

Academic Promotion and Appointment Criteria

Equality Impact Assessment

November 2014

Faculty/Service Area	Date of Assessment	Name of the proposal to be assessed	Person responsible for the assessment
VP & Deputy Vice Chancellor's Office	12 th November 2014	Academic Appointment and Promotion Criteria Discussion Paper	Jo Clayton (Project Manager—University Structures)
Who was present at the EIA? Mohammed Hameed Jo Clayton Ceri Bain	<p>Is this a new or existing proposal?</p> <p>This EIA is concerned with assessing the likely impact of the criteria being proposed in the Discussion Paper “Academic Appointment and Promotion Criteria”. It is intended that the proposed criteria replace the criteria that have been in place since 2008</p>	<p>When will this proposal be reviewed?</p> <p>The application of these criteria will be monitored at least once a year by protected characteristic and reported in the Annual Diversity report to University Court. Suggestions or recommendations from an equality or diversity perspective will be outlined in the report if necessary</p>	
1. Briefly describe the aims, objectives and purpose of the proposal		<p>The overall aim of the Academic Appointment and Promotion Criteria is to ensure that career pathways and criteria are developed to support the University Strategy 2020. This discussion paper focusses on the strategic objective to be <i>“clear about our expectations of staff and ensure they have meaningful and challenging work and development opportunities. We will value, recognise and reward their contributions and achievement and empower them to innovate and take decisions, so that we are known as a great place to work.”</i></p>	
2. Who is intended to benefit from the proposal and in what way?		<p>The discussion paper outlines a set of criteria that academic staff must be able to evidence in order to progress from lecturer to professor. Therefore, academic staff are the main beneficiaries. In addition however, it is hoped that the University also benefits by enhancing its ability to retain and develop academic staff and thereby enhance its own reputation as ‘an enterprising and innovative community renowned internationally, with an unrivalled student learning experience’.</p>	

3. What outcomes are wanted from this proposal?	Once agreed and implemented, from an equality perspective, it is hoped that the revised criteria will provide a clearer career pathway for academic staff aspiring to attain more senior positions within the University. By applying the criteria as outlined in the Discussion Paper it is reasonable to expect that staff will view this as a more transparent and equitable mechanism for advancement.
4. What factors/forces could detract from the outcomes?	The major potential factor that could detract from the success of this proposal is lack of staff buy-in. It is therefore crucial that these criteria are viewed as fair, equitable and transparent by all staff (regardless of seniority). As the Discussion Paper currently stands, there are potential barriers to attaining this (as well as areas that should support this) and these are outlined in the following sections as they pertain to staff with particular protected characteristics.
5. Is it likely that the proposal <u>could</u> have a positive or negative impact on minority ethnic groups? What evidence (either presumed or otherwise) do you have for this?	<p style="text-align: center;">N</p> <p>There is nothing in the Discussion Paper to suggest that there may be particular positive or negative impacts on staff from a minority ethnic background. The Staff Diversity Report (data generated in January 2014), reported that applications for employment, appointments and staff in post all showed that the numbers of minority ethnic applicants and staff remained well above the numbers that could be expected based on the percentage of minority ethnic groups within the total population. This would seem to suggest that the University has no difficulties in attracting staff from minority ethnic groups and these criteria should enhance that capability.</p>

<p>6. Is it likely that the proposal could have a positive or negative impact due to gender (including pregnancy and maternity)? What evidence (either presumed or otherwise) do you have for this?</p>	Y	<p>The Discussion Paper proposes that “<i>applicants would usually be expected to demonstrate some evidence against each of the specific criteria relevant to their chosen route, although <u>promotions panels</u> will exercise academic judgement as to the overall profile and level of achievement</i>”. Whilst this is consistent with previous practice, a concern could be raised that promotions panels, if not representative (in terms of gender and other protected characteristics) may be open to the possibility of unconscious gender bias. It is therefore recommended that where possible, promotions panels strive to be as representative of the University’s academic community and particularly where the applicant is from an area of the University which is heavily dominated by one sex e.g. SEBE. Ideally, representation should also include an external.</p> <p>A potential positive impact could be realised by the proposal to allow individuals to draw on criteria from two of the routes. Anecdotal evidence suggests that women academics receive an unfair share of teaching responsibilities which act as a detriment to their research careers. Therefore, allowing recognition in this manner could potentially mitigate against this perceived (or real) detriment.</p>
<p>7. Is it likely that the proposal could have a positive or negative impact due to disability? What evidence (either presumed or otherwise) do you have for this?</p>	N	<p>There is nothing in the Discussion Paper to suggest that there may be particular positive or negative impacts on disabled staff. The Staff Diversity Report referred to above, also reported that applications for employment and staff in post showed that the number of applicants or staff who declared a disability was in line with national data. This would seem to suggest that the University has no difficulties in attracting disabled staff. However, it is recommended that the University also develop a guidance document outlining how mitigating factors (such as a disability that requires regular or lengthy periods of time away from work) could be factored into decisions concerning whether or not staff progress through a grade. This is not to suggest the University implements positive discrimination (which in any case would be illegal) but, as was recognised in the Research Excellence Framework 2014, mitigating circumstances can be justified as ‘reasonable adjustments’ permissible under the Equality Act 2010.</p>

8. Is it likely that the proposal could have a positive or negative impact on people due to sexual orientation? What evidence (either presumed or otherwise) do you have for this?		N	<p>There is no evidence to suggest that these criteria would impact favourably or otherwise on staff with a particular sexual orientation. If a member of staff believes that they have been treated unfairly as a result of their sexual orientation an individual may seek redress through the University's HR policies. There is little data available to the University on the sexual orientation of its staff (the question is asked at application stage and is also on the Staff Diversity Form but completion rates are too low to allow meaningful analysis).</p>
9. Is it likely that the proposal could have a positive or negative impact on people due to their age? What evidence (either presumed or otherwise) do you have for this?	Y		<p>There may be positive impacts for staff regardless of age. It is generally recognised that it takes time to move up the academic scale and having a clear set of criteria and career pathways should help staff plan their careers more effectively (regardless of their chronological age).</p>
10. Is it likely that the proposal could have a positive or negative impact on people due to their religious belief (or none)? What evidence (either presumed or otherwise) do you have for this?		N	<p>There is no evidence to suggest that these criteria would impact favourably or otherwise on staff due to their religious belief (or none). If a member of staff believes that they have been treated unfairly as a result of their faith or belief there are HR policies and procedures open to the individual. There is insufficient data available to the University on the faith or belief identity of its staff (the question is asked at application stage and is also on the Staff Diversity Form but completion rates are too low to allow meaningful analysis).</p>
11. Is it likely that the proposal could have a positive or negative impact on people with dependants/caring responsibilities? What evidence (either presumed or otherwise) do you have for this?		N	<p>There is no evidence to suggest that these criteria would impact favourably or otherwise on staff due to caring responsibilities. As evidence from the University's Athena SWAN submission demonstrates, there is remarkably low formal take-up of Flexible Working arrangements because the responsibilities of academics are necessarily not bound to the "core hours" regime of non-academic staff. This low take-up suggests that where relevant and necessary, academic staff are already able to establish a work/life balance effectively.</p> <p>Ultimately, if a member of staff believes that they have been treated unfairly as a result of their caring responsibilities, an individual may seek redress through the University's HR policies.</p>

<p>12. Is it likely that the proposal could have a positive or negative impact on people due to them being transgender or transsexual? What evidence (either presumed or otherwise) do you have for this?</p>		N	<p>There is no evidence to suggest that these criteria would impact favourably or otherwise on staff due to their transgender status. If a member of staff believes that they have been treated unfairly as a result of their transgender status, an individual may seek redress through the University's HR policies.</p>
<p>13. Is it likely that the proposal could have a positive or negative impact on people due to their marital or civil partnership status? What evidence (either presumed or otherwise) do you have for this?</p>		N	<p>There is no evidence to suggest that these criteria would impact favourably or otherwise on staff due to their marital or civil partnership status. If a member of staff believes that they have been treated unfairly as a result of their marital or civil partnership status, an individual may seek redress through the University's HR policies.</p>

<p>14. Describe how this proposal will help the University to meet its Public Sector Equality Duty obligations.</p>		<p>Taken as a whole, this proposal should achieve the desired outcomes and thereby fulfil the three 'needs' of the Public Sector Equality Duty, which are to:-</p> <ul style="list-style-type: none"> - Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act - Advance equality of opportunity between people who share a protected characteristic and those who do not - Foster good relations between people who share a protected characteristic and those who do not. <p>However, there are areas which may need further consideration in order to be more fully compliant with the above:</p> <p>Under section 5, there is potential indirect discrimination against part-time staff as it is not clear from the wording if it would take part-time staff longer to complete their PhD than full-time staff. It could be argued that as part-time staff have more time to undertake research they should be able to complete the PhD more quickly than those working full-time. That may however not be the case if the staff member can only secure part-time work because the funding for the post is limited. In those scenarios, they may be undertaking other work. This would have implications for staff if moving from grade 5 to 6 is dependent on how long it takes to complete their PhD (the same also applies to staff undertaking PG Cert/HEA membership). It may also be argued that there are potential Equal Pay issues as these are "entry-level" qualifications and holding staff at Grade 5 (while they are effectively undertaking all the duties undertaken by staff who are being paid at Grade 6) until they gain the qualification is unfair.</p> <p>At 5.2 the proposal states that "<i>there will be no appeal process in relation to academic judgement, however employees will be able to appeal on procedural irregularities</i>". It is suggested that this may be something that needs further consideration if the University is to avoid numerous appeals as there is potential for unconscious bias which cannot be rectified if appeals are not allowed. For example, if staff feel that subjectivity has played a part in the decision process and have no recourse to a remedy there will inevitably be a negative impact on their morale and productivity. The absence of an appeal mechanism also does not seem to be consistent from a Human Rights Act perspective.</p>
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