



Research Excellence Framework and equality

Equality and diversity training materials: handbook for trainers

Acknowledgements

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A: Introduction

The Research Excellence Framework (REF) [Assessment framework and guidance on submissions](#) makes clear that higher education institutions (HEIs) must provide staff and committees with responsibility for selecting staff to the REF with equality and diversity training which has been tailored to REF processes (sections 206 – 207). In addition, the guidance makes clear that the training has to have been undertaken since the introduction of the Equality Act 2010.

Equality Challenge Unit (ECU) has developed these training materials for HEIs to use when providing equality and diversity training for staff and committees responsible for selecting staff for submission to the REF. They are designed for HEIs to adapt to meet their purposes and have been written in the context of the REF and the Equality Act 2010. It is assumed that staff will already have received basic equalities training prior to introduction of the Equality Act 2010.

Staff responsible for adapting and delivering the materials within HEIs will need to have experience of delivering training and knowledge of their institution's REF work as well as equality and diversity.

B: Recommendations for delivery

Audience

In line with the requirements within the REF [Assessment framework and guidance on submissions](#) these training materials have been designed for committees and staff responsible for selecting staff for submission to the REF. You may want to consider inviting other people involved in your institution's REF work.

England, Scotland, Wales and Northern Ireland context

The materials highlight where legislation varies in Northern Ireland and Wales. Trainers will need to select information that is appropriate to their country. In relation to the REF, there is no variation in requirements by country. The requirements as outlined in the [Assessment framework and guidance on submissions](#) have been approved by all four UK funding bodies.

Institutional context

You will need to adjust the training slides and activities to ensure that they are reflective of your institution's name and institutional context.

Selection of training material

Trainers can select sections of the training materials and the accompanying activities to meet the training requirements of staff within their institution. For example, if staff are not involved in decisions on complex circumstances or have received training on the Equality Act 2010, it may be appropriate to skip these sections or the activities related to them.

Timings

Timings for each section are provided in the outline in section C. Timings can be adapted by trainers, and options for extending activities and sections are included in the text. Timings are based on staff having a basic understanding of equality and diversity.

Room setup

The activities will involve group work. We would recommend cabaret style seating with 4-8 people around each table or for smaller groups boardroom style will enable working in pairs.

Accessibility

You will need to consider accessibility when organising and delivering the training in particular:

- = Accessibility for disabled staff. See this guide from JISC TechDis http://www.jisctechdis.ac.uk/techdis/resources/detail/aboutus/Accessible_Events
- = The time of day that the training is held. ECU recommends that the training is held between 10:00 and 16:00 to ensure that people with childcare and other caring responsibilities can attend the full session.

The timing of the training in relation to religious days and festivals that are commonly observed by staff within your institution. The BBC have a religious events calendar: www.bbc.co.uk/religion/tools/calendar

- = Catering requirements

Equipment

The following equipment is required to deliver the session:

- = Facilities for showing presentation slides
- = Copies of relevant activities, answer sheets and handouts

Materials

The following materials may be of assistance when preparing for and delivering the training session/s:

- = Your HEI's draft or final REF code of practice
- = Your HEI's equality policy/policies
- = REF Assessment framework and guidance on submissions: http://www.hefce.ac.uk/research/ref/pubs/2011/02_11/

- = REF Panel criteria and working methods: www.hefce.ac.uk/research/ref/pubs/2012/01_12/
- = Equality Act 2010: Implications for higher education institutions <http://www.ecu.ac.uk/publications/equality-act-2010>
- = Equality Act 2010 Code of Practice on Employment www.equalityhumanrights.com/uploaded_files/EqualityAct/employercode.pdf

Training packs

Consider if it would appropriate to provide a training pack that includes a list of useful resources. All staff are likely to find copies of the training slides and activities useful and ECU recommends that these are provided to staff at the beginning of the session.

Confidentiality

To ensure freedom of discussion it is important to make staff attending the training aware that discussion in the room will be kept confidential. Chatham House Rules should apply: www.chathamhouse.org/about-us/chathamhouse-rule

Staff attending the training should be advised not to name individuals when using examples and to avoid using examples in which sensitive and personal information could be easily be connected with an individual.

Acknowledgement of source and copyright

ECU's resources are provided free of charge to the HE sector. Information can be reproduced accurately as long as the source is clearly identified.

C: Outline of the training materials

Section	Aim and purpose	Materials	Approximate timings
1. Introduction, purpose and outline	Setting the scene	= Presentation slides	6 minutes
2. Your institution and the REF	Ensuring staff are aware of their role and its relationship to the institution's overall REF work	= Presentation slides = Relevant institutional REF materials	Dependent on the extent of the information provided by the institution
3. Why equality is important in the REF	To introduce staff to equality and diversity as it relates to the REF	= Presentation slides = Optional institutional context	10 minutes
4. Issues to be aware of since the RAE 2008	= To highlight staff responsibilities in light of developments in equalities law. = To highlight the individual staff circumstances considered in the REF	= Presentation slides = Handout: Changing equalities (developments in equalities law since the RAE) = Activity 1: template and cards = Activity 1: answer sheet = Optional handout: institutional equality and diversity policies and support	35 minutes including activity
5. Identifying clearly defined and complex staff circumstances and using tariffs	= To raise awareness of the different types of staff circumstances = To raise awareness of the different process for handling clearly defined and complex staff circumstances = For staff to practice calculating clearly defined staff circumstances	= Presentation slides = Institutional information on how complex and clearly defined staff circumstances are being handled = Activity 2: Scenarios, criteria	30 minutes including activity

		= Activity 2: answer sheet	
6. Implications for staff responsible for selecting staff for submission to the REF	<ul style="list-style-type: none"> = To bring together learning on changes to equalities law and the equality requirements of the REF = For staff to apply their learning to a range of scenarios 	<ul style="list-style-type: none"> = Presentation slides = Handout: Changing equalities (developments in equalities law since the RAE) See section 4 = Activity 3: Scenarios = Activity 3: answer sheet 	<ul style="list-style-type: none"> = Minimum time 40 minutes = Maximum time 1 hr 25 minutes
7. Complex staff circumstances	<ul style="list-style-type: none"> = To develop understanding on how reductions in outputs due to complex circumstances are calculated 	<ul style="list-style-type: none"> = Presentation slides = Panel criteria handout from Activity 2 = Activity 4: Scenarios = Activity 4: answer sheet 	<ul style="list-style-type: none"> = Minimum time: 30 minutes = Maximum time: 1 hr 25 minutes

D: Training materials

This section combines:

- = Presentation slides
- = Guidance for trainers
- = Activities and materials

Each section and materials can be downloaded separately from ECU's website: www.ecu.ac.uk/ref-materials/training-pack

1. Introduction, purpose and context
2. Your institution and the REF
3. Why equality is important in the REF
4. Issues to be aware of since the RAE 2008
5. Identifying clearly defined and complex staff circumstances and using tariffs
6. Implications for staff responsible for selecting staff for submission to the REF
7. Handling complex staff circumstances

1: Introduction, purpose and context

Context and aim of training



- = Funding bodies have embedded equality and diversity requirements into the REF
- = Training on equality and diversity REF requirement for committees and staff responsible for selection:
 - To help ensure [name of institution] fulfils obligations under equalities and employment law
 - To ensure staff eligible for submission are treated fairly and are not discriminated against
- = **Space for understanding equality and diversity in context of the REF and implications for your role**

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Funding bodies (e.g. HEFCE, HEFCW, SFC & DELNI) have embedded equality and diversity requirements into the REF:

- = Referred to throughout Assessment Framework and Guidance on Submissions – in particular requirement for each institution to develop, document and apply a Code of Practice on the selection of staff.

- = Element of the environment template (not focussed on in this training). Each submitting unit required to make reference to the measure it is taking to promote equality and diversity in the context of staffing strategy and development.
- = Considered in development of panel criteria and working methods.

Key message: not simply an add on but an integral element

Training on equality and diversity REF requirement for committees and staff responsible for selection:

- = To help ensure [name of institution] fulfils obligations under equalities and employment law.
- = Designed to support higher education institutions embed equality in their REF work.
- = Important to recognise that given importance of REF for career progression, staff who feel that they have been unfairly treated on the grounds of equality may well appeal and could take bring a case under relevant equalities and employment law against [name of institution].

Space for understanding equality and diversity requirements within the REF

- = Designed to build upon any previous equality and diversity training received.
- = Emphasise Chatham House Rules to encourage openness and the sharing of information.

2: Your institution and the REF

Required action: Identify and provide institutional specific information.

[institution name] and the REF



- = Provide key institutional information that staff and committees selecting staff for submission need to be aware of eg:
- Outline of responsibilities and boundaries for committees and staff responsible for selection
 - How role fits within institutional structures
 - [institution's] Code of Practice on the selection of staff: stage of development, where it can be found etc.
 - Key contacts including who to go to if equality and diversity query
 - Relevant timescales

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ECU recommends that this institutional specific information is provided to staff and committees responsible for selecting staff to the REF. In addition to presenting this information, trainers can consider providing it on a handout.

3: Why equality is important in the REF

What is meant by equality and diversity?



Diversity: recognises that everyone is different in a variety of visible and non-visible ways, and that those differences are to be recognised, respected and valued (ECU)

Equality: 'Equality is a fundamental part of a fair society in which **everyone can have the best possible chance to succeed** in life.' (Discrimination Law Review, 2007)

Different to quality requirements set by Main Panels and [institution name]

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You will already have mentioned the terms equality and diversity. ECU recommends that this slide is included if staff have not recently received equality and diversity training. Trainers may also wish to include the slide if their institution is implementing its own criteria for staff selection or if there has been debate within the institution about the interaction between the quality and equality requirements of the REF.

The REF is a competitive exercise used to determine the allocation of research funding within the higher education sector. Consequently, HEIs are unlikely to submit to all units of assessment and while it is not endorsed by the UK funding bodies' national REF team, they may introduce quality thresholds for staff selection.

HEIs REF processes should not negatively impact on equality and diversity as long as staff are selected on the basis of the quality of their research only and the institution ensures that it observes:

- = the requirements of equality and employment law, as outlined in the [Assessment framework and guidance on submissions](#)
- = The [Assessment framework and guidance on submissions](#) itself
- = The [Panel criteria and working methods](#).

Why are equality and diversity important in the REF?



- = Ensure staff treated fairly
 - Better retention, satisfaction and performance
- = Ensure REF processes meet both funding bodies' and [insert name of institution] obligations under equalities law
- = Evidence from previous exercises indicates lower selection of staff from certain groups eg: women

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Ensure staff treated fairly as fair treatment results in improved retention, satisfaction and performance.

Ensure REF processes meet both funding bodies' and [insert name of institution] obligations under equalities law – as highlighted previously (see outline slide) failure to do so could result in legal action being taken against [insert name of institution].

Staff who feel that they have been unfairly treated on the grounds of equality may well appeal and could take bring a case under relevant equalities and employment law.

Evidence from previous exercises indicates lower selection of staff from certain groups, in particular women and black and minority ethnic staff.

Lessons from the Research Exercise 2008



- = Report into *Selection of staff for inclusion in RAE 2008*:
 - Selection rate for staff with declared disability lower than for staff without declared disability
 - 67% of male permanent academic staff selected in comparison to 48% of women
 - Women aged 30 – 50 particularly low rate of selection
 - Selection rate of staff from the black ethnic group lower than for staff from other ethnic groups

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HEFCE, on behalf of the four UK funding bodies, conducted a study into the selection of staff for inclusion in the Research Assessment Exercise 2008 (preceded the REF) on the basis of disability, age, sex, ethnicity, and nationality.

Selection rate for staff with a **declared disability** was lower than for staff without. ECU also found this in its analyses of HEIs' impact assessments, but found that the declaration rate was too low to draw any meaningful conclusions. HEFCE was able to consider differences in HEI and subject area and found that these variables may explain the

difference in selection rates more readily than disability discrimination.

The data shows a difference between the rate of selection for **men and women** in RAE2008. For example in the 'Permanent academic staff' pool, 67% of men were selected compared to 48% of women. In addition, where age was taken into consideration, women were much less likely to be selected in the 30 -50 age group. The low selection of women was identified in ECU's research. HEFCE's research found that the differences may be due to a lower proportion of women having a research record that results in their selection rather than bias in institutions' selection processes. HEFCE could not rule out bias resulting from age and gender but highlighted that the difference could also be a result of 'deeply rooted inequalities in the research careers of men and women'.

The selection rates were at similar levels for all ethnicity groups except those staff in the **black ethnic group**, whose selection rate was lower in all the pools of staff. The lower selection rate was not explained when other factors were taken into account eg. subject area and HEI.

Citation data was widely used in the RAE and research conducted by the funding bodies found that women and BME staff were less likely to be cited. While citation data is being used by some panels in the REF it is being used as additional information. Panels that are using citation data will rely on expert review as the primary means of assessing outputs. Panels have also been instructed on the equality implications of using citation data as additional information.

The funding bodies do not sanction or recommend that HEIs rely on citation information to inform the selection of staff or outputs for inclusion in their submissions.

Institutional context: lessons from the Research Exercise 2008



- = Insert information on institutional context eg:
 - Selection rate for RAE based on gender, race and age
 - Successful and problematic measures to embed equality in RAE
 - Successful and problematic measures to address equality issues in RAE

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This slide is optional and trainers will need to provide institutional information.

4: Issues to be aware of since the RAE 2008

Changing equalities context



- = Since RAE 2008, equality law has been strengthened and streamlined in England, Scotland and Wales with the introduction of the Equality Act 2010
 - Change in types of conduct that are prohibited
 - Types of prohibited conduct more in line with Northern Ireland equalities law
- = Broader range of individual characteristics that need to be considered in HEIs' REF work to ensure **fair** selection of staff

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With minor exceptions, the Equality Act (2010) does not apply to Northern Ireland. Equalities legislation in Northern Ireland has historically been more extensive than anywhere else in the UK.

Fairness in context of REF means selection on basis of quality of research only and implementing processes for reducing the number of research outputs submitted.

Handout: Changing equalities

Allow delegates to read and will be useful for Activity 3: scenarios.

This table illustrates changes in equalities law since the Research Assessment Exercise 2008. While differences in equality law are highlighted between the four countries of the UK, staff responsible for selection of staff to the Research Excellence Framework (REF) and staff responsible for assessing complex circumstances should be aware that the requirements of REF Assessment Framework and Guidance on Submissions apply to all four countries.

Characteristic	Current legislation	What's new since the RAE 2008	REF implication
Age	<p>All employees within the higher education sector are protected from unlawful age discrimination and harassment in employment under the Equality Act 2010 and the Employment Equality (Age) Regulations (Northern Ireland) 2006.</p> <p>Age discrimination can occur when people of a particular age group are treated less favourably than people in other age groups. An age group could be, for example, people of the same age, the under 30s or people aged 45-50. A person can belong to a number of different age groups.</p>	<ul style="list-style-type: none"> = In England, Scotland and Wales staff are now protected from discrimination that arises because they are perceived to be or if they are associated with a person of a particular age group. In Northern Ireland, case law suggests that protection from discrimination that arises by being associated with a person or a particular age group applies. As for protection because of perceived age, case law suggest that this is also extended in Northern Ireland, however some believe a reference from the European Court of Justice will be required to determine the boundaries of this. = Use of the Default Retirement Age was abolished from 1 October 2011 in England, Scotland, Wales and Northern Ireland. This means that it is no longer possible to compulsorily retire employees. 	<ul style="list-style-type: none"> = If a researcher produces excellent research an HEI will not be able to justify not submitting them because of their age group, perceived age group or association with someone of a particular age group. = Early career researchers can come from a range of age groups. The definition of early career researcher used in the REF is not limited to young people. = Staff with responsibilities for older dependents or children may be entitled to a reduction in outputs.

Characteristic	Current legislation	What's new since the RAE 2008	REF implication
Disability	<p>The Equality Act 2010, the Disability Discrimination Act (1995) (Northern Ireland only) and the Disability Discrimination (Northern Ireland) Order 2006 prevent unlawful discrimination relating to disability.</p> <p>A person is considered to be disabled if they have or have had a physical and/or mental impairment which has 'a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities'. Long-term impairments include those that last or are likely to last for at least 12 months.</p> <p>Equality law requires HEIs to make reasonable adjustments for disabled employees. Failure to make a reasonable adjustment constitutes discrimination.</p>	<ul style="list-style-type: none"> = There have been changes to the definition of disability in England, Scotland and Wales in relation to what constitutes a normal day-to-day activity. Normal day-to-day activities are taken to mean activities that people, not individuals, carry out on a daily or frequent basis. For example, using a computer. = Staff in England, Scotland and Wales are protected if they are perceived to have a disability or if they are associated with a person who is disabled. For example, if they are responsible for caring for a disabled family member. = In Northern Ireland, case law suggests that protection from discrimination arising from being associated with a disabled person applies. As for protection because of perceived disability, case law suggest that this is also extended in Northern Ireland, however some believe a reference from the European Court of Justice will be required to determine the boundaries of this. 	<ul style="list-style-type: none"> = Decisions on staff selection should not be affected by staff members' impairment or perceived impairment. Selection should be made on the basis of the quality of their research only. = Assumptions should not be made as to whether or not a member of staff has an impairment. = Carers of disabled people may be entitled to submit a reduced number of outputs if their caring responsibilities have affected their quantity of research outputs. = If a disabled researcher's impairment has affected the quantity of their research outputs, they may be eligible to submit a reduced number of outputs. = Reasonable adjustments should be made to ensure that disabled staff can produce research outputs. For example, provision of assistive software.
Gender reassignment	<p>The Equality Act 2010 and the Sex Discrimination (Northern Ireland) Order 1976 protect from discrimination trans people who have proposed, started or completed a process to change their sex.</p>	<ul style="list-style-type: none"> = Gender reassignment was not explicitly recognised in the RAE 2008. = In England, Scotland and Wales, staff do not have to be under medical supervision to be protected from discrimination because of gender reassignment. 	<ul style="list-style-type: none"> = Decisions on staff selection should not be affected by staff members' gender reassignment status, perceived status or association with someone undergoing gender reassignment. Selection should be made on the basis of the quality of their research only.

Characteristic	Current legislation	What's new since the RAE 2008	REF implication
	<p>The Gender Recognition Act 2004 gave enhanced privacy rights to trans people who undergo gender reassignment.</p>	<ul style="list-style-type: none"> = In England, Scotland and Wales staff are also protected if they are perceived to be undergoing or have undergone gender reassignment. They are also protected if they are associated with someone who has proposed, is undergoing or has undergone gender reassignment. = In Northern Ireland, case law suggests that protection from discrimination that arises by being associated with a person who has proposed, is undergoing or undergone gender reassignment applies. As for protection because one is perceived to be undergoing or have undergone gender reassignment, case law suggest that this is also extended in Northern Ireland, however some believe a reference from the European Court of Justice will be required to determine the boundaries of this. 	<ul style="list-style-type: none"> = If you acquire information about a person's status as a transsexual person in an official capacity eg. when selecting staff for submission to the REF, it is a criminal offence to pass the information to a third party without consent. Consequently, you must ensure that information you receive about gender reassignment is kept confidential. = Staff whose ability to work productively during the REF assessment period due to gender reassignment may be eligible to be submitted with a reduced number of research outputs. = Not all staff who were undergoing gender reassignment during the REF period will have medical evidence of transition.
<p>Marital or civil partnership status</p>	<p>Under the Equality Act 2010 and the Sex Discrimination (Northern Ireland) Order 1976 as amended, individuals are protected from unlawful discrimination on the grounds of marriage and civil partnership status.</p> <p>The protection from discrimination does not apply to single people.</p>	<p>Marriage and civil partnership were not explicitly recognised in the RAE 2008</p>	<ul style="list-style-type: none"> = Decisions on selection of staff should not be affected by staff members' marital or civil partnership status. They should be made on the basis of the quality of their research only.

Characteristic	Current legislation	What's new since the RAE 2008	REF implication
Political opinion (Northern Ireland only)	The Fair Employment and Treatment (Northern Ireland) Order 1998 protects staff from unlawful discrimination on the grounds of political opinion.	Political opinion was not explicitly recognised in the RAE 2008.	= Decisions on selection of staff should not be affected by staff members' political opinion. They should be made on the basis of the quality of their research only.
Pregnancy, maternity, paternity and adoption	<p>Under the Equality Act 2010 and the Sex Discrimination (Northern Ireland) Order 1976 women are protected from unlawful discrimination related to pregnancy and maternity.</p> <p>Work and Families Act 2006 and the Work and Families (Northern Ireland) Order 2006 give adopters of children entitlements to statutory and additional adoption leave and partners of new mothers entitlements to additional paternity leave.</p>	<ul style="list-style-type: none"> = Pregnancy, maternity, adoption and paternity were not explicitly recognised in the RAE 2008 and instead they were considered in relation to sex. = New paternity leave entitlements for partners of new mothers were introduced in April 2011 that enable them to take up to six months additional paternity. = Entitlements to six months additional adoption leave were also introduced from April 2011. 	<ul style="list-style-type: none"> = Decisions on selection of staff should not be affected by staff members' pregnancy or their having taken maternity or adoption leave. They should be made on the basis of the quality of their research only. = Staff who are on maternity leave or adopt a child should not be overlooked during an HEI's submissions process. = If a researcher has taken time out of work because of their pregnancy or they have taken maternity or adoption leave they may be eligible submitted with a reduced number of research outputs.
Race	The Equality Act 2010 and the Race Relations (Northern Ireland) Order 1997 protect HEI staff from unlawful discrimination connected to race. The definition of race includes colour, ethnic or national origins or nationality.	<ul style="list-style-type: none"> = In England, Scotland and Wales, staff are also protected if they are perceived to be or are associated with a person of a particular race. = In Northern Ireland, case law suggests that protection from discrimination that arises by being associated with a person or a particular race applies. As for protection because one is perceived to be of a particular race, case law suggest that this 	= Decisions on selection of staff should not be affected by staff members' ethnicity, their perceived ethnicity or association with someone of a particular ethnicity e.g. because research outputs are not in English (See paragraphs 128 – 130 of the REF Assessment framework and guidance on submissions. They should be made on the basis of the quality of their research only.

Characteristic	Current legislation	What's new since the RAE 2008	REF implication
		<p>is also extended in Northern Ireland, however some believe a reference from the European Court of Justice will be required to determine the boundaries of this.</p>	
Religion and belief	<p>The Equality Act 2010 and the Fair Employment and Treatment (Northern Ireland) Order 1998 protect HEI staff from unlawful discrimination to do with religion or belief.</p> <p>'Belief' includes any structured philosophical belief with clear values that has an effect on how its adherents conduct their lives.</p>	<ul style="list-style-type: none"> = In England, Scotland and Wales, staff are also protected if they are perceived to be or are associated with a person of a particular religion or belief. = In Northern Ireland, case law suggests that protection from discrimination that arises by being associated with a person or a particular religion or belief applies. As for protection because one is perceived to be of a particular religion or belief, case law suggest that this is also extended in Northern Ireland, however some believe a reference from the European Court of Justice will be required to determine the boundaries of this. 	<ul style="list-style-type: none"> = Decisions on the selection of staff should not be affected by staff members' religion or belief (including non belief), their perceived religion or belief or their association with someone of a particular religion or belief. They should be made on the basis of the quality of their research only.
Sex	<p>The Equality Act 2010 and the Sex Discrimination (Northern Ireland) Order 1976 protect HEI staff from unlawful discrimination to do with sex.</p> <p>The sex discrimination provisions of the Equality Act explicitly protect women from less favourable treatment because they are</p>	<ul style="list-style-type: none"> = In England, Scotland and Wales, employees are also protected because of their perceived sex or because of their association with someone of a particular sex. = In Northern Ireland, case law suggests that protection from discrimination that arises by being associated with a person or a 	<ul style="list-style-type: none"> = Decisions on selection of staff should not be affected by staff members' sex, perceived sex or association with someone of a particular sex. They should be made on the basis of the quality of their research only. = If a researcher has taken time out of work due to breastfeeding they may be

Characteristic	Current legislation	What's new since the RAE 2008	REF implication
	breastfeeding. There is no specific prohibition in Northern Ireland but similar protection may be afforded under the Sex Discrimination (Northern Ireland) Order 1976.	particular sex applies. As for protection because one is perceived to be of a particular sex, case law suggest that this is also extended in Northern Ireland, however some believe a reference from the European Court of Justice will be required to determine the boundaries of this.	eligible to be submitted with a reduced number of research outputs.
Sexual orientation	The Equality Act 2010 and the Employment Equality (Sexual Orientation) Regulations (Northern Ireland) 2003 protect HEI staff from unlawful discrimination to do with sexual orientation.	<ul style="list-style-type: none"> = Staff in England, Scotland and Wales are now protected if they are perceived to be or are associated with someone who is of a particular sexual orientation. = Interpretation of the law suggests that this protection has been in place for staff in Northern Ireland since 2003. 	<ul style="list-style-type: none"> = Decisions on selection of staff should not be affected by staff members' sexual orientation, their perceived sexual orientation or association with someone of a particular sexual orientation. They should be made on the basis of the quality of research only.
Welsh Language (Wales only)	The Welsh Language Act 1993 places a duty on public bodies in Wales to treat Welsh and English on an equal basis.	The requirements have been reinforced by the Welsh Language (Wales) Measure 2011.	<ul style="list-style-type: none"> = Panels should treat submissions made in Welsh equally to those made in English.

Individual characteristics recognised in

REF



= Age	= Religion & belief
= Disability	= Sex (including breastfeeding)
= Caring responsibilities (children, disabled and older people)	= Sexual orientation
= Gender reassignment	= Welsh language (Wales only)
= Marriage & civil partnership	= paternity and adoption
= Political opinion (Northern Ireland only)	= Part-time and fixed-term employment status
= Pregnancy & maternity	= Early career researchers
= Race	= Junior clinical academic (without CCT)

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These are the individual equality characteristics recognised within the REF. **Everyone present will be able to associate with several of the characteristics listed on the slides.**

Highlight that:

1. Characteristics listed in dark blue are reflective of equalities law and those in light blue employment law or REF specific.
2. With exception of political option (NI only) they are all covered by equalities law in England, Scotland, Wales and Northern Ireland.

3. The definition of disability includes ill health and mental health and progressive conditions e.g. HIV/AIDs and cancer from the point of diagnosis.
4. Language is not necessarily an issue in Wales alone. The REF makes provisions for researchers who have outputs published in different languages.
5. Employment law is also reflected eg part-time and fixed term employment status
6. Women who are pregnant or breastfeeding will be protected under both the Equality Act provisions and health and safety at work regulations. The latter may prevent them from undertaking certain types of work eg work that involves exposure to particular chemicals.
7. An early career researcher is not defined by their age but by the point at which they became an 'independent researcher'. Therefore someone could be an early career researcher aged 30 or 60.
8. Junior clinical academic staff who have not gained a CCT (Certificate of Completion of Training) by 31 October 2013 **applies to units of assessment 1-6 within Panel A only.**
9. There is also an **other** category for circumstances that may have affected a person's ability to conduct research that are not related to their teaching or administrative responsibilities.

Activity 1: The language of equalities and types of discrimination: Guidelines for trainers

This activity is designed to communicate information about equality terminology and discrimination quickly. Examples of discrimination could be interpreted differently to the answer sheet. This is not a problem as the aim of the exercise is to highlight among other things, the range of actions that could be discriminatory.

- = Provide each table or pair of staff with a copy of the template and the cards with the definitions and examples on. ECU recommends that the definition and example cards are different colours.
- = Allow staff 15 minutes to match the descriptions with the definitions and examples
- = Ask staff to (carefully) pass their completed template to the neighbouring table or pair and give them the answer sheet to check if the definitions and examples have been matched correctly. Provide staff with a copy of the answer sheet. Note staff with a legal or equalities background will have a competitive advantage! Allow 5 minutes for this and 5 minutes for any questions.
- = Provide list of institutional equality and diversity policies and structures that exist to support staff.

Timing: 25 minutes

Activity 1: The language of equalities and types of discrimination: Template

Equality Terminology (1)

Protected characteristics		
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Types of prohibited conduct (2)

Harassment		
Victimisation		
Direct Discrimination		
Indirect discrimination		

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Types of prohibited conduct (3)

Discrimination by association		
Discrimination by perception		
Discrimination arising from a disability		

Positive discrimination		
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Advancing equality (4)

Impact assessment		
Implementation of reasonable adjustments		
Inclusive environment (inclusive practice)		

Political correctness		
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Activity 1: The language of equalities and types of discrimination: Answers

Terminology (1)

Protected characteristics	The term used throughout the Equality Act 2010 to refer to: age, disability, gender reassignment, marriage and civil partnership, race, religion or belief, sex (gender), sexual orientation and pregnancy and maternity.	
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Types of prohibited conduct (2)

Harassment	Unwanted conduct related to a person's protected characteristic/s which has the purpose or effect either of violating a person's dignity or of creating an intimidating, hostile, degrading, humiliating or offensive environment for that person.	A member of staff is openly undergoing gender reassignment but does not want to declare it for REF purposes. Their head of department approaches them to discuss the matter and when they refuse to declare, they are persistently pursued by staff responsible for the institution's REF submission.
Victimisation	Treating a person unfavourably because they have taken (or might be taking) action under the Equality Act or supporting somebody who is doing so.	A member of staff questions why their colleague was not selected for the REF. They feel that it is because their colleague is gay. The member of staff complains and because they are seen as a 'trouble maker' their submission to the REF is withdrawn.

Direct Discrimination	Different treatment of two individuals where the reason for the difference in treatment is a protected characteristic.	A man took a period of additional paternity leave and a woman took a period of maternity leave. They both took six months leave, are in the same unit of assessment and both meet institutional criteria. The man is not submitted because he took additional paternity leave.
Indirect discrimination	A practice or policy or action which may at first appear neutral in its effects, but at closer examination disproportionately and adversely affects a person's protected characteristic.	Methods used to communicate REF processes have not been developed in consideration of the requirements of different staff groups. This results in some women who are on maternity leave not being considered in the selection process.

Types of prohibited conduct (3)

Discrimination by association	Where a person does not have a protected characteristic themselves but is treated less favourably because of their relationship with someone who does e.g. the parent of a disabled child.	A member of staff's research is not submitted to the REF because their partner is Polish.
Discrimination by perception	Acting or behaving in a discriminatory way towards a person due to the belief that they have a protected characteristic, whether or not they have such a characteristic.	A member of staff is not submitted to the REF because their head of department thought that they are in their 30s and would consequently have a less established research record than older staff.

Discrimination arising from a disability	Treating a disabled person unfavourably because of something arising from their impairment.	A member of staff's research is not submitted because they are undergoing treatment for cancer. Their manager does not want to worry them about work related activities at this point in time.
Positive discrimination	Unlawful action taken by an HEI to overcome disadvantage for some protected groups who are socially or economically excluded.	Including a black member of staff in the submission because of their ethnicity as opposed to including them because of the quality of their research.

Advancing equality (4)

Impact assessment	A systematic process of review of policies, procedures, practices, plans and strategies to identify and mitigate against any discriminatory practice.	
Implementation of reasonable adjustments	Taking steps to ensure disabled staff, students and visitors are not placed at a 'substantial' disadvantage by the way an institution operates. It includes removing or modifying barriers which disable people, as well as providing auxiliary aids and services.	

Inclusive environment (inclusive practice)	A setting which is designed to recognise, celebrate and promote equality and diversity. The approach considers attitudes as well as behaviour and practices.	
Political correctness	Deliberately using expressions, actions or language so as not to marginalize or insult people who are disadvantaged or discriminated against.	

5: Identifying clearly defined and complex staff circumstances and using tariffs

Individual staff circumstances and reduced research outputs



Panel criteria allow for reduction in research outputs in relation to:

1. Clearly defined circumstances

- = Clear period/s of leave during the REF period
- = Part time working
- = Early career researcher/ Junior clinical academics without CCT

2. More complex circumstances

- = Allows for disruption to research of an ongoing or sporadic nature during the REF period due to an equality related reason
- = May include clearly defined periods of leave

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2. **Complex circumstances:** for example, disability, constraints relating to pregnancy or maternity in addition to clearly defined period of leave, caring responsibilities, gender reassignment, other circumstances related to protected characteristics

Highlight why pregnancy and maternity in both clearly defined and complex circumstances – takes account of complications arising from pregnancy and maternity eg pregnancy related illness, post natal depression, lack of appropriate childcare available at time of planned return to work.

Other circumstances related to equality are also recognised (not teaching and administrative responsibilities). For example, harassment and events that can affect psychological and mental wellbeing such as bereavement, domestic violence and so forth.

If panel criteria are met, these circumstances will entitle a researcher to a reduction in outputs.

The REF Assessment framework and guidance on submissions recognises two types of individual staff circumstances:

1. **Clearly defined:** for example, early career researchers, part time working, maternity, paternity or adoptive leave, secondments or career breaks and junior clinical academics without CCT (Certificate of Completion of Training).

**[institution name] processes for handling
clearly defined and complex
circumstances**



As appropriate to staff receiving training, provide information on how your institution will:

- = find out if staff have a circumstance that may be taken in to consideration
- = handle clearly defined
- = handle complex circumstances

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Trainers will need to provide institutional information.

Activity 2: Identifying clearly defined and complex circumstances: guidelines for trainers

a) Scenarios

- = Ask each table to identify which are clearly defined circumstances and which are complex circumstances.
- = Allow 5 minutes for the activity.
- = Allow 1-3 minutes to read out the answers and to take any questions arising.

Time: 8 minutes

b) Calculating tariffs for clearly defined circumstances

This activity is optional for staff who are not involved in calculating clearly defined circumstances. However, it will be of help to all staff to be aware of how reductions in research outputs are calculated for clearly defined circumstances.

- = Ask staff to work in pairs and calculate the clearly defined circumstances based on the panel criteria (tables) provided.
- = Allow 10 minutes for the activity
- = Provide delegates with the answer sheet and allow a couple of minutes for questions

Multiple reductions in outputs are allowed. For example a person would be entitled to a reduction in output for maternity leave and a reduction in output based on the full time equivalent worked.

Time: 12 minutes

Activity 2a: Identifying clearly defined and complex circumstances

Identify which are clearly defined circumstances and which are complex circumstances:

1. Dr Qureshi first met the definition of an early career researcher (ECR) on 31 September 2009. Since becoming an ECR, she has taken two periods of maternity leave during the REF period. One period of maternity leave was for 120 days and the other period for 1 year.
2. Professor Woodrow has had breast cancer during the REF period and continued to work while receiving treatment. She took 5 months off work and returned to work on a part-time basis for two years. She received chemotherapy for six months when working part time and while she kept up to date on developments in her field, her research was affected.
3. Dr Palmier took one period of additional paternity leave during the REF period lasting 5 months and throughout the REF period has been caring for his mother who has macular degeneration and lives with him.
4. Professor Johnston was on secondment in industry for 1 year and 68 days.
5. Dr Esposito experienced sexual harassment from her colleagues and an HEI investigation supported her complaint and her claim that the harassment significantly disrupted her research. It is estimated that her research was disrupted for 2 years.
6. Dr Annan took one period of maternity leave for 3 months, two periods of statutory adoption leave for 6 month and was seconded to industry during the REF period for 4 months.

Activity 2b: Calculating tariffs for clearly defined circumstances

For the clearly defined circumstances, calculate the number of outputs that the staff member will be required to submit based on the panel criteria as outlined below.

Detailed information on the tariffs for clearly defined circumstances can be found in the REF Panel criteria and working methods www.hefce.ac.uk/research/ref/pubs/2012/01_12/

Early career researchers: permitted reduction in outputs

Date at which the individual first met the REF definition of an early career researcher:	Number of outputs may be reduced by up to:
On or before 31 July 2009	0
Between 1 August 2009 and 31 July 2010 inclusive	1
Between 1 August 2010 and 31 July 2011 inclusive	2
On or after 1 August 2011	3

Part-time working, secondments or career breaks: permitted reduction in outputs

Total months absent between 1 January 2008 and 31 October 2013 due to working part-time, secondment or career break:	Number of outputs may be reduced by up to:
0-11.99	0
12-27.99	1
28-45.99	2
46 or more	3

Qualifying periods of maternity, paternity or adoption leave

Individuals may reduce the number of outputs by one, for each discrete period of:

- a) Statutory maternity leave or statutory adoption leave taken substantially during the period 1 January 2008 to 31 October 2013, regardless of the length of the leave.
- b) Additional paternity or adoption leave lasting for four months or more, taken substantially during the period 1 January 2008 to 31 October 2013.

Activity 2a and 2b: Identifying clearly defined and complex circumstances: answers

1. Clearly defined and 1 output to be submitted as: 1 x ECR reduction, 2 x maternity leave reduction
2. Complex circumstance
3. Complex circumstance
4. Clearly defined circumstance and 3 outputs to be submitted as out of research for total of 14 months and 8 days. Calculation based on average of 30 days per month.
5. Complex circumstance
6. Clearly defined and 1 output to be submitted as: 1 x reduction for maternity, 2 x for statutory adoption leave. At least one output has to be submitted and secondment to industry was not sufficiently long enough to be considered.

6: Implications for staff responsible for selecting staff for submission to the REF

Implications for your role



- = Understanding and observing institutional REF policies
- = If involved in the development of policies for the selection of staff ensuring that equality has been considered in the development of policies and procedures
- = Ensuring decisions on selection are purely based on research quality and not a staff members personal characteristics
- = Being aware of circumstances that may entitle staff to a reduction in research outputs
- = Considering equality provisions when discussing REF submissions with staff

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Staff who are eligible to be submitted to the REF will be aware of your role in the REF as we are required to include your name and role/the committees role in our REF code of practice. Consequently you may be approached by members of staff seeking advice.

Information on staff who are eligible for submission can be found in the REF Assessment framework and guidance on submissions but the term applies to staff who hold a contract of employment of 0.2 FTE or greater and are on the payroll of the institutions on the REF census date of 31 October 2013. In addition, their primary employment function should be to undertake either 'research only' or 'teaching and research'. See Part 3 of the REF Assessment framework and guidance on submissions.

In addition to the points on the slide highlight the following:

[Institution name] REF policies for selecting staff have been assessed to ensure that they do not negatively impact on a particular staff group eg impact assessment has taken place. You can expand here on the institution's activities.

Activity 3: REF scenarios: guidelines for trainers

This activity is designed to bring together learning on the equality law and the institution's REF processes and procedures. It is also designed to reinforce the need to consider and ensure confidentiality.

1. You may wish to amend this activity to ensure that it is reflective of legislation that applies to the country in which your institution is based only.
2. Depending on the length of the training session, allocate between two and four scenarios per table ensuring that the range of scenarios are considered.
3. Remind people of the handout in their packs about developments in equalities law since the RAE 2008.
4. Allow 10-15 minutes per scenario for reading and discussion
5. Ask staff to feed back on the scenarios that they have discussed allowing 2-3 minutes per scenario. You may want to ask staff at each table to feed back on a different scenario.
6. If necessary, during the feedback session add key points from the issues arising sheet.
7. Refer staff to the issues arising sheet.

Minimum time: 35 minutes

Maximum time: 1 hr 20 minutes

Activity 3: REF scenarios

Scenario 1

A member of staff who has taken a 6 month period of Additional Paternity Leave during the REF period approaches you. He has been informed by his manager that his research will not be included in the institution's REF submission. His manager is aware that he has had time out of research during the REF period for paternity leave but has said that he needs to submit four research outputs of the required quality to be considered by the institution for REF submission. A woman who has taken maternity leave has been told that she only needs submit three research outputs of the required quality to be considered for submission.

- a. Do you have any concerns?
- b. How do you advise the member of staff?

Scenario 2

A member of staff in your department has had mental health difficulties during the REF period and you know that in the past they have taken time out of research due to their mental health. You know that the time out amounts to more than 12 months. The member of staff has declared their circumstances and you understand that they were informed that if they were submitted, they would be submitted with a reduced number of outputs. They approach you as they have been informed that due to the quality of their research, they will not be submitted to the REF.

- a. Do you have any concerns?
- b. How do you advise the member of staff?

Scenario 3

A member of staff approaches you as they are concerned that they are not being included in their institution's REF submission because they are now working part-time and plan to retire in 2014. Their outputs meet institutional criteria but they understand that if they were to be included a further impact case study would have to be provided. They have complained to their Head of Department who explained that they are not being included to give younger researchers an opportunity for inclusion.

- a. Do you have any concerns?
- b. How do you advise the member of staff?

Scenario 4

You overhear senior staff in your department talking about REF submissions. One of them is laughing in disbelief as apparently an early career researcher (ECR) has said that they should only be required to submit two research outputs. It is not because of when the researcher met the REF definition of an ECR, it is because she cares for her disabled mother and feels that this has considerably disrupted her ability to conduct research. The staff member who is laughing remarks, 'Most of us in the department care for our parents, since when did the fact that they are disabled make a difference. In fact, my mother is probably disabled!'

- a. Do you have any concerns?
- b. How do you advise the member of staff?

Activity 3: REF scenarios: Issues arising

Scenario 1

Do you have any concerns?

- = If the institution proceeds with approach of not allowing the man to have a reduction in output, it could constitute sex discrimination under the Equality Act 2010 or the Sex Discrimination (Northern Ireland) Order 1976.

How do you advise the member of staff?

- = Based on the panel criteria which are reflected in the [insert institution's name] code of practice, they are entitled to submit a reduced number of research outputs. In this case, a reduction of one output unless there are other circumstances related to equality.
- = The member of staff could approach [insert details e.g. designated institutional REF contact/HR etc.] regarding the matter.
- = You may also offer to approach his manager directly but the scenario raises the issue that managers more generally may not be aware of the [institution's name] code of practice on the selection of staff therefore, you may want to raise the issue with the [institution's name] REF manager.

Scenario 2

Do you have any concerns?

- = The member of staff may feel that the reason they have not been submitted is because they have had mental health problems during the REF period.
- = However, on the basis of the information that you have to hand the [institution's name] appears to have taken this into consideration. The institution could be in breach of the Equality Act 2010 or the Disability Discrimination Act 1995 (Northern Ireland) if it did not take mental health problems into consideration that had lasted or were expected to last for twelve months or more and had a substantial affect on the person's ability to carry out normal day-to-day activities.

How do you advise the member of staff?

- = Confirm with the member of staff that they were informed that they would have been able to submit a reduced number of outputs.
- = The member of staff needs to be made aware that [institution's name] can only reduce the number of outputs required in line with panel criteria.
- = As the REF is a competitive exercise for funding allocation in the sector [institution's name] has developed a strategy and criteria that means for certain units of assessment, researchers are required to produce research outputs categorised at a particular level.
- = Refer the researcher to the various mechanisms in place to support researcher development.

Scenario 3

Do you have any concerns?

- = The circumstances described by the researcher could constitute age discrimination under the Equality Act 2010 or the Employment Equality (Age) Regulations (Northern Ireland) 1976. If full-time staff were being prioritised over part-time staff this could also be in breach of the Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000 that apply in all four countries of the UK.

How do you advise the member of staff?

- = Member of staff should approach [insert details e.g. designated institutional REF contact/HR etc.] regarding the matter.
- = You may also offer to approach his manager directly but the scenario raises the issue that managers more generally may not be aware of the [institution's name] code of practice on the selection of staff therefore, you may want to raise the issue with the [institution's name] REF manager.

Scenario 4

Do you have any concerns?

- = Staff should not be discussing staff personal circumstances in public as in some cases information will be confidential and may be considered personal sensitive information under the Data Protection Act. If other staff heard, it may put them off disclosing their circumstances.
- = Not giving a reduction in line with panel criteria may constitute discrimination because of disability under the Equality Act 2010 or

Section 75 of the Northern Ireland Act 1998. The researcher is associated with a disabled person.

- = The early career researcher (ECR) may be entitled to a further reduction in outputs and may appeal and/or take action against [insert institution name]

How do you advise the member of staff?

In this case it is likely that it will be better for you to approach the staff members who are having the conversation directly and speaking to them in a private space. The purpose of this would be to ensure that they are aware:

- = that they should not discuss staff personal circumstances in public
- = of [insert institution's name] code of practice on the selection of staff
- = that caring responsibilities are recognised under the Equality Act 2010 and Section 75 of the Northern Ireland Act 1998 and that depending on the nature of their caring responsibilities, they may be entitled to submit a reduced number of research outputs

You may also want to approach your designated institutional REF contact to ensure that your [insert institution's name] code of practice on the selection of staff is being communicated properly.

Ensuring confidentiality



- = Information about a staff member's disability, sexual orientation or gender identity is classified as personal sensitive information under the Data Protection Act and cannot be passed on without explicit consent
- = If a person passes on information about a person's gender identity without the individual's permission they may be liable for criminal proceedings

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Information that staff responsible for selection receive in the course of their work about staff personal circumstances should only be handled and discussed in line with [insert institution's name] code of practice on the selection of staff.

If a member of staff requests complete confidentiality information cannot be passed on from that point. If staff are happy for information to be passed on it is important to ensure that the systems in place for the REF are used to ensure confidentiality. [Provide information here on appropriate systems if not already covered].

If a staff member requests that information is not passed on you will be limited in the steps that you can take. For instance, if the individual's circumstances are complex and the reduction has to be approved by the REF Equality and Diversity Panel, information will need to be provided.

Breaches to confidentiality can be justified eg if it is in the interest of the safety of the public or the individual, but it is highly unlikely that this would be justifiable in the context of the REF. In the event that you are concerned about the safety of the public or the individual seek advice from your institution's equality and diversity adviser or equivalent and describe the circumstances only.

7: Complex staff circumstances

Handling complex circumstances



- = Confidentiality
- = Requesting further information where appropriate
- = Key considerations when working out number of research outputs to be submitted:
 - establish timeframe affected in line with panel criteria eg not just periods of leave but overall period of time research affected.
 - If working during period affected consider impact on ability to conduct research eg effectiveness of reasonable adjustments, ability to conduct or focus on research work, impact on mental wellbeing and so forth.

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This section of the training is designed for staff handling complex staff circumstances. However, you may find it useful for all staff involved in the REF.

As highlighted above, confidentiality is vital in relation to staff declaration of personal circumstances for the REF. All eligible staff are being asked to provide information on their circumstances on a declaration form [provide institutional information as appropriate].

However, should you feel that the information provided is unclear or lacking then do ask for further information to inform your decision making.

The additional information requested should not go beyond what would normally be required for:

- = managing staff absence, including disability related absence
- = making reasonable adjustments
- = referrals to occupational health
- = ensuring health and safety
- = ensuring staff wellbeing at work
- = managing extenuating personal circumstances

If a staff member has already informed their line manager (or equivalent) of their circumstances, this information should already be available and the staff member should not be required to produce additional information to support their disclosure form.

Key considerations when working out the number of research outputs to be submitted:

- = the impact on the researchers ability to conduct research
- = the time period affected

Activity 4: Complex circumstances: Guidelines for trainers

This activity is optional for staff who are not involved in handling complex staff circumstances. However, it may be useful for all staff involved in the REF. The examples are selected from the case studies that are available on ECU's website at: <http://www.ecu.ac.uk/documents/ref-materials/complex-circumstances-examples>.

Trainers can add and use different case studies as they wish.

- = Ask staff to work in pairs and allocate the scenarios. If staff being trained are responsible for complex staff circumstances, it may be appropriate to ask them to look at all four scenarios. If they are not, looking at one or more scenarios will be sufficient but allocate the scenarios to ensure that a range is considered.
- = Ask each pair to read through a specified number of scenarios and determine the number of outputs that are likely to be required in relation to the panel criteria and the impact of the circumstances on the individual's ability to conduct research. The information they need is provided at the top of the activity sheet.

Staff will need to:

- = establish timeframe affected in line with panel criteria eg not just periods of leave but overall period of time research affected.
- = if the person was working at [name of institution] during the period affected, consider the impact on their ability to conduct research eg effectiveness of reasonable adjustments, ability to conduct or focus on research work, impact on mental wellbeing and so forth.
- = Refer staff to the panel criteria (tables) as outlined in Activity 2.
- = Allow 10-15 minutes per scenario for discussion and calculation
- = Ask staff to feed back on the scenarios that they have discussed allowing 2-3 minutes per scenario.
- = Provide delegates with the answer sheet and in relation to each scenario discussed, highlight the rationale of the Equality and Diversity Advisory Panel. Allow 5 minutes per scenario.

Minimum time: 25 minutes

Maximum time: 1 hr 20 minutes

Activity 4: Complex circumstances: Scenarios

Determine the number of outputs that are likely to be required in relation to the panel criteria and the impact of the circumstances on the individual's ability to conduct research

Key considerations when working out number of research outputs to be submitted:

- = establish timeframe affected in line with panel criteria e.g. Not just periods of leave but overall period of time research affected.
- = If present at [name of institution] during the period affected consider the impact on their ability to conduct research eg effectiveness of reasonable adjustments, ability to conduct or focus on research work, impact on mental wellbeing and so forth.

Scenario 1

Dr Jenkins' first period of maternity leave was from 21 April 2010 to 31 January 2011.

In March 2011 it became evident that Dr Jenkins was having difficulties returning to her research and in July 2011 she was diagnosed with postnatal depression.

Following the diagnosis Dr Jenkins was signed off work for 2 weeks, referred for counselling and prescribed antidepressants.

From 01 October 2011 Dr Jenkins started to work on a 0.6 FTE basis. Her ongoing recovery from postnatal depression meant that from this point there was minimal disruption to her research.

Dr Jenkins took a second period of maternity leave from 21 March 2013. She is due to return to work in January 2014.

Effect on research

The effects on Dr Jenkins' contracted hours were 2 periods of maternity leave, 2 weeks sick leave and 17 months working on a 0.6 FTE basis. Additionally, her research was disrupted during the period by postnatal depression. Dr Jenkins was diagnosed with postnatal depression in July 2011, which caused significant disruption to her research until October 2011. The condition began causing disruption to her research from March 2011, which is supported by advice from occupational health. Occupational health advised that, as postnatal depression usually starts in the first year after birth, it is likely to have affected Dr Jenkins prior to July.

Scenario 2

Professor Obabanjo's partner was diagnosed with multiple sclerosis in December 2010.

Following the diagnosis his partner's condition rapidly deteriorated and in October 2011 it was recognised that a 24 hour carer was required.

Professor Obabanjo experienced considerable difficulty arranging appropriate care and he took unpaid leave for a period of six months from November 2011 to May 2012.

On his return to work in June 2012 Professor Obabanjo worked 0.8 FTE for the remainder of the REF period.

Since June 2012, Professor Obabanjo has received support from his local authority but he continues to accompany his partner to relatively frequent hospital appointments (every couple of weeks on average).

Effect on research

- = 6 months unpaid leave November 2011 to May 2012
- = 0.8 FTE from June 2012 to October 2013

Professor Obabanjo also had to cope with the rapid deterioration in his partner's condition from December 2010 to October 2011 when he was undertaking his contracted hours. During this period Professor Obabanjo was unable to devote sufficient time to his research into nanoparticles, which resulted in the findings being delayed.

Scenario 3

Dr Woods developed symptoms of carpal tunnel syndrome in both his wrists in March 2011. After taking six weeks off work, it was diagnosed in May 2011.

Following the diagnosis a number of adjustments were made to Dr Woods' working arrangements that proved ineffective.

Dr Woods started to use voice recognition software in June 2011 and it took him approximately four months to train the software and fully adjust to a different way of working.

Effect on research

Dr Woods' research was affected from March 2011 to October 2011.

In addition to the 6 weeks leave, the period following his return to work was disrupted as adjustments made to his working arrangements proved ineffective. This meant his ability to conduct and write up research during this period was restricted. Further disruption occurred from June until October 2011 while he adjusted to voice recognition software as he could not undertake research at his usual rate as he adjusted to new methods of working.

Scenario 4

Professor Morgan ended a relationship with a colleague in June 2010. Following this, he began receiving unpleasant messages and threats from his colleague, who also spread malicious rumours about him within his field of research.

Initially Professor Morgan ignored the threats and messages but his colleague lodged a complaint against him alleging sexual assault, which they had also reported to the police.

The university placed Professor Morgan on suspension for a period of two months from December 2010 while the alleged assault was investigated by the police.

While on suspension, Professor Morgan was violently attacked by his colleague and a restraining order was applied for and granted.

The police and university investigation cleared Professor Morgan of the alleged sexual assault and he was reinstated to his post in February 2011.

Professor Morgan was unable to return to work until April 2011 due to depression and injuries that he suffered in the attack.

The colleague's trial took place in March 2012 and prior to the trial and subsequent imprisonment, security at Professor Morgan's office was increased as the colleague violated the restraining order on a number of occasions.

Effect on research

Professor Morgan's research was affected from June 2010 to March 2012. He was suspended for 2 months and took 2 months sick leave due to depression and injuries suffered in the attack. During the affected period Professor Morgan's reputation within his field was damaged, the case was also reported in local media and his ability to focus on and conduct research was considerably disrupted.

Activity 4: Complex circumstances: Answers

Scenario 1

Calculation of reduction of outputs:

Reduction of two outputs for two discrete periods of maternity leave

Reduction of one output for:

- = 6.8 months due to working 0.6 FTE for 17 months
- = 0.5 months sick leave
- = Additional disruption due to postnatal depression for approximately 7 months

Total: 2 x periods of maternity leave, plus 7.3 months absence and 7 months disrupted research.

Proposed reduction in outputs: 3

Rationale of the funding bodies' Equality and Diversity Advisory Panel (EDAP):

The advisory panel recommended to the Main Panel Chair that the case for a reduction of three outputs is accepted.

Dr Jenkins is entitled to a reduction in two outputs for two periods of maternity leave during the REF period. The advisory panel also recognise that Dr Jenkins' should be given a further reduction in outputs due to a combination of postnatal depression and working 0.6 FTE for 17 months. The panel recognises that while Dr Jenkins was diagnosed in July 2011 with postnatal depression, the period in which her research was affected began in March 2011.

Scenario 2

Calculation of reduction of outputs:

Reduction of 1 output for:

- = 6 months unpaid leave November 2011 to May 2012
- = 3.2 months absence due to working 0.8 FTE from June 2012 to October 2013
- = Disruption to research for 10 months

Total: 9.2 months, plus disruption to research for 10 months.

Proposed reduction in outputs: 1

Rationale of the funding bodies' EDAP:

The advisory panel recommended to the Main Panel Chair that the case for a reduction of one output is accepted.

The panel noted that Professor Obabanjo was absent from academic duties for a total of 9.2 months during the REF period. However, the panel recognises that Professor Obabanjo's research was also affected by the rapid deterioration in his partner's condition that occurred over a 10 month period between December 2010 and October 2011.

Scenario 3

Calculation of reduction of outputs:

Reduction of one output for a period of 7 months, due to the development of an impairment that would be considered a disability under the Equality Act 2010 and the Disability Discrimination Act 1995 (Northern Ireland), and time for effective reasonable adjustments to be implemented.

Total: 7 months

Proposed reduction in outputs: 1

Rationale of the funding bodies' EDAP:

The advisory panel recommended to the Main Chair Panel that the case for a reduction of one output is not accepted.

The advisory panel recognises that it can take time for staff to receive a diagnosis and in some cases for effective reasonable adjustments to be implemented. However, the panel felt that the total time affected was not comparable to the tariff outlined in table 2, part 1 of the Panel Criteria and Working Methods.

Scenario 4

Calculation of reduction of outputs:

Reduction of 1 output for:

- = 4 months' absence
- = Disruption to research from June 2010-March 2012

Total: 4 months plus additional disruption to research

Proposed reduction in outputs: 1

Rationale of the funding bodies' EDAP:

The advisory panel recommended to the Main Panel Chair that the case for a reduction of one output is accepted.

The panel recognises that while Professor Morgan was only absent from research for 4 months, his ability to conduct research between June 2010 to March 2012 would have been significantly affected due to the impact of allegations and actions of his colleague on his mental and physical wellbeing.