

Cyngor Cyllido Addysg
Uwch Cymru
Higher Education Funding
Council for Wales

Cwrt Linden
Clos Ilex Llanisien
Caerdydd CF14 5DZ
Ffôn 029 2076 1861
Ffacs 029 2076 3163
www.hefcw.ac.uk

Linden Court
Ilex Close Llanishen
Cardiff CF14 5DZ
Tel 029 2076 1861
Fax 029 2076 3163
www.hefcw.ac.uk

hefcw

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Circular

Research Excellence Framework: Reviewing Codes of Practice

Date: 24 November 2011
Reference: W11/45HE
To: Heads of higher education institutions in Wales
Response by: 27 April 2012 or 31 July 2012
(Responses to be submitted to REF Team)
Contact: Name: Linda Tiller
Telephone: 029 2068 2228
Email: linda.tiller@hefcw.ac.uk

This Circular sets out HEFCW's arrangements for reviewing codes of practice on the fair and transparent selection of staff for submission to the 2014 Research Excellence Framework (REF 2014).

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Introduction

1. This Circular sets out HEFCW's arrangements for reviewing codes of practice on the fair and transparent selection of staff for submission to the 2014 Research Excellence Framework (REF2014).
2. These arrangements were agreed by the HEFCW Council in October and have also been agreed by the higher education (HE) funding bodies for England, Scotland and Northern Ireland, who are writing to their own institutions in similar terms.

Background

3. The REF *Assessment Framework and Guidance on Submissions* (REF 02.2011, available at <http://www.ref.ac.uk>), which the REF team published in July, requires that each university or college submitting to the REF develops, documents and applies a code of practice on the fair and transparent selection of staff for REF submissions. To support higher education institutions (HEIs) in meeting their own obligations in law, the REF team also gave detailed guidance (in REF 02.2011) on drawing up codes of practice: that guidance provides a common framework for institutions' development of policies and procedures within the REF, but does not generate obligations beyond those that HEIs will in any case need to address. It is the responsibility of HEIs to ensure that their codes of practice, and the manner in which they participate in the REF, are lawful.
4. The REF requirements, and associated guidance, have been developed following advice from a specially convened Equality and Diversity Advisory Group which includes members from the Equality Challenge Unit.

Reviewing codes of practice

5. Each UK institution must submit its code of practice to the REF team no later than **Tuesday 31 July 2012** and the funding bodies will publish all codes of practice alongside REF submissions at the conclusion of the exercise. If we need to ask an institution to amend its code of practice, we will publish the resubmitted code at the conclusion of the exercise. HEFCW will write in August 2012 to the head of any institution in Wales that does not submit a code of practice by 31 July 2012 to acknowledge the institution's decision not to submit a code and to confirm the institution's ineligibility to submit to REF2014.

6. The REF team is also offering an earlier optional submission date of 27 April 2012 for those institutions whose code of practice is ready for earlier submission and who wish to receive earlier confirmation from their funding body that their code meets the REF published requirements. Institutions may only submit their code of practice once; the earlier deadline is not an opportunity to gain feedback to inform further development of the code.
7. Paragraphs 10 to 13 explain the process that we will follow for reviewing each code of practice and how we will liaise with an institution if its code does not meet the published requirements. The timetables we will follow for submissions made by 31 July 2012 and for the earlier optional deadline of 27 April 2012 are as follows:

Action	(Optional) April deadline	July deadline
Institution submits code of practice to REF team	By 27 April 2012	By 31 July 2012
In Wales, HEFCW notifies institution that code of practice meets REF requirements; or requests resubmission of the code of practice	By 6 July 2012	By 12 Oct 2012
(Where required) institution resubmits code of practice to HEFCW	By 3 August 2012	By 9 Nov 2012
HEFCW notifies institution that code of practice meets REF requirements; or requests a second resubmission of the code of practice	By 28 Sept 2012	By 4 Jan 2013
Institution resubmits code of practice to HEFCW	By 5 October 2012	By 11 Jan 2013
HEFCW notifies institution whether or not code of practice meets REF requirements	By 19 October 2012	By 25 Jan 2013

8. The timetables are intended to allow:
- sufficient time for scrutiny of all institutions' codes of practice
 - adequate time for revision of codes by institutions if this is required by us
 - a minimum 10-month period between us agreeing that a code of practice meets the REF published requirements and the actual REF submission deadline.

9. The timetables indicate the latest dates that we expect to respond to institutions at each stage in the process; if only a few cases require liaison with institutions we will aim to respond more quickly.

Process

10. The four HE funding bodies have agreed that all codes of practice submitted to REF2014 will be reviewed against the requirements set out in REF 02.2011, initially by a newly convened REF Equality and Diversity Advisory Panel (EDAP). The EDAP will provide advice to the REF team, REF panel chairs and the UK funding bodies on implementing the REF equality and diversity measures, particularly during the assessment phase. It comprises experts from the sector and members of REF panels. Its terms of reference and membership will be available before the end of this year on the REF website at <http://www.hefce.ac.uk/research/ref/equality/>
11. The EDAP will advise the funding bodies on the adherence of institutions' codes of practice to the REF guidance. Thereafter each funding body, rather than the REF team, will liaise with its institutions directly.
12. Following either submission deadline, and taking account of the EDAP's advice, if HEFCW judges that a code of practice from a Welsh HEI meets the REF published requirements, we will advise the head of institution of this within 11 weeks.
13. If a code of practice does not meet the published requirements:
 - a. We will write within 11 weeks to inform the head of the HEI of exactly the nature of the shortcomings and what needs to be done to comply with the requirements.
 - b. We will ask the institution to address this feedback and to submit to HEFCW within four weeks:
 - i. a revised code of practice; and
 - ii. a description of how the institution has or will communicate to its staff and implement any necessary changes in its procedures in the period before it finalises its REF submission.
 - c. We will then review the revised code of practice and within eight weeks from the date of re-submission either:
 - i. advise the head of institution that the revised code has met the REF published requirements; or

- ii. advise the head of institution and the chair of the board of governors that the code still does not satisfy the published requirements, and explain what needs to be done to satisfy them.
 - d. We will ask the institution to address this new feedback and to submit to HEFCW within one week:
 - i. a newly revised code of practice; and
 - ii. a description of how the institution has or will communicate to its staff and implement any necessary changes in its procedures in the period before it finalises its REF submission.
 - e. We will review the newly revised code of practice and within two weeks from the date of its submission will advise the head of institution whether or not the newly revised code has met the REF published requirements.
 - f. If an institution's code of practice still does not meet the REF published requirements after two attempts by us to help it to do so, we reserve the right to inform the institution that it is ineligible to enter the REF2014. In this case, we would write to notify the head of institution and chair of the board of governors as soon as reasonably possible, subject to any further advice we may need to take.
- 14. The same procedures and timetable will also apply in all other parts of the UK.
- 15. Our guidance on codes of practice and the process of approval are designed to help ensure that we and the other three HE funding bodies conduct the REF in accordance with our duties under the Equality Act 2010. Institutions have their own legal obligations and it is the responsibility of institutions to ensure that their codes of practice and the manner in which they participate in the REF are lawful.

Further information

- 16. Any queries arising from this Circular should be addressed to Linda Tiller (telephone 029 2068 2228; email linda.tiller@hefcw.ac.uk).