

# THE COURTAULD INSTITUTE OF ART

## REF2021 CODE OF PRACTICE

CONFIDENTIAL

*Version 5.0*

*For Submission*

*This Code of Practice (CoP) sets out the process that will be followed by The Courtauld Institute of Art in preparing its submission to REF2021, particularly in relation to determining who is an independent researcher and ensuring a fair and transparent approach to the selection of the outputs.*

### Version Guide

- Outline of policies and procedures reviewed by Research Committee on 6 March 2019
- Version 1.0 reviewed by Joint Consultation and Negotiation Committee on 20 March 2019
- Version 2.0 prepared for consideration by Academic Board on 24 April 2019
- Version 3.0 for submission to REF following recommendations by Academic Board
- Version 4.0 for resubmission to REF following initial assessment
- Version 5.0 for submission to REF following timing changes due to COVID-19



# 1. Introduction and Overview

## Purpose and Background

1.1 The Research Excellence Framework (REF) 2021 is the system put in place by the four UK Higher Education Funding Bodies for the purpose of assessing the quality of research in UK higher education institutions. The Funding Bodies state that the purpose of the REF is:

- to provide accountability for public investment in research and produce evidence of the benefits of this investment.
- to provide benchmarking information and establish reputational yardsticks, for use within the HE sector and for public information.
- to inform the selective allocation of funding for research.<sup>1</sup>

1.2 The last REF exercise was completed in 2014, and following that, the Funding Bodies have introduced a number of changes following recommendations made by Lord Stern in the independent review of the REF. Whereas in REF2014 HEIs were able to select which of its eligible staff were submitted, HEIs are now required to submit all eligible staff with significant responsibility for research. The pool of potentially eligible staff is primarily determined by identification of staff in whose contracts the primary job function is given as 'teaching and research' or 'research-only' in the Higher Education Statistics Agency (HESA) staff return.

1.3 The Funding Bodies require HEIs making a REF submission to develop, document and apply a Code of Practice for the identification of eligible staff and the selection of outputs. Our CoP will help us to ensure that we include all eligible staff in submissions. It will also help us to promote equality, comply with legislation, and avoid discrimination. The CoP is grounded in the principles of transparency, consistency, accountability and inclusivity.

1.4 The CoP also provides information on how the REF2021 submission will be coordinated, how decisions are made, timelines and key dates involved, and how individual staff circumstances will be managed.

1.5 The Courtauld Institute is a small, specialist institution focused on the art history, conservation, and curating. We anticipate that the total FTE (Full Time Equivalent) that we submit to REF2021 will be less than 40. The scale of our institution means that we are able to carry out the selection of outputs on the basis of close consultation with individual staff members and a small team of senior figures in the institution. This approach is consistent with the CoP for REF2014 (see Appendix B).

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<sup>1</sup> <http://www.ref.ac.uk/about/what-is-the-ref/>

- 1.6 The REF is divided into Units of Assessment (UoAs). We will be submitting to only one UoA (panel 32 – Art and Design: History, Practice and Theory). As such, our Unit submission is coterminous with our submission as an institution.
- 1.7 We will be submitting 100% of our Category A eligible staff. Category A eligible staff are defined as staff with a contract of employment of 0.2 FTE or greater, on the payroll of The Courtauld on the census date, and whose primary employment function is to undertake either ‘teaching and research’ or ‘research-only’.<sup>2</sup> In the spirit of inclusion, and to represent the unique culture of our institution, we intend that our submission will include senior curatorial staff in The Courtauld Gallery, whose roles entail a substantial responsibility for independent research.

### Principles Governing the Code

- 1.8 The Head of Research Alixe Bovey, Research Manager Oliver Wright, and Head of Human Resources Ellen Tsang are working closely together to ensure that the policies and procedures for our REF2021 submission pay due consideration to Equality and Diversity.
- 1.9 In terms of equality and diversity, The Courtauld supports its fixed-term and part-time staff (including contract research staff) in the same way that it supports all other categories of staff. It has transparent policies and procedures to rule out discrimination, to create an inclusive culture that recognises, respects and values difference, enables all staff to contribute and participate fully, and provides equal opportunities to all staff. These policies and procedures are outlined in our Equal Opportunities policy (Appendix D), available to all staff on our intranet.
- 1.10 We will conduct periodic Equality Impact Assessments (EIAs) throughout the preparation of our REF submission. EIAs conducted for REF2014 showed that our approach to selection was unlikely to have either a positive or negative impact on those with protected characteristics, and this has informed our approach to REF2021. The protected characteristics are: age; disability; marriage and civil partnership; pregnancy and maternity; race, religion or belief; gender reassignment; sex and sexual orientation.
- 1.11 Since REF2014, The Courtauld has established an independent Ethics Committee, the remit of which includes reviewing cases of whistleblowing and advising on questions of research ethics. Managers attended Unconscious Bias training in 2015 and new, mandatory, online training modules on Equality, Diversity, Inclusion, and Unconscious Bias will be in the process of being rolled out to all members of staff.

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<sup>2</sup> See definition of Category A eligible staff in Annex M of the REF *Guidance on Submissions*, 2019/01 January 2019, p. 117

1.12 The Courtauld is committed to treating its staff fairly, and in relation to the conduct of the REF2021 exercise, will adhere to the following principles:

- Transparency: it should be transparent in the CoP what the processes will be used for identifying research independence and for selecting outputs to be submitted.
- Consistency: the processes defined and documented in this CoP will be applied consistently throughout the submission.
- Accountability: roles and responsibilities of those involved in the identification of eligible staff and the selection of outputs respectively will be set out clearly in the CoP.
- Inclusivity: the processes for identifying research independence and selecting outputs promote an inclusive environment.

## Responsibilities and Committees

1.13 The Head of Research, a member of The Courtauld's Senior Management Team, chairs the Research Committee and is responsible to the Academic Board for the overall preparation of the exercise. The Academic Board is responsible for matters relating to research, as set out in Appendix G.

1.14 Reporting to the Head of Research, the Research Manager has responsibility for coordinating the preparation of the exercise.

1.15 All staff involved in decision-making and reviewing nominations for REF eligibility and output selection are obliged to receive Equality, Diversity and Inclusion training. This will take the form of online training provided by iHASCO.

1.16 The committees involved in the development of the CoP, and the procedures it outlines, are as follows:

- Senior Management Team - The Courtauld's Senior Management Team receives regular updates from the Head of Research. The SMT has an advisory role in the development of the CoP and REF submission.
- Research Committee – the Research Committee is the principal strategic and decision-making committee for our REF2021 submission. The Committee is chaired by the Head of Research. Ex officio members of the Research Committee are the Director of The Courtauld; the Dean and Deputy Director; the Head of Research; and the Chair of the Research Degrees Committee. The Research Committee membership may be found on The Courtauld's intranet. The Research Committee meets on a termly basis and involves representatives from all relevant departments of The Courtauld. Representatives act as conduits of awareness to their

departments and meeting minutes are made available to all staff, including those on extended periods of leave and sabbaticals.

- Academic Board – In the spirit of inclusivity and transparency, the Academic Board, whose membership includes all academic staff, will have responsibility for the final approval of The Courtauld's CoP. Ex officio members of the Academic Board are: the Director of The Courtauld; all members of academic staff; the President of the Students' Union; a Student Representative; the Head of Public Programmes; the Head of The Courtauld Gallery; and the Head of the Libraries.
- Appeals Committee – Independent of the other committees, the Ethics Committee of The Courtauld will serve as the appeals committee for our REF2021 submission. The Ethics Committee reports to the Governing Board. The appeals committee is the group which will review any appeals made in relation to staff eligibility in a consistent and, where necessary, confidential manner, in accordance with the CoP.

## Development and Communication of the Code

- 1.17 The CoP has been subject to a series of committee approvals, as well as ongoing staff consultation.
- 1.18 First, an early draft CoP outlining the procedures for determining research independence and output selection was reviewed by the Research Committee on 6 March 2019.
- 1.19 After the Research Committee meeting, the Head of Research and Research Manager updated the CoP. The Research Manager and Head of HR held a collective consultation on Version 1.0 of the CoP 20 March 2019, in accordance with the Joint Recognition and Procedural Agreement and Joint Consultation and Negotiation Committee.
- 1.20 Following collective consultation and any required amendments, The Courtauld's former Research Manager made the updated version of the CoP (version 2.0) available on our staff intranet, and all staff were notified by email. Staff were invited to give feedback, comments and suggestions.
- 1.21 Staff on leave were included in emails concerning the CoP and were given the opportunity to meet individually with the Head of Research upon returning to work.
- 1.22 The CoP (2.0) went before an extraordinary meeting of The Courtauld's Academic Board on 24 April 2019 for their consideration and ratification. The Academic Board unanimously approved the document, subject to revisions documented in the minutes to the meeting.
- 1.23 Following the submission of our CoP to Research England, the Research Manager will prepare a termly REF2021 newsletter, to be disseminated to all staff with significant research responsibilities via email and uploaded on to the staff intranet, compiling any relevant updates.

1.24 When there are any noteworthy changes or updates on the CoP (for example where an EIA reveals potential for differential impacts), the Head of Research and Research Manager will communicate them to all staff with significant research responsibilities, including those on extended periods of leave and sabbaticals. Communications are made by email and the CoP is accessible on the staff intranet.

1.25 The Head of Research presents regular REF updates at both Academic Board and Research Committee meetings, and by email as required.

1.26 Members of staff who join after July 2019 will have special briefing sessions with the Head of Research and/or Research Manager to familiarise them with the REF process.

## Timetable

1.27 To ensure our preparedness, we developed a provisional REF submission throughout 2019. This took place in three phases:

- Spring 2019 – annual research review meetings with all Category A eligible staff to determine maximum output pool and research independence
- Summer 2019 – preliminary selection of outputs and impact case studies
- Autumn 2019 – draft impact case studies and Environment statements

1.28 During 2020, we continued to refine our staff submission, addressing staff arrivals and departures and changes in circumstances. Due to the severe disruption caused by COVID-19, annual research review meetings will be held again with all Category A eligible staff in the Autumn term of 2020.

1.29 Staff members were informed whether or not they are eligible to be included in The Courtauld's return by 15 May 2020.

1.30 The deadline for any appeals was 15 June 2020. Decisions were made by 15 July 2020.

1.31 The closing date for REF submissions is 31 March 2021.

1.32 The cut-off point for the publication of research outputs and for outputs underpinning impact case studies is 31 December 2020.

1.33 Equality Impact Assessments will take place in three phases. The first took place in May 2019 and the second will take place in Autumn 2020. Following these two phases, a final EIA will analyse our submission after March 2021.

## 2. Research Independence

### Policies and Procedures

2.1 We will submit 100% of staff who are Category A eligible (as defined in 1.7), and whose primary employment function as recorded within the HESA staff return is to undertake either 'teaching and research' or 'research-only'. Additionally, we will submit those who are not included in the HESA staff return but who have equivalent contractual status.

2.2 In order to evidence that staff submitted are research independent, that is, that the research they undertake as a function of their role at The Courtauld is self-directed, we will refer to the three REF indicators of research independence:

- leading or acting as a PI on an externally funded project
- holding a competitively awarded fellowship
- leading a research group.<sup>3</sup>

In addition, we will take into consideration the following as indicators of research independence:

- job description and contract require the post-holder to undertake independent research.
- track record of active engagement in independent research, such as authorship of publications and curation of exhibitions which are demonstrably informed by, or which themselves constitute, self-directed research.
- evidence of eligibility to apply for external research project funding as the Principal Investigator.

2.3 All staff employed in senior curatorial roles within The Courtauld Gallery are considered independent researchers, with significant research functions written into their contracts. We note the central importance of the Gallery's curatorial activities to our research environment and work from the principle that their curatorial work fulfils the definition of research as processes of investigation leading to new insights, effectively shared.<sup>4</sup>

2.4 Any Research Assistants employed by The Courtauld at the census date will not be considered research independent and will therefore be deemed not eligible for submission.

2.5 In order to determine systematically staff who meet the definition of research independence, we will compile a list of all Category A eligible staff using data generated by our HR records. The Head of Research and Research Manager will meet with each member of staff from this list during the annual

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<sup>3</sup> See REF *Guidance on Submissions*, 2019/01 January 2019, p. 33

<sup>4</sup> For REF definition of research, REF *Guidance on Submissions*, 2019/01 January 2019, p. 102



research reviews in 2019 and 2020 (either in person or remotely) and consider their job role and activities against the above indicators and criteria. The course and outcome of these meetings will be recorded.

- 2.6 All staff (including those who are not initially deemed to be Category A eligible) will have recourse to an appeals process if they are not, through the procedure outlined above, determined to be research independent. The appeals process was communicated to all staff by email during May 2020.
- 2.7 Category A eligible staff were notified of their inclusion in the REF submission as independent researchers by email by the end of June 2020 (except in exceptional circumstances).
- 2.8 New appointments will be reviewed on an ongoing basis, according to the same criteria. New staff on Category A eligible contracts will meet with the Head of Research and Research Manager to discuss their role and activities against the indicators and criteria.

### Staff, Committees and Training

- 2.9 Online Equality, Diversity and Inclusion training will become mandatory for all staff. Staff will be expected to complete the training in the Autumn term of 2020. The online training module is provided by iHASCO.
- 2.10 The former Research Manager attended Equality, Diversity and Inclusion training tailored to the REF and disseminated this to the Head of Research, former Head of HR, and Research Committee.
- 2.11 The Head of Research and Research Manager, with the Head of HR and HR Business Partner, using the processes outlined above, compiled the list of Category A eligible staff who have been deemed research independent.
- 2.12 An updated list of staff to be submitted to the REF will be reviewed by the Research Committee when they convene in Autumn 2020.

### Appeals

- 2.13 Staff members have the right to appeal the decision concerning their eligibility for inclusion in our REF submission. Appeals will only be considered in respect of staff eligibility decisions. Appeals will not consider which outputs have been allocated to a staff member, the number of outputs submitted connected with a staff member, or the UOA an individual has been returned in.
- 2.14 If staff members wished to appeal an eligibility decision after this had been communicated by 15 May 2020, they would have done so by informing the Research Manager by email. Appeals could be made within one month of receiving confirmation of the decision, and in no circumstances later than 15 June 2020.

- 2.15 The Head of Research and Research Manager reminded all staff of the availability of the appeals mechanism during the regular REF update at Academic Board meetings and via email.
- 2.16 Appeals could be referred to The Courtauld's Ethics Committee, which acts as the appeals committee for the REF submission.
- 2.17 Decisions of the Ethics Committee in relation to REF-related appeals are final.
- 2.18 In addition to appeals, staff may submit complaints to the Ethics Committee if it is believed that the agreed processes in this CoP are not being followed. The committee will subsequently make an adjudication and issue a recommendation to the Head of Research.

### Equality Impact Assessment

- 2.19 The EIA will be in three phases – one in May 2019, one in Autumn 2020, and a final EIA following our final submission. The first EIA report is attached as Appendix A.
- 2.20 As with our REF2014 submission, we undertake EIAs within the framework of a small, specialist institution submitting fewer than 40 members of staff. We approach this assessment in the most practical way considering our scale.
- 2.21 The first EIA analysed the cohort of staff to be submitted against records of protected characteristics insofar as information about protected characteristics has been volunteered by staff during recruitment processes.
- 2.22 The outcome of periodic EIAs will be reported to the Research Committee and used to ensure that any necessary changes to prevent discrimination and promote equality are made before the final REF submission deadline.
- 2.23 The outcome of periodic EIAs will be made available to the appeals committee when they convene.
- 2.24 Any changes will be reflected in a revised CoP and clearly communicated to all staff via email, and the intranet will be updated.

### 3. Outputs

#### Policies and Procedures

- 3.1 The REF2021 submission is intended to optimise the reputational and financial position of The Courtauld Institute. Decisions on the composition of the submission will be taken with these aims in mind.
- 3.2 We affirm that the REF is not and will not be used as a performance management exercise, but as a review of the quality profile of our research. There are a number of reasons why staff may have a larger or smaller portfolio of outputs, for example as a result of personal circumstances or other factors beyond their control. The number of outputs attributed to staff will not be directly used in performance management, appraisal or promotion criteria. Nor should the inclusion of numerous outputs by any individual be considered a marker of hierarchal standing within the Institute.
- 3.3 If there is any evidence that an employee is deliberately and unreasonably uncooperative with or obstructive of our REF procedures, this will be investigated in accordance with The Courtauld's Disciplinary Policy (Appendix F).
- 3.4 REF2021 requires that all submitted staff have attributed to them a minimum of one and a maximum of five research outputs, unless individual circumstances apply, in which case staff may request to be submitted without the minimum of one output. These circumstances are outlined below.
- 3.5 The Courtauld has no formal expectations of individual staff members' contributions to the overall output pool. Consequently, specific processes by which to adjust expectations on the basis of individual circumstances will not be required. However, where an individual has voluntarily declared circumstances, the Head of Research will contact the individual to reiterate that there is no formal expectation and, furthermore, that in the self-nomination (research review) forms there is no set minimum for the number of outputs they can nominate.
- 3.6 We will not, on principle, submit any outputs attributed to staff who have been made redundant.
- 3.7 In order to enable the best possible representation of research by our eligible staff, and to best reflect the research culture of The Courtauld at the census date, outputs by staff no longer employed by The Courtauld will only be considered for inclusion where the Head of Research, in consultation with the Research Committee, determines that the outputs would make an exceptional contribution to the quality profile of the submission, and which is determined by the Research Committee to outweigh the priority of representing the research of currently employed staff.
- 3.8 The selection of outputs will be informed by two factors: output eligibility and research quality. Output selection is the responsibility of the Head of Research.

- 3.9 The quality of proposed outputs, in terms of originality, significance, and rigour, will be assessed through the following means: initial self-assessment by the individual researcher producing the output (in consultation with the Head of Research and Research Manager), and subsequent assessment of the Head of Research and members of the Research Committee. Final decisions on the outputs that will be included in our submission will be made by the Head of Research, and ratified by the Research Committee.
- 3.10 External peer review will be undertaken if necessary, that is, if deemed appropriate through consultation between researcher and the Head of Research and the Research Committee. Any external peer review will be recorded on a template, asking reviewers to score outputs against the categories of originality, significance, and rigour.
- 3.11 We aim to submit outputs which will be rated at 3\* or 4\*, to achieve the strongest possible overall quality profile. Assessments of special circumstances will not inform assessments of quality.
- 3.12 All Category A eligible staff are asked and encouraged to participate in the output selection process by nominating outputs for consideration. They are asked to list a maximum of 5 outputs in order of originality, significance and rigour. They are also asked to consider if any items might be considered for double weighting.
- 3.13 Potential outputs include, but are not limited to: books; book chapters; journal articles; and curated exhibitions. Single outputs may have multiple components, for example an exhibition and an accompanying catalogue. We encourage researchers to consider the full variety of possible outputs when self-nominating. Staff are encouraged to consult the extensive guidance published on the REF website if they wish to know more.
- 3.14 In the annual research review meetings, every researcher will discuss their outputs with the Head of Research and Research Manager. This will enable the Head of Research to identify potential outputs where the researcher has not initially nominated the outputs themselves.
- 3.15 For each eligible member of staff, the highest quality output will be selected (since each member of staff must be submitted with a minimum of one output). The rest of the output pool will be determined through the assessment of the Head of Research in consultation with the Research Committee, with external peer review if deemed necessary through consultation with the Research Committee.
- 3.16 The inclusion of outputs in our REF submission will not be routinely communicated to staff. The REF will ultimately publish a list of submitted outputs, without naming the author.
- 3.17 To allow upload onto the submission system, all selected outputs must have a record on The Courtauld's research information management system, Pure.
- 3.18 In Summer 2019 the former Research Manager undertook eligibility checks of the provisional output pool, including checks to ensure that they meet open access requirements. It is expected that the

number of outputs in this provisional pool will considerably exceed the number of outputs to be submitted. Where shortlisted outputs do not meet eligibility requirements the staff member will be informed by the Research Manager.

3.19 An initial, provisional output pool will be reviewed by the Research Committee in Autumn term 2020.

3.20 The final output pool will be approved by a meeting of the Research Committee in Spring term 2021.

### Staff Circumstances

3.21 We are committed to running a fair and transparent process in preparing the submission. The selection of outputs will be based on a fair and evidence-based process and informed by an Equality Impact Assessment.

3.22 When staff members are asked to nominate outputs, this request will reflect the guidance on staff circumstances. Staff may nominate fewer than 5 outputs, and we expect that this will be the case if they are part-time or have special circumstances.

3.23 Staff may be returned without the minimum of one output in the assessment, or may generate a potential reduction in the total required number of outputs, if one or more clearly defined or complex circumstances significantly constrained their ability to produce outputs or to work productively through the REF period.

3.24 We recognise that individual circumstances may constrain a member of staff's ability to produce outputs. As detailed below, we will consider such circumstances and any potential reductions that they warrant. Individual circumstances are considered only in relation to quantity of outputs (i.e., not in relation to quality).

3.25 Clearly defined circumstances are: qualifying as an early career researcher (an eligible staff member who started their career as an independent researcher on or after 1 August 2016); absence from work due to working part-time, secondment(s), or career break(s); qualifying periods of maternity, paternity and adoption leave, defined as statutory maternity leave or statutory adoption leave taken substantially during the period.

3.26 Complex circumstances require a judgement about the appropriate reduction in outputs, and may include: long term medical conditions; constraints relating to pregnancy, maternity, paternity, adoption and childcare; caring responsibilities; gender reassignment; other circumstances relating to the protected characteristics.

3.27 Requests to be submitted without the minimum of one output may be made by an individual researcher who has not been able to produce an eligible output where any of the following circumstances apply within the period 1 January 2014 to 31 July 2020: an overall period of 46 months or more absence from research, due to one or more of the clearly defined circumstances listed above;

circumstances equivalent to 46 months' or more absent from research, where complex circumstances apply; or two or more qualifying periods of family-related leave.

3.28 During Autumn term of the 2020/2021 academic year, all eligible staff will be notified that they have the option to disclose any clearly defined or complex individual circumstances via a form circulated in an email from the Research Manager, or available in hard copy if requested. The form must be returned to the Research Manager by email, who will coordinate with the HR Business Partner and Head of HR. The forms will be password protected and stored in a folder with access restricted to the Research Manager, Head of Research, and The Courtauld's HR department. Information will be treated as strictly confidential.

3.29 The HR Business Partner will contact any members of staff who disclose individual circumstances if further information or clarification is necessary. Decision-making on the submission of an eligible staff member without the minimum of one output will be undertaken in confidence by the Head of HR, with advice from the HR Business Partner. The Head of HR will communicate their recommendation to the Head of Research.

### Equality Impact Assessment

3.30 The second phase of the EIA conducted in Autumn 2020 will analyse the preliminary output pool in relation to declared protected characteristics inasmuch as data is available. Data will be drawn from the cohort of staff being submitted to the REF.

3.31 Consideration of the distribution of outputs will focus on the attribution of outputs in comparison to protected characteristics of staff.

3.32 The outcomes of this EIA will be reported to the Research Committee and used to ensure that any necessary changes to prevent discrimination and promote equality are made before the final REF submission deadline.

3.33 Any changes will be reflected in a revised CoP and clearly communicated to all eligible research staff.

3.34 Differences in the distribution of outputs that are not the result of inequality in the output selection process will be considered further in a full EIA conducted after the final submission.

## Appendices

### Appendix A – Equality Impact Assessment Phase One 2019 – Report

This is the first Equality Impact Assessment for our preparation for REF2021. The purpose of this assessment is to ensure that the Code of Practice is developed and applied with due regard to equality issues. It will guide us with respect to any potential for discrimination or any differential impact on particular groups.

The Equality Impact Assessments we conduct will focus primarily on the following policies:

- our policy for determining research independence
- our policy for output selection including processes used to assess research quality

Additionally, we will analyse the combined impact of these two policies, as well as conducting interim analyses of staff disclosure to assess the extent to which staff are disclosing a range of circumstances. We will also analyse the mechanisms used to determine research quality in relation to the protected characteristics.

We are mindful of the principle of proportionality; as a small institution submitting 100% of its research staff to the REF (a summed FTE lower than 40), there is a limit to how much meaningful statistical analysis we can conduct on our policies, particularly in comparison to a larger institution. All of our EIAs are informed by wide consultation on our policies and procedures with staff groups, including trade union representatives.

The data used in this EIA, prepared by our HR team, is drawn from the whole pool of staff who are eligible for, and therefore being included in, our REF 2021 submission. As we are submitting all Category A eligible staff, no eligible staff are being excluded from the submission. We do not have a policy for determining significant responsibility for research. As of 1 May 2019, there are no contracted junior research staff or research assistants employed at The Courtauld. Therefore, we cannot, for example, analyse the characteristics of staff who meet our criteria of research independence against a comparator pool of ineligible junior research staff. In short, effectively, 100% of our staff on research or research and teaching contracts are deemed both a) eligible for inclusion in the REF and b) research independent.

The next EIA, to take place in Spring 2020, will focus primarily on our policy for output selection. We will analyse the distribution of outputs by the characteristics of staff within the output pool. This EIA reflects primarily on our policy for determining research independence in relation to the characteristics of all eligible staff. A final EIA will be conducted on the final submission of staff and outputs.

We will continue to review the impact of our policies and procedures, and we will analyse data pertaining to characteristics at key points: when determining research independence; when selecting outputs for submission; when considering appeals against identification of staff who are not independent researchers; when preparing the final submission. As outlined in our Code of Practice, the outcome of ongoing EIAs will be reported to the Research Committee and used to ensure that any necessary changes to prevent discrimination and promote equality are made before the final REF submission. As a matter of good practice, once we have made our REF 2021 submission, we will publish our final EIA online, including the outcomes of any actions taken to prevent discrimination or advance equality.

**Staff and characteristics**

Age Range	
18-29	4.17%
30-39	12.50%
40-49	41.67%
50-59	20.83%
60-69	20.83%

We determine that our policies are unlikely to have a differential impact on any age group.

Disability	
A physical and/or mental disability	6.25%
No known disability	93.75%

The Courtauld supports academics who have notified the Institute of any disabilities with a thorough and flexible approach to curriculum structures and timetables, through reasonable adjustments. Our policies and procedures for REF2021 have been designed with the same underlying principles of flexibility and support. We determine that our policies are unlikely to have a differential impact on those with any disabilities. In addition, our policies have been designed to allow colleagues to disclose any disabilities in confidence.

Gender reassignment	
N/A	20.83%
Information refused	45.83%
Yes	33.33%

**NB.** The question asked is – “is your gender identity the same as the gender you were originally assigned at birth?”

No member of eligible staff has indicated that they come under this protected characteristic, although we determine that our policies are unlikely to have a differential impact due to gender reassignment.

Pregnancy and Maternity	
Maternity	2.08%
N/A	97.92%

We determine that the policies are unlikely to have a differential impact in regard to pregnancy and maternity.

Ethnicity Description	
Chinese	2.08%
Information refused	4.17%
Mixed - White and Asian	2.08%
Other Mixed background	2.08%



White	89.58%
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We determine that the policies are unlikely to have a differential impact on any ethnic group. We note that the majority of eligible staff are white, and we have made efforts to consult staff across all groups in the development of our policies and procedures.

Religion or Belief Description	
Any other religion or belief	6.25%
Christian	10.42%
Information refused	29.17%
No Religion	50.00%
Not Known	4.17%

We determine that our policies are unlikely to have a differential impact on any of these groups.

Sexual Orientation Description	
Not known	4.17%
Bisexual	2.08%
Gay man	4.17%
Heterosexual	68.75%
Information refused	20.83%

We determine that our policies are unlikely to have a differential impact on any of these groups.

Sex	
F	68.75%
M	31.25%

There is a higher proportion of female academics at The Courtauld. We have noted in developing our policies that caring responsibilities tend to be undertaken by women. The Code of Practice has flexibility to help mitigate against the disadvantage that many women carers experience trying to balance caring responsibilities with having time to carry out their research. As with our EIA in REF 2014, we remain alert to working arrangements that may be needed in mitigation of any disadvantage to women.

Marital Status	
Civil Partnership	2.08%
Married	62.50%
Other	4.17%
Partner	4.17%
Single	27.08%

We determine that our policies are unlikely to have a differential impact on any of these groups.

Thomas Gould PhD  
Research Manager  
The Courtauld Institute of Art

## Appendix B – REF2014 Code of Practice

This Code of Practice sets out the criteria and approach taken in the Selection of staff for REF. It is based on principles of transparency and consistency.

As a small specialist institution we are able to carry out the process of selection on the basis of close consultation between individual staff members and a small team of senior figures in the institution. The REF Selection Committee consists of Professor Deborah Swallow (DAS), Maërit Rausing Director of The Courtauld Institute of Art; Professor David Solkin (DS), Dean & Deputy Director; Professor Caroline Arscott (CA), Head of Research; Terry Hefford (TH), Director of Resources; and Anjum Saad (AS), Human Resources Manager; with administrative assistance from Delia Wallace (DW), Dean's Assistant (registered as REF Data Manager). Of the five committee members four are members of the Senior Management Team of The Courtauld (DAS, DS, CA and TH). They are joined by the Human Resources Manager (AS) who is directly concerned with Equality issues along with all issues relating to staff working patterns. The Human Resources Manager (appropriately for the small scale of The Courtauld) carries out the responsibilities borne by Equality and Diversity Offices or Equality and Diversity Units in larger institutions. The membership of the Selection Committee has been determined in light of staff feedback and suggestions in relation to draft Code of Practice.

### Equality and Diversity

The policy of The Courtauld on Equality and Diversity can be found at: <http://www.courtauld.ac.uk/degreeprogrammes/generalinformation/usefulinfo/index.shtml> and on the staff intranet at [https://www.courtauld.ac.uk/intranet/staff/terms\\_conditions/index.shtml](https://www.courtauld.ac.uk/intranet/staff/terms_conditions/index.shtml) - Appendix 5.

In terms of equality and diversity, The Courtauld Institute of Art supports its fixed-term and part-time staff (including contract research staff) in exactly the same way as it supports all other categories of staff. It promotes equality and diversity by treating all staff fairly and equally. It has transparent policies and procedures, to rule out discrimination, to create an inclusive culture that recognises, respects and values people's differences, enables all staff to contribute and participate fully, and provides equal opportunity to all staff to develop their potential.

Our selection process for REF will be carried out in conformity with the relevant legislation in particular the Equality Act of 2010. Initial training in equal opportunities aspects of REF has been provided for Selection Committee members by the Human Resources Manager. Further training in equal opportunities aspects of REF will be taken up in autumn 2012 by the members of the Selection Committee (course at King's College London, KCL offered by Research and Graduate School Support in conjunction with the Equalities and Diversity Unit).

We aim to return all staff on research and teaching, or research only, contracts at the census date who have completed and put into the public domain excellent research. We will give due consideration to the coherence and strength of the overall submission. In normal circumstances we will submit four (or equivalent of four) outputs for each staff member.

Final decisions as to which staff members will be submitted rest with the Director of The Courtauld Institute of Art advised by other members of the REF Selection Committee: the Dean and Deputy Director, the Head of Research, the Director of Resources and the Human Resources Manager.

All research (and research and teaching) staff on contracts of 20% or more will be informed by early July 2013 (except in exceptional circumstances) as to whether their outputs will be submitted for REF and how many outputs will be submitted for each individual.

### **Programme of Communications**

The Code of Practice is displayed in the Section on REF 2014 on the VLE (Virtual Learning Environment) is available to all staff, the document is also viewable by visitors <https://vle.courtauld.ac.uk/course/category.php?id=100>

Communication about the development of the Code of Practice and any changes made to the Code of Practice (such as amendments put in place November 2012) will be effected by the following means:

- Announcement, as part of the REF update, by the Head of Research at the termly Staff Meeting which involves all staff of The Courtauld Institute. As a small specialist institution we are able to hold plenary meetings of all staff on a termly basis; these are key occasions for raising awareness of important issues. After the meeting a summary of the presentation by Head of Research (along with other presentations at the meeting) is posted on the Courtauld Staff Intranet and so is available to any staff member who is absent.
- Consultation (and update on any changes adopted) at the termly Research Committee involving representatives from all relevant departments of The Courtauld (Director and Senior Management, Registry, History of Art, Conservation and Technology, Gallery). Representatives act as conduits of awareness to their departments.
- Report on Research Committee and REF matters at termly Academic Board by Head of Research includes the presentation of the Code of Practice and any changes made to it. All academic staff are members of the Academic Board. Minutes are circulated to all Academic Board members including those on research leave or on leave for other reasons.
- Emails at key junctures from Head of Research to all Researchers and Teacher-Researchers about the Code of Practice, updates to the Code of Practice and the key actions and activities being undertaken as outlined in the Code of Practice (copied to Senior Management Team and Human Resources Manager). Emails are accompanied by the Code of Practice document as an attachment. These emails are sent to all Research and Research-and- Teaching Staff including those who are absent on research leave or on leave for other reasons.

### **Definition of Circumstances to be Considered**

In accordance with the guidance provided at [http://www.ref.ac.uk/media/ref/content/pub/assessmentframeworkandguidanceonsubmissions/02\\_11a\\_dd.doc](http://www.ref.ac.uk/media/ref/content/pub/assessmentframeworkandguidanceonsubmissions/02_11a_dd.doc), Special Circumstances which may have acted as constraints on staff in producing four outputs or working productively throughout the REF assessment period will be considered.

We will consider clearly defined circumstances

- Qualifying as an early career researcher
- Absence from work due to working part-time, secondments or career breaks
- Qualifying periods of maternity, paternity or adoption leave

We will also consider complex circumstances (circumstances that require a judgement about the appropriate reduction in outputs), which are related to:

- Disability. This is defined in *Assessment Framework and Guidance on Submissions* REF 02.2011 Part 4, Table 2 under 'Disability'.
- Ill health or injury.
- Mental health conditions.
- Constraints relating to pregnancy, maternity, paternity, adoption or childcare that fall outside of – or justify the further reduction of outputs in addition to – the allowances made for defined periods of maternity, paternity or adoption leave.
- Other caring responsibilities (such as caring for an elderly or disabled family member).
- Gender reassignment.
- Other circumstances relating to the protected characteristics identified in the Equality Act of 2010. The protected characteristics are: age, disability, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation or relating to activities protected by employment legislation.

The Courtauld notes that fixed-term employees and part-time workers have the right to be treated no less favourably than staff on open contracts and full-time workers. The Courtauld is committed to pursuing equality of opportunity for all staff, including those on fixed-term contracts and those who work part-time.

### Consideration of Special Circumstances

Special circumstances that may have prevented staff from completing research in the period will be considered by the Director of Resources and Human Resources Manager. The choice of these two staff members was made in the light of consultation and feedback from all Academic Staff including the UCU Trade Union representative (in the context of Academic Board) on a draft Code of Practice which assigned a senior member of teaching staff to work with the Human Resources Manager on Special Circumstances. Academic Staff suggested that figures outside the Academic Staff, who were not the immediate colleagues of Academic Staff, should work on these issues. The Director of Resources is a member of the Senior Management Team of The Courtauld and not a member of teaching and research (or research only) staff. Equally, the Human Resources Manager is not a member of teaching and research (or research only) staff. The Director of Resources and Human Resources Manager will draw on self-declaration of circumstances made by staff in response to a questionnaire issued to all staff and on staff employment records (detailing eg periods of absence on maternity leave, part-time working) held by The Courtauld. They will correlate the circumstances with the tariff for permitted reduction in number of outputs in the HEFCE publication *Panel Criteria and Working Methods* (January 2012). Guidance on the way that REF panels consider individual circumstances can be found in the HEFCE publications *Panel Criteria and Working Methods*, January 2012, REF 01.2012 <http://www.ref.ac.uk/pubs/2012-01/> and *Assessment Framework and Guidance on Submissions*, July 2011, REF 02.2011 <http://www.ref.ac.uk/pubs/2011-02/>.

In the case of complex circumstances the Director of Resources and Human Resources Manager will make an assessment of what reduction in number of outputs will be appropriate. Research (and research and teaching) staff on contracts of 20% or more will have a second opportunity to make a self-declaration of circumstances in June 2013. Information disclosed by staff will be treated as confidential.

Consultation by Director of Resources and Human Resources Manager with individuals identified as hampered by straightforward or complex circumstances will be undertaken. The individual staff members concerned will be consulted as we establish the wording of statements about complex circumstances.

The Director of Resources and Human Resources Manager will communicate their recommendations about appropriate number of outputs for individuals (based on assessment of Special Circumstances) to Director, Head of Research and Dean.

### **Excellence**

The quality of proposed outputs (in terms of originality, significance and rigour) will be assessed on the basis of three factors: external consultation with eminent academics, the judgement of the Director, Head of Research and Dean and Deputy Director and consultation by these senior figures with the individual researcher producing the output, whose insight into his or her own research methods and arguments, and knowledge of his or her own intervention in the field is pertinent. We accept the fact that judgements as to excellence are a matter of judgement and star ratings cannot be established with any certainty in advance of the REF 2014 Panel deliberations. We aim to submit outputs which will be rated at 4\* and 3\* and to achieve the strongest possible overall quality profile. Judgements on excellence will be made independently from assessments of special circumstances.

### **Mentoring and Support**

Consultation by Director, Head of Research, and Dean and Deputy Director with individual members of staff includes mentoring and discussion of support required for the staff member to produce the number of excellent research outputs required for REF.

Financial assistance (for research and publication costs) is available through the Research Fund controlled by the Research Committee (meets termly). Priority is given to REF-significant publications.

### **Appeals**

Appeals regarding inclusion in REF or numbers of outputs to be submitted will be considered by the Appeal Panel consisting of Dr. Gareth Morgan (GM), Academic Registrar and Emma Davidson (ED), Director of Development. The Director of Development is a member of the Senior Management Team of The Courtauld. These staff members were selected on the basis of their seniority and experience in dealing with appeals in other contexts and on the basis that they are not members of the Selection Committee and so are well-placed to consider appeals objectively. Appeals may be made only a) on the grounds of the process described in the Code of Practice not being properly followed, b) in cases where it is claimed that discrimination (regarding a protected characteristic namely age, disability, gender reassignment, marriage and civil partnership, pregnancy, maternity, race, religion or belief, sex or sexual orientation) has occurred, or c) where the staff member has responded to requests for information but relevant information about work pattern or absence from work has not been taken into account. Appeals must be made on a pro forma (available on the Courtauld VLE) by July 15<sup>th</sup> 2013. The Appeal Panel will meet by mid-August 2013. The staff member has the option to attend the meeting of the Appeal Panel and to be accompanied by a colleague or Trade Union representative if he or she wishes. The Information submitted as part of the appeal process will be regarded as confidential. The decision of the Appeal Panel will be communicated to the staff member by mid-September 2013.

### **New Staff**

Research (and research and teaching) staff on contracts of 20% or more who are new to The Courtauld after July 1<sup>st</sup> 2013 and join the institution before the census date of 31<sup>st</sup> October 2013 will have special briefing sessions to familiarise them with the REF process, will be invited to disclose Special

Circumstances to the Director of Resources and Human Resources Manager, will be informed of their inclusion or otherwise in the corps of staff submitted for REF and will be given the opportunity to lodge an appeal should they wish to.

### **Equality Impact Assessment**

The Courtauld Equality Impact Assessment (EIA) is undertaken within the framework of a small specialist institution submitting less than 40 members of staff. When dealing with such small numbers the mapping of one data set onto another can throw up misleading results and so we approach this assessment in the most practical way considering our scale. The Human Resources Department is able to provide data on staff eligible for selection which is analysed according to groups with protected characteristics. The initial stage of the EIA involves the scrutiny of existing data on protected characteristics (namely, gender, ethnicity, disability and age) for all eligible staff in employment in spring 2012 and the identification of any risks of direct or indirect discrimination in the selection of staff. Further analysis will be undertaken from autumn 2012 as data is gathered and collated for all other protected characteristics identified by the Equality Act 2010: sexual orientation, gender reassignment, marriage and civil partnership, religion and belief, sexual orientation, pregnancy and maternity. In July 2013 a third phase of EIA is to be undertaken, using, as a reference point, the group of all eligible staff at that date (including new appointments). The relevant UCU (Trade Union) branch and the Courtauld Women Teachers Group (CWT) will be invited to comment on the analysis produced by the end of July 2013. The three phases of the EIA including response to this consultation will be available to the Appeals Panel if convened in August 2013. A summary statement will be prepared for consideration by the REF Selection Committee in September 2013 and a presentation of the Equality Impact Assessment will be made at Research Committee in late October 2013. The EIA and points made by Research Committee will be presented at Academic Board in autumn 2013 giving the opportunity for every member of research or research and teaching staff to comment (all academic staff are members of the Academic Board) and the report will then go to the Governing Board of The Courtauld).

## Appendix C – REF2014 EIA

This is Phase One of an on-going Equality Impact Assessment and its purpose is to ensure that the Code of Practice is developed appropriately, with due regard to equality issues and to guide The Courtauld with respect to any potential for discrimination in REF selection processes. Subsequent phases of the Equality Impact Assessment will be based on full data gathering with respect to all the protected characteristics identified in the Equality Act 2010 and will be informed by information gained from consultation with specific groups such as the relevant Trade Union (UCU) group and The Courtauld Women Teachers (CWT).

The current workforce profile of the entire pool of staff eligible for inclusion in REF at April 2012, in relation to four of the protected characteristics, gender, ethnicity, disability and age, for which the Courtauld has comprehensive data is detailed below.

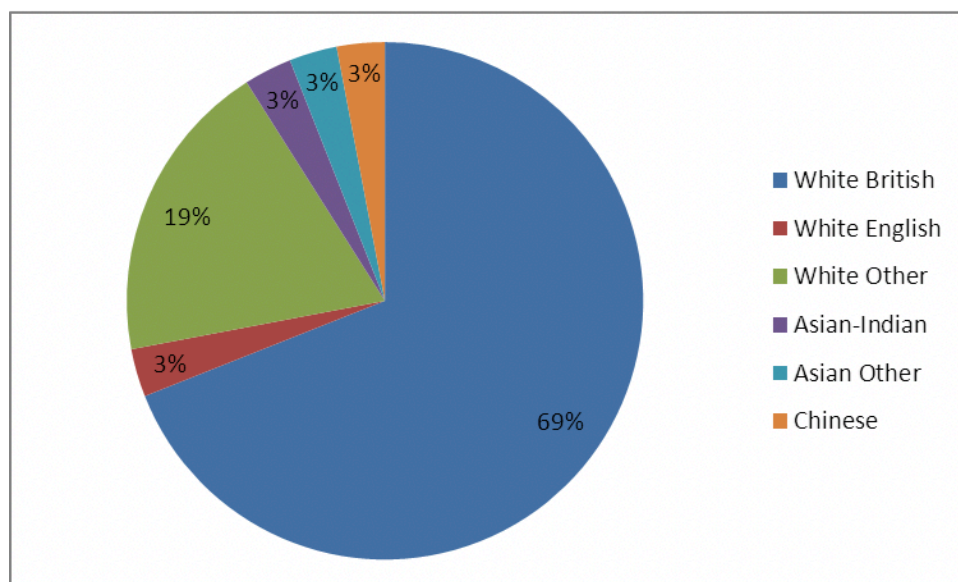
Gender:

Female 70% Male 30%

Ethnicity:

White British 69% White English 3% White Other 19% Asian-Indian 3% Asian Other 3% Chinese 3%

Ethnicity:



Disability:

11% of academics have declared that they have a physical and/or mental disability.

Age:

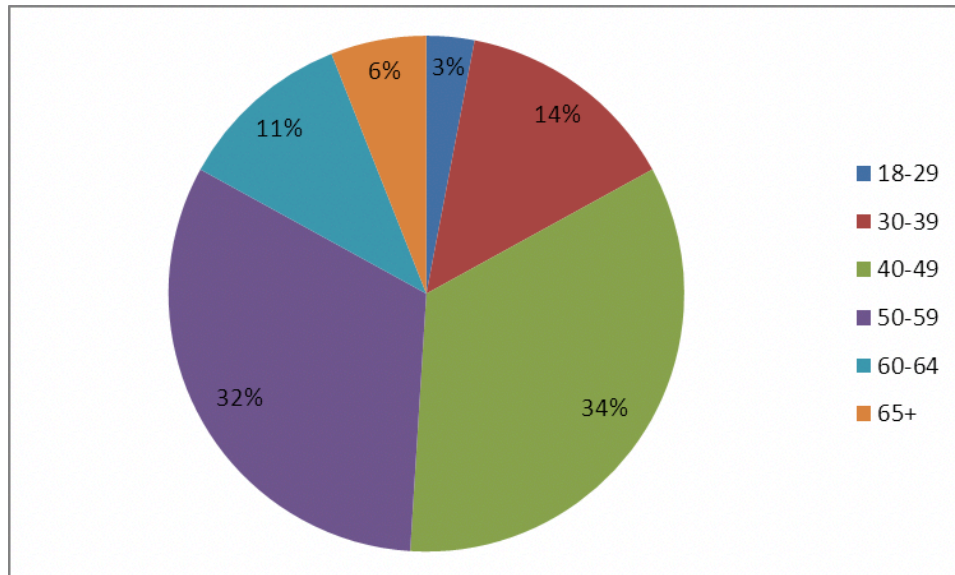
18-29 3%

30-39 14%



40-49 34%  
 50-59 32%  
 60-64 11%  
 65+ 6%

Age:



Data on the other protected characteristics, gender reassignment, marriage and civil partnership, pregnancy and maternity, religion or belief, sexual orientation is in the process of being collated for existing staff although it is available for new academic staff who joined after the implementation date of the Equality Act 2010.

In producing the Code of Practice, consideration has been given on the Code of Practice's anticipated impact on the four protected characteristics on which The Courtauld has data.

#### Gender:

There is a higher proportion of female academics at The Courtauld. In general, caring responsibilities tend to be undertaken by women. The Code of Practice has flexibility, to help to mitigate against the disadvantage that many women carers experience trying to juggle caring responsibilities with having time to carry out their research.

#### Ethnicity:

The Code of Practice could be considered to be neutral or positive in terms of ethnicity as The Courtauld promotes equality and diversity.

#### Disability:

Extensive research suggests that disabled employees experience greater disadvantage than non-disabled employees. However, The Courtauld has supported the academics who have notified the Institute that they are disabled, as needed, through a flexible approach to their curriculum structures and timetables, through reasonable adjustments, to mitigate against

the disadvantage that may arise due to their disability. The Code of Practice has been designed with the same underlying principles of flexibility and support.

**Age:**

The Code of Practice is unlikely to have either a positive or negative impact on any academic due to age.

**The Courtauld Institute of Art  
Equality Impact Assessment on Policy and Procedures  
for Selection of Staff for REF2014  
Final Phase**

The Courtauld Institute of Art's Code of Practice for the Selection of Staff for Research Excellence Framework REF2014 (located at <https://vle.courtauld.ac.uk/course/view.php?id=498>, in line with its other policies and procedures, has been devised to promote equality, eliminate discrimination and minimise unfairness with regard to any protected characteristic group.

This is the final phase of an on-going Equality Impact Assessment and its purpose has remained to ensure that the the mode of selection followed under the Code of Practice remained appropriate throughout the process, with due regard to equality issues with respect to any potential for discrimination in REF selection processes.

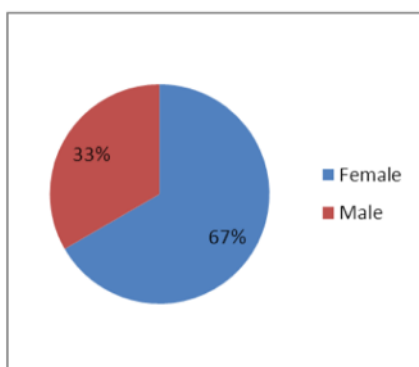
Care was taken to ensure that all academic staff who declared any form of special circumstances during the REF assessment period, were assessed fairly, including providing, additional, appropriate support, in line with REF and equality guidelines, to ensure that no individual was placed at a disadvantage in either the REF selection process or the number of outputs required.

The data below provides a comparison between eligible and actual staff selected for REF. The Courtauld has now collected information on the following protected characteristics, gender, ethnicity, age, disability, religion or belief, marital status, and gender reassignment. There are slight differences in eligible and actual staff selected for REF in some of the protected characteristics but the careful monitoring and assessment has confirmed that where there are variations in the statistical data of the two groups, these are not due to any form of discrimination.

**Gender**

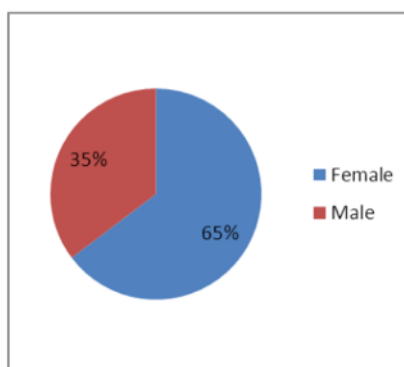
**Eligible**

Female 67%  
Male 33%



**Actual**

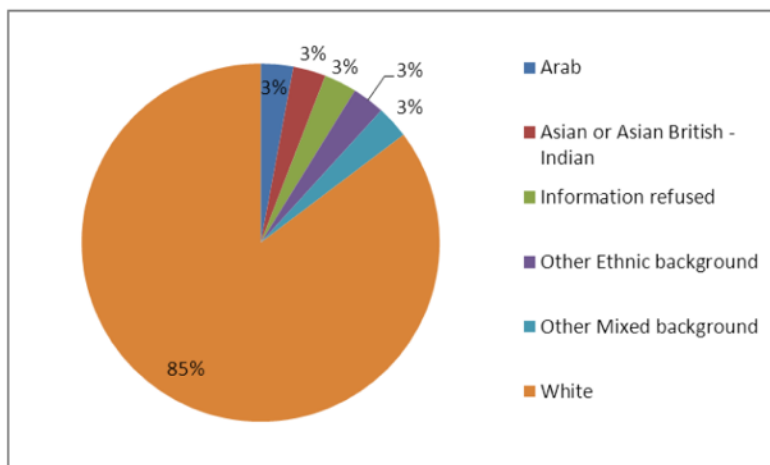
Female 65%  
Male 35%



**Ethnicity**

**Eligible and Actual**

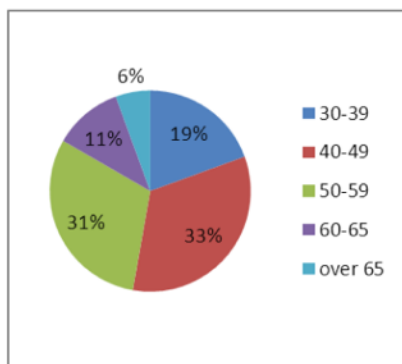
Arab	3%
Asian or Asian British - Indian	3%
Information refused	3%
Other Ethnic background	3%
Other Mixed background	3%
White	85%



### **Age**

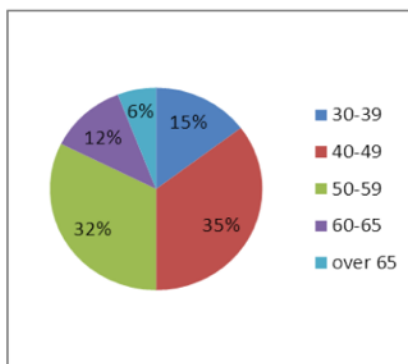
#### Eligible

30-39	19%
40-49	33%
50-59	31%
60-65	11%
over 65	6%



#### Actual

30-39	15%
40-49	35%
50-59	32%
60-65	12%
over 65	6%



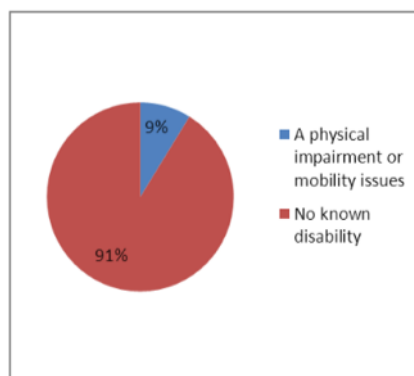
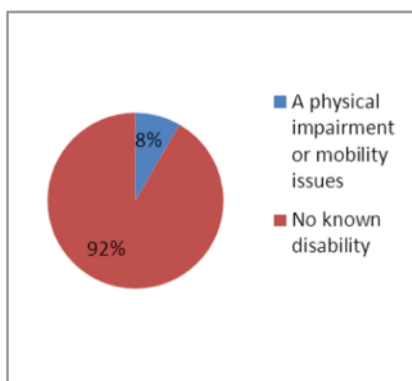
### **Disability**

#### Eligible

A physical impairment or mobility issues	8%
No known disability	92%

#### Actual

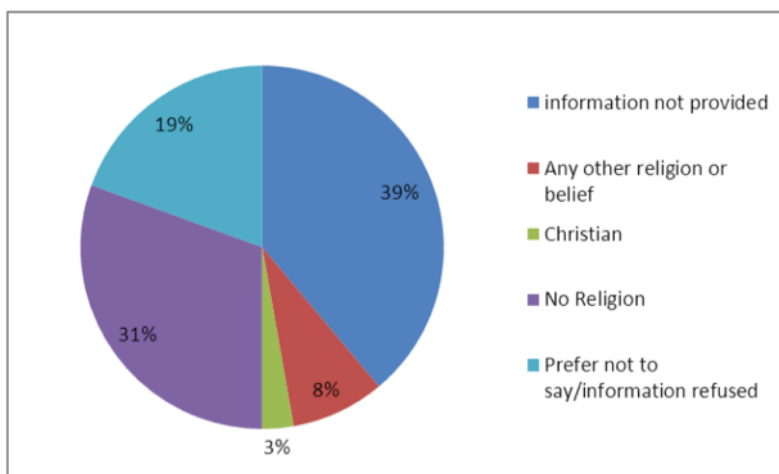
A physical impairment or mobility issues	9%
No known disability	91%



### **Religion or Belief**

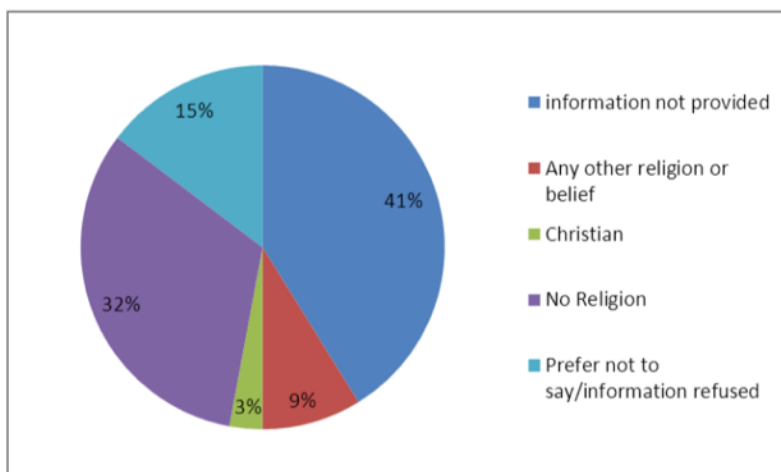
#### **Eligible**

Information not provided	39%
Any other religion or belief	8%
Christian	3%
No Religion	31%
Prefer not to say/information refused	19%



#### **Actual**

Information not provided	41%
Any other religion or belief	9%
Christian	3%
No Religion	32%
Prefer not to say/information refused	15%



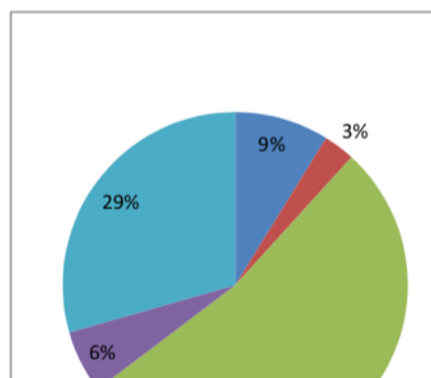
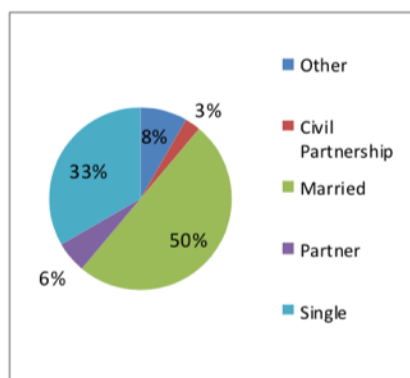
### **Marital Status**

#### Eligible

Other	8%
Civil Partnership	3%
Married	50%
Partner	6%
Single	33%

#### Actual

Other	9%
Civil Partnership	3%
Married	53%
Partner	6%
Single	29%



### **Gender Reassignment**

Eligible and Actual 0%

#### Gender

There is a higher proportion of female academics at The Courtauld. The mode of selection followed under the Code of Practice has remained alert to working arrangements that might be needed in mitigation of any disadvantage to women.

#### Ethnicity

The mode of selection followed under the Code of Practice could be considered to be neutral or positive in terms of ethnicity.

#### Age

The mode of selection followed under the Code of Practice has remained unlikely to have either a positive or negative impact on any academic due to age.

#### Disability

Extensive research suggests that disabled employees experience greater disadvantage than non-disabled employees. However, The Courtauld has continued to support the academics who have notified the Institute that they are disabled, as needed, through a flexible approach to their curriculum structures and timetables, through reasonable adjustments, to mitigate against the disadvantage that may arise due to their disability. The mode of selection followed under the Code of Practice has been designed to allow colleagues to disclose any relevant difficulties in confidence.

#### Religion or Belief

The mode of selection followed under the Code of Practice has not had either a positive or negative impact on any academic due to religion or belief.

#### Marital Status

The mode of selection followed under the Code of Practice has remained unlikely to have either a positive or negative impact on any academic due to marital status.

#### Gender reassignment

The mode of selection followed under the Code of Practice remains unlikely to have either a positive or negative impact on any academic due to gender reassignment, although no academic has indicated that they come under this protected characteristic.

Anjum Saad  
Human Resources Manager  
The Courtauld Institute of Art

## Appendix D – Equal Opportunities Policy

The purpose of this policy is to ensure that there is no discrimination against any person because of a protected characteristic of the Equality Act 2010: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief (including lack of belief), sex, sexual orientation, or because of parental or caring responsibilities, or trade union membership.

### Scope and Responsibility

This policy applies to all permanent and temporary employees working under a contract of employment, students, self-employed people with a contract for services within the Institute, volunteers or contract/agency workers.

All individuals referred to within this policy are required to adhere to its terms and conditions.

All managers are responsible for ensuring that the policy and procedure is applied in their area.

The HR Manager is responsible for the maintenance, review and updating of this policy in event of any changes to legislation, ensuring proper consultation with staff and locally recognised trade union representatives.

### Policy

There will be no discrimination against any person because of a protected characteristic involving job applicants, employees, students, volunteers, self-employed people with a contract for services with the Institute or contract/agency workers.

The Institute will appoint, develop, train and promote on the basis of merit and ability.

All individuals referred to in this policy have personal responsibility for the practical application of the Institute's equal opportunities policy.

The Institute will always try to avoid redundancy situations. However when such a situation arises, as a result of changing organisational requirements, selection for any redundancy will be based on purely objective criteria to ensure that there is neither direct nor indirect discrimination in this procedure.

Special responsibility for the practical application of the Institute's equal opportunities policy falls upon managers and supervisors involved in the recruitment, selection, promotion, training and day-to-day management of all persons referred to in this policy. These special responsibilities may give rise to training needs for which provision will be made, either through the appraisal procedure or by training needs analysis.

The Institute's grievance policy is available to any employee who believes that he or she may have been unfairly discriminated against. A student who claims to have been unfairly discriminated against will be entitled to pursue a complaint in accordance with the appropriate code set out in the Student Regulations.

Disciplinary action will be taken against any employee or student who is found to have committed an act of discrimination. Serious breaches of the policy will be treated as gross misconduct, as will harassment on any grounds.



In the case of any doubt or concern about the application of the policy in any particular instance, an employee should consult their manager or the HR Manager.

This policy is a commitment to make full use of the talents and resources of all our employees, and to provide a healthy environment, which will encourage good and productive working relations within the Institute. The operating code below describes how the policy is to be applied throughout the Institute.

The Institute is particularly concerned to achieve the following objectives:

All recruitment, promotion, opportunities for training and access to facilities and benefits will be without regard to any of the protected characteristics.

No employee or student will be disciplined or dismissed or suffer any harm or damage because of a protected characteristic.

The equal opportunities policy will be put on the intranet and communicated to all employees through induction and other appropriate communication channels.

Managers and supervisors will be thoroughly trained in the principles of equal opportunities, apply the principles consistently and deal with any breaches of the policy promptly and thoroughly.

No employee or student who, in good faith, raises a complaint that the equal opportunities policy has been breached will be victimised.

The policy will be regularly monitored to ensure that the principles of equal opportunities are being observed throughout the Institute.

For the avoidance of doubt, the following definitions apply within this operational code:

#### **Direct discrimination**

Direct discrimination is where a person is treated less favourably than another person because of a protected characteristic they have or are thought to have (see perception discrimination below), or because they associate with someone who has a protected characteristic. Example: only male job applicants are shortlisted for an interview because it is assumed that a woman will not fit into the department.

#### **Perception discrimination**

This is considered to be direct discrimination where a person is treated less favourably than another person because it is thought that they possess a particular protected characteristic. It applies even if the person does not actually possess that characteristic eg a wellbeing officer refuses to work with a student because they believe the student to be gay, irrespective of whether the student is gay or not.

#### **Discrimination by association**

This is where a person is treated less favourably than another person because they associate with another person who possesses a protected characteristic eg a student, whose child has attention deficit hyperactivity disorder, is refused access to the graduation ceremony because of fears about the child's behaviour.

### **Indirect discrimination**

Indirect discrimination is where a person is treated less favourably than another person because of a condition, rule, policy or even a practice that applies to everyone and appears to be neutral but its impact particularly disadvantages people who share a protected characteristic eg a requirement for regular late evening work may indirectly discriminate against women who are more likely to be primary carers of children. This can be justified if the Institute can show that it acted reasonably and it is a proportionate means of achieving a legitimate aim.

### **Harassment**

Harassment is unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual. Harassment applies to all protected characteristics except for pregnancy and maternity and marriage and civil partnership. Individuals are protected from harassment if they are perceived to have, or associate with someone with, a protected characteristic. Example: A is disabled and claims harassment against her line manager after he frequently teased and humiliated her about her disability. B shares an office with A and he too is claiming harassment, even though he is not disabled, as the manager's behaviour has created an offensive environment for him also.

### **Victimisation**

This is when a person is treated less favourably than another person because they have made or supported a complaint or have asserted their rights under this or any other policy (this covers both those bringing complaints or those acting as a witness in any investigation of a complaint).

### **The Protected Characteristics**

#### **Age**

In accordance with this policy, the Institute will not unfairly discriminate on the grounds of age in any of its policies and procedures. The default retirement age of 65 remains until April 2011, and it will then be removed in line with employment legislation.

#### **Disability**

The Institute is proactively committed to equality of opportunity for disabled individuals in all of its policies and procedures, and does not discriminate against any person because of their disability. Under the Equality Act 2010, a person is disabled if they have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities.

#### **Gender reassignment**

The Institute does not discriminate against or treat a transsexual person less favourably to any other person.

#### **Marriage and civil partnership**

The Institute does not discriminate against or treat a person less favourably because they are married or in a civil partnership.

#### **Pregnancy and maternity**

The Institute does not discriminate against or treat any woman less favourably on the grounds of pregnancy and maternity.

#### **Race**

The Institute is actively committed to promoting equality of opportunity on the grounds of race. It will work to eliminate discrimination on the grounds of race and to promote good relations between individuals of different racial groups. Race for this purpose includes colour, nationality and ethnic or national origins.

#### **Religion or Belief**

All staff, regardless of their religion, religious or philosophical belief, or lack of religion and/or belief, are required to work in accordance with their contract. However, the Institute will consider carefully requests from members of staff who require flexibility arising from their religious or cultural obligations and beliefs. The Institute will give appropriate consideration to requests from members of staff for extended, special or unpaid leave, timing of annual leave, changes in hours of working, in light of the business needs of the Institute.

#### **Sex**

The Institute does not discriminate against or treat an individual less favourably because of their sex.

#### **Sexual orientation**

The Institute does not discriminate against or treat an individual less favourably because of their sexual orientation.

#### **Admission and treatment of students**

The Institute is committed to an objective, transparent, and fair admissions procedure and proactively works to ensure that no student is discriminated against or treated less favourably than any other student.

#### **Employment**

##### **Recruitment**

All jobs are made open to all applicants. No assumptions or pre-judgements are made by managers or recruiters about suitability for a particular job, e.g. preferences of co-workers, customers, or suppliers must not be pre-supposed.

No decision is made, or preference stated, in advance, regarding the type of person preferred at the start of the recruitment process, e.g. making the post open to men only except in cases of Genuine Occupational Qualification.

All applications are given equal consideration.

Every attempt should be made to ensure that members of selection panels are not of one gender only but contain appropriate representation of the diversity of the workforce at The Courtauld.

##### **Job description and person specification**

The duties of a job and the requirements of the person to perform it shall be identified before recruitment begins. The job shall be designed to fulfill the needs intended and the educational qualifications, knowledge, experience, and skills and abilities shall be those that are essential for the effective performance of the job. These shall be reviewed regularly to ensure they remain valid.

##### **Attracting Applicants**

Job titles and job content are presented without bias, and relate only to the requirements of the job. Jobs are described in such a way that no qualified person is deterred from applying.

There is nothing, in either words or illustrations, to indicate any role stereotyping.

Vacancies are advertised in as wide a variety of ways as is reasonably practicable, taking account of resources available, with the aim of informing different groups about work opportunities at the Institute.

Copies of the Institute's written equal opportunities policy are given to any recruitment and advertising agencies that are involved in any recruitment process.

Where under-representation has been identified, advertisements may encourage applicants from the under-represented group while making it clear that the eventual selection will be solely on the basis of suitability for the job.

### **Application Forms**

All questions on the application form are relevant and non-discriminatory.

Application forms include only those questions that are essential at this stage.

Alternative methods of application may be used where the completion of an application form would require a higher standard of English or comprehension than is necessary for the performance of the job (eg the interviewer can record the information); people with disabilities may also be assisted in this way.

### **Interviewing and Selection**

Interviewers and those making selection decisions shall be aware of their responsibilities under the relevant legislation and the Institute's Equal Opportunities Policy and, where necessary, be provided with any necessary training.

All employees involved in the selection and recruitment process will take an unbiased approach. Shortlisting and interviewing shall normally be the responsibility of more than one person to help ensure that each candidate receives impartial consideration and generalised assumptions, which may lead to discrimination, are avoided.

All questions asked relate purely to the competencies required for the job.

No questions are asked or assumptions made about a person's personal or domestic circumstances.

All selection criteria must be strictly related to the objective competencies for the job.

Any shift-working or job mobility requirements must be absolutely essential and are objectively justified.

All requirements for educational and professional qualifications must be valid and job-related.

Due recognition is given to experience as a substitute for formal qualifications where possible. All previous experience is taken into account including voluntary work, work within the home and family responsibilities.

Selection tests must be free of bias and non-discriminatory in content, administration and scoring. Each selection decision is monitored to ensure this policy has been observed.

### **Training and Development**

The Institute will ensure that there is equal opportunity for all employees in respect of access to relevant training for their job and for career development. All employees responsible for carrying out performance appraisals will be trained and advised to ensure that assessment criteria are objective, relevant and not discriminatory to any person or groups of people. The following list provides some examples of how the policy should be processed:

All training and development reflects the principles of the equal opportunities policy.

Selection to attend courses is free from bias.

Courses, materials and validation processes are free from bias.

Each promotion and transfer opportunity decision is monitored to ensure this policy has been observed.

All new employees will have a period of induction, to be overseen by the responsible line manager. All employees will have regular meetings with their line manager. The purpose of such meetings is to ensure that employees are working to their job descriptions, in the best interests of clients and the Institute and to offer support and identify training needs, enabling them to perform to the best of their ability.

All employees are subject to an agreed annual appraisal procedure, to be carried out by their line manager. The purpose of this is to focus upon the employee's performance in their job, to identify goals for career development and to identify training needs, to help meet their goals.

### **Working conditions**

#### **Benefits, facilities and services**

The Institute will ensure that: equality is observed in the application of pay and all other terms and conditions; all posts are analysed and evaluated to determine the appropriate salary grade for the post; all appropriate benefits, facilities and services are made available to all employees; reasonable and practicable adjustments are made to ensure that facilities and services are available to people with disabilities; consideration is given to any reasonable requests relating to special needs of an employee or student, eg. caring responsibilities, religious beliefs.

#### **Harassment**

The Institute is committed to promoting equality, diversity and an inclusive and supporting environment for its staff, students and others closely associated with its work and affirms the rights of individuals to be treated fairly and with respect. Sexual, racial and other forms of harassment and bullying will not be tolerated and proven complaints will be dealt with in the context of the Harassment and Bullying Policy. Harassment and bullying are defined as unacceptable behaviour towards an individual which has the purpose or effect of violating someone else's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment.

Examples of conduct that could constitute harassment or bullying, include:

any physical contact which is unwanted; coercion or isolation; display of offensive material; offensive jokes; unwelcome remarks about a person's dress, appearance, race, or age etc; personal insults; persistent criticism.

In support of this, the Institute will:

provide a working environment, which respects the rights of each individual, and where persons treat each other with the utmost respect;

constantly reinforce the principles that any behaviour, which adversely affects an individual's dignity, is totally unacceptable and will not be tolerated under any circumstances;  
 make it everyone's responsibility to ensure that harassment has no place in the Institute;  
 recognise the sensitivity of harassment situations by operating an open door policy to discuss problems initially on an informal basis;  
 investigate official complaints of harassment swiftly and confidentially while ensuring that the rights of all parties are protected.

Every reasonable effort will be made to enable members of staff who become disabled while employed with the Courtauld, to remain within its employment. Similarly, the Institute will make every reasonable effort to enable a student who becomes disabled to continue in their studies.

### **Grievance and Disciplinary Procedures**

An employee with a grievance under equal opportunities should follow the grievance procedure as set out in the terms and conditions of employment and in line with statutory regulations. However, before taking a decision to follow the formal procedure, an employee has the right to approach HR, their manager, or another manager, if more appropriate, for informal, confidential advice.

Disciplinary procedures shall be used to deal with discrimination complaints, such as behaviour, language, victimisation, harassment.

### **Service delivery**

All of the Institute's in-house services will be provided in line with this policy. The Institute will also, as far as it is possible, seek to ensure that all contracted-out services are provided in line with this policy.

### **Volunteers**

The Institute will: review and promote means to develop the diversity of the Institute's volunteers; communicate the equal opportunities policy and its implications to volunteers.

### **Monitoring and evaluation**

This policy will be monitored and evaluated at all levels of organisational activity as to its effectiveness. Monitoring will include analysis of data in respect of: recruitment, admission, employee and student composition, training reports and programmes, grievances, disciplinarys, harassment or other complaints.

## Appendix E – Bullying and Harassment Policy

### Purpose

The Courtauld Institute of Art has a firm commitment to equality of opportunity and so to ensuring an environment in which the dignity of individuals is respected. The purpose of this policy is to assist in developing a working and learning environment in which harassment and bullying are known to be unacceptable and where individuals have the confidence to complain about such behaviour, if it should arise, in that knowledge that their concerns will be dealt with appropriately and fairly.

### Scope and Responsibility

This policy applies to all employees, permanent, fixed-term or temporary, consultants, contractors, students, agency staff, volunteers, interns, self-employed people with a contract for services and any other individual who works for The Courtauld.

Every person working for The Courtauld will be accountable for the operation of this policy as they carry responsibility for their own behaviour and actions, on and off site during working hours or any activity associated with their employment.

All staff in a managerial position are responsible for seeking to prevent any infringement of the policy amongst the staff for whom they are responsible.

Any employee who breaches this policy will face disciplinary action, which could result in dismissal for gross misconduct.

The Human Resources Manager is responsible to provide advice and guidance on this policy to all members of staff.

### Aim

The aim of this policy is to prevent any form of harassment or bullying of any member of The Courtauld through:

raising awareness of the effect of behaviour on others;  
 assisting staff to find effective ways to deal with behaviour they find difficult and/or unreasonable;  
 referral to the formal procedure within this document and to the appropriate disciplinary procedure where necessary.

### Definitions

Harassment and bullying is defined as unacceptable behaviour as perceived by the employee, which subjects an individual or group to unwelcome attention, intimidation, humiliation or ridicule, or violating an employee's dignity.

Harassment is defined as behaviour that is offensive and/or intimidating, unwanted, and which creates working conditions or an environment or another form of detriment about which a reasonable person could justifiably complain. The behaviour or treatment may relate to any of the protected characteristics of the Equality Act 2010 (see Equal Opportunities Policy [https://www.courtauld.ac.uk/intranet/staff/terms\\_conditions/index.shtml](https://www.courtauld.ac.uk/intranet/staff/terms_conditions/index.shtml)), or any other reason.

Bullying is defined as a form of harassment that is considered to be offensive, abusive, intimidating, malicious or insulting behaviour which makes the recipient feel upset, threatened, humiliated or vulnerable. Bullying can undermine an individual's self-confidence, competence and self-esteem.

Examples of behaviour which is likely to constitute harassment or bullying are given below. The list is not exhaustive and other forms of harassment or bullying will be viewed equally seriously:

- unnecessary or unwanted physical contact; invasion of personal space
- sexually suggestive behaviour, or compromising sexual invitations or demands
- racial harassment, including racist jokes or graffiti
- displaying offensive material
- unwarranted or suggestive remarks
- verbal or written abuse including non-communication and deliberate and/or inappropriate exclusion from social events
- derogatory name-calling and insults
- threats of a physical or psychological nature
- victimisation because of someone's gender, race, disability, sexual orientation, age, religion or other beliefs, or any other characteristic
- bullying behaviour or language that causes fear or distress to others
- abuse of power by someone in authority, or bullying by junior staff towards a member of senior staff
- abuse of power by full-time staff over part-time staff
- incitement of others to commit harassment
- electronic messages or electronic displays of sexually suggestive pictures or literature (including email and text messages)
- inappropriate and derogatory remarks in connection with performance
- inappropriate literature, pictures, books or tapes.

Harassment usually consists of persistent behaviour although one single act may be considered to be sufficiently serious to warrant disciplinary action, including dismissal.

If an individual makes a complaint of harassment or bullying, either informally or formally, to their line manager or Head of Department, there is a duty to consider it carefully and take appropriate action.

## **Procedures**

Informal procedure

### Complainant's initial action

As soon as possible after the harassment starts, the individual should make it clear that they find the behaviour offensive. Sometimes people are not aware that the behaviour is unwelcome and informal discussions can lead to greater understanding and an agreement that the behaviour will not reoccur. It may be helpful to talk to the HR Manager, their line manager, or another colleague before making the approach.

If the harassment is by the line manager, then the employee can seek support from their line manager's manager, the HR Manager, trade union representative or another colleague.

If the behaviour persists, the individual may wish to start to make a note of dates and details of any relevant incidents. Details should include: date and time of the first incident of harassment and any subsequent incidents; location of incident; nature of incident (to cover both parties and comments of the other parties); feelings of the person being harassed at the time; names of any witnesses.



This information should be stored safely until the matter has been resolved. All discussions at this stage will be confidential and informal.

### Resolving complaints

An investigation into an allegation of harassment can prove traumatic and stressful for all parties, and it is essential that the matter is handled quickly, sensitively and tactfully.

In many cases it is helpful, and indeed preferable, for all concerned that the matter is dealt with and resolved at a local and informal level.

The complainant should discuss the matter with their line manager or, if not appropriate, the HR Manager or another senior manager whom they trust. The manager will take notes of the incident and discuss the options for dealing with the situation. Any notes taken will be destroyed, if the case is satisfactorily resolved.

In all cases, the line manager will discuss the complaint with the HR Manager and decide on an appropriate way forward. This will involve an initial investigation into the facts of the case. Agreement will also be reached on whom is the most appropriate person to speak to the alleged harasser; normally this will be the line manager. Where the complaint involves an alleged harasser who reports to a different line manager, then the complainant's line manager will request the other line manager to do this.

### Formal procedure

If the informal approach does not resolve the matter satisfactorily, then the individual may decide to make a formal complaint. This must be made in writing to the line manager and the HR Manager. If it is not appropriate to submit the complaint to the line manager, the complaint should be submitted to the Head of Department and HR Manager.

If formal action is to be considered, a full investigation of the complaint will be undertaken which will include examining written evidence, interviewing appropriate people including witnesses and conducting any such enquiries as are thought necessary. In the light of the investigation, the manager and HR Manager will decide what action is to be taken, which may include The Courtauld's Disciplinary Policy being initiated.

The investigation will be carried out without delay, within agreed timescales and with the rights of all individuals protected and confidentiality maintained.

If the allegation is of a serious nature that amounts to gross misconduct under the Disciplinary Procedure, consideration will be given to immediate action under that procedure, which may include suspension of the individual against whom a complaint has been made.

### The disciplinary process

Having decided that a disciplinary meeting is appropriate, the manager concerned should consider how to deal with the matter sensitively, knowing the nature of the allegations.

If the complaint of harassment or bullying is upheld, and disciplinary action is taken, the line manager, with advice from the HR Manager, should monitor the situation to ensure that there is no repeat in the offending behaviour and/or victimisation.

If the complaint is not upheld, the line manager, with advice from the HR Manager, should consider if any further action is required, such as training, follow-up reviews with the concerned individuals.

If the evidence suggests that the complaint was made vexatiously or maliciously, disciplinary action will be taken.

There is no right of appeal under the Harassment procedures. If any of the individuals consider that the matter has not been dealt with satisfactorily, they should raise their concerns through the Grievance procedure.

#### Support and training

The Courtauld will endeavour to provide appropriate training and support to employees who cause or suffer harassment to avoid a reoccurrence.

#### Review

The policy will be monitored and regularly reviewed by The HR Manager.

## Appendix F – Disciplinary Policy

*NB: The Courtauld's Disciplinary Policy only applies to staff on academic contracts.*

### *Disciplinary procedures*

13. (1) Minor faults shall be dealt with informally.

(2) Where the matter is more serious but falls short of constituting possible good cause for dismissal the following procedure shall be used -

#### Stage 1 - Oral Warning

If conduct or performance does not meet acceptable standards the member of the academic staff will normally be given a formal ORAL WARNING. The member will be advised of the reason for the warning, that it is the first stage of the disciplinary procedure and of the right of appeal under this paragraph. A brief note of the oral warning will be kept but it will be spent after 12 months, subject to satisfactory conduct and performance.

#### Stage 2 - Written Warning

If the offence is a serious one, or if a further offence occurs, a WRITTEN WARNING will be given to the member of the academic staff by the Head of Department (or, if there is no Head of Department, other person designated by the Governing Board). This will give details of the complaint, the improvement required and the timescale. It will warn that a complaint may be made to the Secretary seeking the institution of charges to be heard by a Tribunal appointed under paragraph 16 if there is no satisfactory improvement and will advise of the right of appeal under this paragraph. A copy of this written warning will be kept by the Head of Department (or the other person designated by the Governing Board) but it will be disregarded for disciplinary purposes after 2 years subject to satisfactory conduct and performance.

#### Stage 3 - Appeals

A member of the academic staff who wishes to appeal against a disciplinary warning shall inform the Secretary within two weeks. The Deputy Director, (or, if there is no Deputy Director, another person designated by the Governing Board) shall hear all such appeals and the Deputy Director's decision shall be final.

### *Preliminary examination of serious disciplinary matters*

14. (1) If there has been no satisfactory improvement following a written warning given under Stage 2 of the procedure in paragraph 13, or in any other case where it is alleged that conduct or performance may constitute good cause for dismissal or removal from office, a complaint seeking the institution of charges to be heard by a Tribunal appointed under paragraph 16 may be made to the Secretary who shall bring it to the attention of the Director.

(2) To enable the Director to deal fairly with any complaint brought to the Director's attention under sub-paragraph (1) Director shall institute such investigations or enquiries (if any) as appear to the Director to be necessary.

(3) If it appears to the Director that a complaint brought to the Director's attention under sub-paragraph (1) relates to conduct or performance which does not meet acceptable standards but for which no written warning has been given under paragraph 13 or which relates to a particular alleged infringement of rules, regulations or byelaws for which a standard penalty is normally imposed in the Courtauld, or is trivial or invalid the Director may dismiss it summarily, or decide not to proceed further under this Part.

(4) If the Director does not dispose of a complaint under sub-paragraph (3) the Director shall treat the complaint as disclosing a sufficient reason for proceeding further under this Part and, if the Director sees fit, the Director may suspend the member on full pay pending a final decision.

(5) Where the Director proceeds further under this Part the Director shall write to the member of the academic staff concerned inviting comment in writing.

(6) As soon as may be following receipt of the comments (if any) the Director shall consider the matter in the light of all the material then available and may -

(a) dismiss it; or

(b) refer it for consideration under paragraph 13; or

(c) personally deal with it informally if it appears to the Director appropriate to do so and if the member of the academic staff agrees in writing that the matter should be dealt with in that way; or

(d) direct the Secretary to prefer a charge or charges to be considered by a Tribunal to be appointed under paragraph 16.

(7) If no comment is received within 28 days the Director may proceed as aforesaid as if the member concerned had denied the substance and validity of the alleged case in its entirety.

#### *Institution of charges*

15. (1) In any case where the Director has directed that a charge or charges be preferred under paragraph 14(6)(d), the Director shall request the Governing Board to appoint a Tribunal under paragraph 16 to hear the charge or charges and to determine whether the conduct or performance of the member of the academic staff concerned constitutes good cause for dismissal or otherwise constitutes a serious complaint relating to the member's appointment or employment.

(2) Where the Governing Board has been requested to appoint a Tribunal under clause 16 the Secretary or, if the Secretary is unable to act, another officer appointed by the Director shall take charge of the proceedings.

(3) The officer in charge of the proceedings shall formulate, or arrange for the formulation of, the charge or charges and shall present, or arrange for the presentation of, the charge or charges before the Tribunal.

(4) It shall be the duty of the officer in charge of the proceedings

(a) to forward the charge or charges to the Tribunal and to the member of the academic staff concerned together with the other documents therein specified, and

(b) to make any necessary administrative arrangements for the summoning of witnesses, the production of documents and generally for the proper presentation of the case before the Tribunal.

#### *The Tribunal*

16. A Tribunal appointed by the Governing Board shall comprise:

- (a) a Chairman; and
- (b) one member of the Governing Board, not being a person employed by the Courtauld; and
- (c) one member of the academic staff nominated by the Academic Board:

Provided that in any case where the member of the academic staff concerned is a Professor or Reader of the University, the Tribunal shall include, in addition to the members referred to under sub-paragraphs (b) and (c), two members nominated by the University, not being persons employed by the Courtauld.

#### *Provisions concerning Tribunal procedure*

17. (1) The procedure to be followed in respect of the preparation, hearing and determination of charges by a Tribunal shall be that set out in Regulations made under this paragraph.

(2) Without prejudice to the generality of the foregoing such Regulations shall ensure -

- (a) that the member of the academic staff concerned is entitled to be represented by another person, whether such person be legally qualified or not, in connection with and at any hearing of charges by a Tribunal;
- (b) that a charge shall not be determined without an oral hearing at which the member of the academic staff concerned and any person appointed by the member of the academic staff to represent the member of the academic staff are entitled to be present;
- (c) that the member of the academic staff and any person representing the staff member may call witnesses and may question witnesses upon the evidence on which the case against the member of the academic staff is based; and
- (d) that full and sufficient provision is made for
  - (i) postponements, adjournments, dismissal of the charge or charges for want of prosecution, remission of the charge or charges to the Director for further consideration and for the correction of accidental errors; and
  - (ii) appropriate time limits for each stage (including the hearing) to the intent that any charge thereunder shall be heard and determined by a Tribunal as expeditiously as reasonably practicable.

#### *Notification of Tribunal decisions*

18. (1) A Tribunal shall send its decision on any charge referred to it (together with its findings of fact and the reasons for its decision regarding that charge and its recommendations, if any, as to the appropriate penalty) to the Director and to each party to the proceedings.

(2) A Tribunal shall draw attention to the period of time within which any appeal should be made by ensuring that a copy of Part V (Appeals) accompanies each copy of its decision sent to a party to the proceedings under this paragraph.

*Powers of the appropriate officer where charges are upheld by Tribunal*

19. (1) Where the charge or charges are upheld and the Tribunal finds good cause and recommends dismissal or removal from office, but in no other case, the appropriate officer shall decide whether or not to dismiss the member of the academic staff concerned.

(2) In any case where the charge or charges are upheld, other than where the appropriate officer has decided under sub-paragraph (1) to dismiss the member of the academic staff concerned, the action available to the appropriate officer (not comprising a greater penalty than that recommended by the Tribunal) may be -

- (a) to discuss the issues raised with the member concerned; or
- (b) to advise the member concerned about that member's future conduct; or
- (c) to warn the member concerned; or
- (d) to suspend the member concerned for such period as the appropriate officer shall think fair and reasonable, not to exceed 3 months after the Tribunal's decision; or
- (e) any combination of any of the above or such further or other action under the member's contract of employment or terms of appointment as appears fair and reasonable in all the circumstances of the case.

*Appropriate Officers*

20. (1) The Director shall be the appropriate officer to exercise the powers conferred by paragraph 19 and any reference to the appropriate officer includes a reference to a delegate of that officer.

(2) Any action taken by the appropriate officer shall be confirmed in writing.

## Appendix G – Terms of Reference of the Academic Board

### Purpose

Subject to the responsibilities of the Governing Board and of the Director, the Academic Board shall be responsible for the following matters, having regard at all times to the educational character and objectives of the Courtauld as determined by the Governing Board:

- matters relating to the teaching, courses, scholarship and research of the Courtauld, including the criteria for the admission of students; the appointment and removal of internal and external examiners; policies and procedures for the examination and assessment of the academic performance of students; the content of the curriculum; the quality of courses, academic standards and the validation and review of courses; provisions relating to the expulsion of students for academic reasons;
- considering the development of the academic activities of the Courtauld and the resources needed for them and advising the Director and the Governing Board thereon; and
- such other matters as the Governing Board or the Director may assign to the Academic Board from time to time.

In addition, no decisions of the Governing Board on questions of educational policy shall be made until the Academic Board has had the opportunity of expressing an opinion.

In particular, the Academic Board is responsible for organising an institutional academic review every five years. The Board may set up a Misconduct Sub-Committee each year to deal with any cases of student discipline.

### Membership

Members of the Committee shall be appointed by the Chair. The Committee shall comprise as a minimum:

- the Director (who shall be Chair of the Academic Board)
- Courtauld Faculty Academic Staff\*
- the Head of Student and Academic Services
- the Head of Public Programmes
- the Head of The Courtauld Gallery
- the Head of Libraries

- the President of the Student Union, together with one other person enrolled on a postgraduate or, if the SU president is a postgraduate, and undergraduate course of study at The Courtauld
- Not less than two or more than six other members to be co-opted by the Academic Board (subject to the agreement of the Governance, Nomination and Remuneration Committee on behalf of the Governing Board). Such co-opted members shall serve for an initial fixed term of [three] years [and thereafter will be eligible for reappointment for a further term of three years].

The Articles of Association define Academic Staff as “persons employed by The Courtauld who have the title of Professor, Reader, Senior Lecturer or Lecturer, or are appointed to any other post designated by the Governing Board as a post on the academic staff of The Courtauld.”

Other individuals, including relevant members of other departments, Associate Lecturers, Research Fellows and visiting faculty, may be invited to attend meetings in whole or in part, at the discretion of the Chair.

### **Attendance**

Only Academic Board members shall have the right to attend the Academic Board meetings. Other individuals, including relevant members of management and Associate Lecturers, may be invited to attend meetings in whole or in part, at the discretion of the Chair.

### **Quorum**

The quorum for meetings will be 10 members, including the Director and Dean. Academic Board members participating by video or audio conferencing will count to the quorum.

### **Meeting frequency**

The Academic Board will meet 3 times a year at appropriate times in the academic cycle and otherwise as required. The Chair and Secretary will ensure that sufficient notice of meetings is given to Academic Board members.

### **Committee authority**

The Academic Board has the specific powers set out in the Articles of Association and these terms of reference and has the full power to act in relation to the matters delegated to it.

The agenda of the Academic Board is divided into two sections: above and below the line. Items above the line will deal with policy and strategy and any major changes arising from the sub- committee minutes; most questions of process will be reported “below the line” without further discussion, with the proviso that “substantive issues” can be raised if this is



agreed with the Chair (the Director) by the end of the day two days before the meeting. In the list below the functions that will normally fall “below the line” are indicated in italics.

- Power to devolve and take back powers of decision over specified academic matters to the TLC and any other committees the Board may wish to set up (n.b. decisions devolved to those committees will be reported to the Board, but not discussed).
- To oversee and approve an annual planning statement that sets and monitors strategic and operational priorities and targets (what used to be called agenda setting).
- To approve the policies and programmes of the Research Forum.
- To support and enhance the research activities of staff, and to approve policies and procedures relating to the Research Committee.
- To approve policy and procedures in relation to research degrees (including recommendations from the Research Degrees Committee).
- To develop policy and strategy in response to the Academic Infrastructure established by the QAA and other bodies.
- To develop the Learning and Teaching Strategy in line with the Strategic Plan of the Institute.
- In line with the Strategic Plan, to decide on the implementation of new academic policies and programmes, taking into consideration recommendations made by working groups (set up, for instance, on the initiative of the Director).
- To approve criteria for admissions to all programmes (only major changes would be treated as “above the line”).
- To decide policy for the Widening Participation Strategy and to support the work of the Admissions and Widening Participation Committee.
- To confirm the appointment and removal of external examiners.
- To set examination and assessment policies, and to approve changes in regulations and procedures (only major changes would be considered “above the line”).
- To make final decisions on changes to the content of the curriculum of all programmes (only major changes to course structures and delivery within programmes would be “above the line”).

- To approve student regulations including those relating to the termination of registration.

### **Areas of responsibility**

Having regard at all times to the educational character and objectives of The Courtauld as determined from time to time by the Governing Board and subject to the responsibilities of the Governing Board and the Director, the Academic Board's areas of responsibility shall be:

#### **TEACHING, COURSES, SCHOLARSHIP AND RESEARCH**

The Academic Board shall be responsible for all matters relating to:

- the teaching, courses, scholarship and research of The Courtauld, including the criteria for admission of Students
- the appointment and removal of internal and external examiners
- policies and procedures for the examination and assessment of the academic performance of Students
- the content of the curriculum
- the quality of courses, academic standards and the validation and review of courses, and
- provisions relating to the expulsion of Students for academic reasons

#### **ADVICE TO THE DIRECTOR AND THE GOVERNING BOARD**

The Academic Board shall provide recommendations and advice to the Director and the Governing Board, either directly or via the Chairman's Committee, on all matters relating to:

- the academic strategy of The Courtauld
- the development of the academic activities of The Courtauld and the resources needed for them, and
- such other matters as the Governing Board or the Director may assign to the Academic Board from time to time

#### **ASSURANCE**

The Academic Board shall provide the Director and Governing Board, either directly or via the Chairman's Committee, with assurance in relation to:

- teaching and research at The Courtauld, including the effectiveness of Student admissions, the quality of courses and teaching at The Courtauld, academic and research standards
- all related matters on which the Governing Board is in turn required to make provide assurance to the OfS and other regulatory bodies
- and may make appropriate recommendations as considered necessary or appropriate to the Governing Board, either directly or via the Chairman's Committee.

## **Working Groups**

To assist it in delivery of its responsibilities and to facilitate better informed and more effective decision making, the Committee may establish such working groups as it considers necessary from time to time.

## **Conduct of meetings**

Working with the Secretary, the Chair shall ensure that the Academic Board receives the information it needs to discharge its responsibilities and that the meeting planning allows sufficient time for discussion and debate on key items. In finalising the agenda for the Academic Board meetings, the Chair and the Secretary will ensure that any recommendations from Committees of the Governing Board as to potential items of business for the Academic Board are taken into consideration.

The Academic Board may investigate and seek any information it requires from any employee of The Courtauld in order to perform its duties and may require any such employee to attend a meeting. The Academic Board may obtain, at The Courtauld's expense, outside legal or other professional advice it may require to discharge its responsibilities and secure the attendance of outsiders with relevant experience and expertise as the Chair may consider necessary.

The Chair is expected to foster an open and inclusive discussion where views, recommendations and advice are actively canvassed in the meeting, support is offered to management and constructive challenge is given whenever appropriate.

## **Confidentiality of Committee papers**

Many of the Committee papers are commercially sensitive. Committee materials which are marked as 'Not for Circulation' must not be shared beyond the Committee members.

## **Conflicts of interest**

All Committee members (including the Chair) have a duty to avoid conflicts of interest; that is, a situation where a Committee member's personal interests or duties/loyalties could be seen as affecting his or her decision making. It is the personal responsibility of each

Committee member to declare any actual or potential conflict of interest in relation to any item of business immediately as it arises and not participate in the discussions on that item.

### **Register of interests**

To ensure that any potential conflicts are identified at an early stage and to allow the Chair to manage the business of the Committee appropriately, the Secretary maintains a list of the outside interests of the Committee members (covering external appointments, controlling shareholdings and other interests, including those of close family members).

It is also the duty of individual Committee members to notify Company Secretary promptly of any changes to his or her declared interests.

### **Reporting and minutes of Meetings**

The Chair will report to the Governing Board on proceedings after each meeting of the Academic Board.

Draft minutes of the Committee will be circulated to all Committee members following review by the Chair. Once approved, the minutes will be circulated to the Academic Board.

### **Operation of the Academic Board**

Secretary – the EA to the Dean & Deputy Director will act as Secretary to the Academic Board and the Chair and members will have full access to the assistance and resources of the Company Secretary to assist it in carrying out its responsibilities.

Terms shall have the same meaning as in the Articles of Association unless separately defined.

Adopted by Academic Board on 28 February, 2019

## Appendix H – Terms of Reference of the Research Committee

### Purpose

Subject to the responsibilities of the Academic Board, the Research Committee shall be responsible for the following matters:

- To develop the Courtauld's research strategy, in line with the Institute's Strategic Plan
- To encourage and facilitate excellent research, and to seek out ways to support the Institute's research activities intellectually, economically, and ethically.
- To oversee and support the Courtauld's preparations for research assessment exercises (REF2021).
- Delegated power: To be responsible for policy relating to and distributions from the Staff Research Fund.

### 2020 Membership

Members of the Committee shall be appointed by the Chair.

Category	Member of staff	Length of tenure
Director	Deborah Swallow	ex-officio
Head of Research; Dean and Deputy Director (in the Chair)	Alix Bovey	ex-officio
Chair of the Research Degrees Committee	Stephen Whiteman	ex-officio
Gallery Staff Member	Barnaby Wright	End 2021
Professors	Susie Nash	End 2021
	Sarah Wilson	End 2021
Academic from Conservation and Technology or Wall Paintings	Pia Gottschaller	End 2020
Art historians (lecturer, senior lecturer, or reader)	Jo Applin	End 2020
	Esther Chadwick	End 2021

Secretary: Oliver Wright

### Attendance

Only Research Committee members shall have the right to attend the Research Committee meetings. Other individuals, including relevant members of management and Associate Lecturers, may be invited to attend meetings in whole or in part, at the discretion of the Chair.

### Quorum

The quorum for meetings will be 5 members, including the Head of Research.

### Meeting frequency

The Research Committee meets at least three times each year. Additional meetings may be scheduled to respond to particular issues, e.g., the publication of REF2021 guidelines.

### Committee authority

The committee derives its authority from the Academic Board, and has the full power to act in relation to the matters delegated to it.

### Areas of responsibility

These are set out in the purpose of the Committee, outlined above.

### Working Groups

To assist it in delivery of its responsibilities and to facilitate better informed and more effective decision making, the Committee may establish such working groups as it considers necessary from time to time.

### Conduct of meetings

Working with the Secretary, the Chair shall ensure that the Research Committee receives the information it needs to discharge its responsibilities and that the meeting planning allows sufficient time for discussion and debate on key items.

The Research Committee may investigate and seek any information it requires from any employee of The Courtauld in order to perform its duties and may require any such employee to attend a meeting.

The Chair is expected to foster an open and inclusive discussion where views, recommendations and advice are actively canvassed in the meeting, support is offered to management and constructive challenge is given whenever appropriate.

### Confidentiality of Committee papers

Many of the Committee papers are sensitive. Committee materials which are marked as 'Not for Circulation' must not be shared beyond the Committee members.

### Conflicts of interest

All Committee members (including the Chair) have a duty to avoid conflicts of interest; that is, a situation where a Committee member's personal interests or duties/loyalties could be seen as affecting their decision making. It is the personal responsibility of each Committee member to declare any actual or potential conflict of interest in relation to any item of business immediately as it arises and not participate in the discussions on that item.

### Reporting and minutes of Meetings

The Chair will report to the Academic Board on proceedings after each meeting of the Research Committee.

Draft minutes of the Committee will be circulated to all Committee members following review by the Chair. Once approved, the minutes will be circulated to the Academic Board.

### Secretary

The Research Manager will be Secretary to the Research Committee.

## Appendix I – Terms of Reference of the Ethics Committee (serving as REF2021 Appeals Committee)

### Courtauld Institute of Art ("The Courtauld")

#### Terms of Reference for the Ethics Committee (the "Committee")

To assist the Chairman's Committee in the delivery of its responsibilities and to facilitate better informed and more effective decision making, the Committee has established a number of groups to support it in relation to particular areas.

#### **Purpose:**

This Committee is to review and advise the Chairman's Committee on ethical and reputational matters relating to The Courtauld, including whistleblowing, student matters, gift acceptance and research ethics.

#### **Membership:**

The Chairman's Committee shall determine the membership of the Committee and appoint a chair who may be an Appointed Governor or such other individual with appropriate skills and experience, as the Chairman's Committee may determine.

The chair of the Committee shall hold office for an initial fixed term of four years and thereafter shall be eligible for re-appointment for a further term of four years. If the chair is an Appointed Governor of the Board, this will be in accordance with their terms as outlined in the Memorandum & Articles of Association.

#### **Operation:**

The Committee is advisory and has no delegated authority. It serves to make reports and recommendations, where appropriate, to the Chairman's Committee in a form that best assists the Chairman's Committee and provides the Chair of the Chairman's Committee with all the information needed to ensure that properly informed decisions can be made at Chairman's Committee meetings.

The chair of the Committee shall determine the attendance and mode of operation of the Committee. The Committee will meet as required, for example to review and provide input on a key paper that is being proposed to the Chairman's Committee. It is expected that the President of the Students' Union will be in attendance for matters directly related to students.

It is the intention that the Committee shall operate without unnecessary formality; however, to ensure appropriate records are retained and to ensure transparency, minutes of the Committee will be recorded.

The chair of the Committee will have right of access to the Governing Board.



## Appendix J – Confirmation of Staff Agreement for the Process by which Individuals with Significant Responsibility for Research are Identified

What follows is the text of a letter sent by Professor Deborah Swallow (Märit Rausing Director, The Courtauld) to Dr Steven Hill (Director of Research, Research England), dated 19 September 2019:

*Dear Dr. Hill,*

*Thank you for your letter of 16 August. As requested, I am writing to confirm that The Courtauld Institute of Art received full staff agreement for the processes established by the Institute's REF2021 Code of Practice to identify individuals with significant responsibility for research.*

*On 24 April 2019 I chaired an Extraordinary Meeting of The Courtauld's Academic Board, the purpose of which was to review the draft Code of Practice. This review therefore included the processes related to the identification of individuals with significant responsibility for research.*

*The Academic Board's membership includes all academic staff within the Institute, along with representatives from The Courtauld's Gallery, Libraries, Public Programmes, and student body. The Board unanimously approved the Institute's Code of Practice on 24 April, subject to revisions set out in the minutes of the meeting and subsequently made to the document ahead of its submission to Research England.*

*Prior to the Academic Board Extraordinary Meeting, union representatives met with members of The Courtauld's Human Resources department to discuss the Code of Practice (inclusive of the aforementioned processes) and offer their feedback. This meeting took place on 20 March 2019.*

*The minutes of the Academic Board Extraordinary Meeting on 24 April confirm that union representatives provided their endorsement to the Code of Practice. A copy of these minutes can be provided to Research England as required.*

*A copy of the text of this letter will be appended to The Courtauld's revised Code of Practice (Appendix J).*

*Yours sincerely,*

*Professor Deborah Swallow  
Märit Rausing Director*