

# REF 2021 consultation on the draft guidance and criteria

## Page 2: Respondent details

Q1. Please indicate who you are responding on behalf of:

Subject association or learned society

Q2. Please provide the name of your organisation.

BILETA (British and Irish Law Education and Technology Association)

Q3. If you would be happy to be contacted in the event of any follow-up questions, please provide a contact email address.

abbe.brown@abdn.ac.uk

Q4. If your response is in relation to specific main panels, please indicate which one(s):

Main Panel C: Social Sciences (Sub-Panels 13-24)

Main Panel D: Arts and Humanities (Sub-Panels 25-34)

Q5. We are seeking views during the consultation on both the draft guidance on submissions and the draft panel criteria and working methods. Please select the documents for which you would like to provide a response:

Guidance on Submissions only

## Page 3: Guidance on submissions: Part 1: Overview of the assessment framework

Q6. 1a. The guidance is clear in 'Part 1: Overview of the assessment framework':

Agree

## Page 4: Guidance on submissions: Part 2: Submissions

Q7. 2a. The guidance is clear in 'Part 2: Submissions':

Agree

## Page 5: Guidance on submissions: Part 3, Section 1: Staff details (REF1a/b)

Q8. 3a. The guidance is clear in 'Part 3, Section 1: Staff details':

Agree

**3b. Please provide any comments on Part 3, Section 1. (Indicative 300 word limit)**

1. 'significantly responsible for research' We note that this test, and the need for all such people to submit one output, is introduced to reduce 'gaming'. From discussions with our membership we think, however, that this generates a different risk. Staff are on teaching and research contracts who would meet the "significantly responsible" test may be forced/strongly encouraged to move to contracts where they undertake teaching and administration and would be outside the "significantly responsible" test. We are particularly concerned about the situation when outputs have been prepared and there is disagreement after institutional internal review (possibly involving external review too) about whether this meets the 3 star level. Once colleagues move to teaching contracts, the increased teaching hours will make it very difficult to produce research outputs at 3 star level, thus making this a final decision. Equality of opportunity issues that may result, especially for those less able to produce research outputs in their own personal time. There may also be reduction in opportunity for early career staff who have not yet had an opportunity to prove themselves. We suggest that detailed guidance is provided as to how institutions should address these points in the draft guidance on codes of practice. 2. For ECRs, we suggest that the cut off date of 1 Aug 2016 (para 126) for ECRs is too limited. We suggest that a 7 year period, consistent with the approach taken by RCUK is adopted, so 1 August 2014.

Q10. 5a. Do you agree with the proposed eligibility of seconded staff set out at paragraphs 121.c to d?

Yes

**5b. Please provide any comments on this proposal. (Indicative 300 word limit)**

This seems to be aiming at retaining eligibility of seconded staff which we would have thought was desirable. It does also enable any cover staff to be eligible in tandem.

Q11. 6a. Do you agree with the proposed ineligibility of staff based in a discrete department or unit outside the UK?

No

**6b. Please provide any comments on this proposal. (Indicative 300 word limit)**

No rationale is given for this. Given that the work is being done whilst employed by a UK HEI this seems very strange as the work is being resourced by public funds and there is the ability to apply for RCUK funding. We consider that this is not appropriate and such staff should be eligible.

## Page 6: Guidance on submissions: Part 3, Section 1: Staff circumstances (paragraphs 149 to 193)

Q12. 7a. The proposed approach for taking account of circumstances will achieve the aim of promoting equality and diversity in REF 2021:

Agree

Q13. 7b. The potential advantages of the proposed approach outweigh the potential drawbacks identified:

Agree

Q14. 7c. Please provide any further comments on these proposals, including any suggestions for clarifying or refining the guidance. (Indicative 300 word limit)

The proposed approach for taking account of staff circumstances (GOS paras 149-193) is very detailed with the clear aim of requiring HEIs to ensure that their own processes are not inadvertently discriminatory. One comment is that greater emphasis might be made of the positive duty that public bodies such as HEIs have.

## Page 7: Guidance on submissions: Part 3, Section 2: Research outputs (REF2)

Q15. 8a. The guidance in 'Part 3, Section 2: Research outputs' is clear:

Agree

**8b. Please provide any comments on Part 3, Section 2. (Indicative 300 word limit)**

Feedback from our membership is that at present, some institutions are taking a very conservative approach to double counting of outputs, even of monographs. Many colleagues are being advised that all outputs will be single counted. We consider that this is unfair given the significant amount of time devoted to monographs. We note that it is for the UoA to make a case and the panel will decide. However, the reality of implementation of this could have an unequal impact on scholars and we suggest that guidance is provided to address this.

Q16. 9. A glossary of output types and collection formats is set out at Annex K, to provide increased clarity to institutions on categorising types of output for submission. Do you have any comments on the clarity and usefulness of this annex? (Indicative 300 word limit)

This is a useful indication of the breadth of outputs envisaged even though the annex is actually intended only as a guide to how the output is to be submitted to the REF exercise.

Q17. 10a. Paragraph 206.b sets out the funding bodies' intention to make ineligible the outputs of former staff who have been made redundant (except where the staff member has taken voluntary redundancy). Do you agree with this proposal?

No

**10b. Please provide any further comments on this proposal. (Indicative 300 word limit)**

No rationale is given for this. The outputs are portable so a new employing HEI will be able to include these outputs. It seems odd to exclude work that has been publicly funded especially given the decoupling of the REF from individuals. The work was done as part of a UoA and that is not altered by the individual employment circumstance of compulsory redundancy.

Q18. 11a. Do you agree with the proposed intention to permit the submission of co-authored outputs only once within the same submission?

No

**11b. Please provide any comments on this proposal. (Indicative 300 word limit)**

There is here an attempt to prevent double / multiple counting in respect of individual members of staff in terms of the minimum requirement of one output. It has the effect that the one output must be attributable to one individual within the group of co-authors where they are all from the same submission which produces a tension between the de-coupling of the REF from individuals which is the policy of the REF. Whilst it makes sense that the output counts as only one for the UoA as a whole it does not make sense that it cannot count as the minimum of one output for each co-author. It would count in that way if the other co-authors were from a different submission in the same HEI let alone from a different HEI. It is conceivable under the proposed rule that an individual is a co-author to five outputs but would be unable to meet the minimum threshold of one output. The same individual who has co-authored five outputs with staff from a different UoA in the same HEI or the same UoA from a different HEI would not only reach the minimum threshold they would in fact be at the maximum of five outputs. The proposal is therefore confusing the basis of the REF which is an assessment of the work of the UoA not the individuals within it and there is scope for inequitable treatment.

## Page 9: Guidance on submissions: Part 3, Section 3: Impact (REF3)

Q22. 13a. The guidance in 'Part 3, Section 3: Impact' is clear:

Agree

**13b. Please provide any comments on Part 3, Section 3. (Indicative 300 word limit)**

'291. For the purposes of the REF, impact is defined as an effect on, change or benefit to the economy, society, culture, public policy or services, health, the environment or quality of life, beyond academia. Impacts on students, teaching or other activities both within and beyond the submitting HEI are included' Reflecting the expertise and interest of, BILETA we suggest "technology, regulation and education" should also be included.

## Page 10: Guidance on submissions: Part 3, Sections 4-5: Environment data and environment (REF4a/b/c-REF5a/b)

Q23. 14a. The guidance in 'Part 3, Section 4: Environment data' is clear:

Agree

Q24. 15a. The guidance in 'Part 3, Section 5: Environment' is clear:

Agree

## Page 13: Panel criteria and working methods: Part 3, Section 1: Submissions

Q27. 2a. Overall, the criteria are appropriate in 'Part 3, Section 1: Submissions':

Agree

## Page 19: Overall panel criteria and working methods

Q45. 8a. Overall, the 'Panel criteria and working methods' achieves an appropriate balance between consistency and allowing for discipline-based differences between the panels.

Agree

