17. As part-time working is taken account of within the calculation for the overall number of outputs required for the unit (which is determined by multiplying the unit’s FTE by 2.5), reduction requests on the basis of part-time working hours should only be made exceptionally. For example, where the FTE of a staff member late in the assessment period does not reflect their average FTE over the period as a whole.