

# Summary of sector responses to Special circumstances Consultation paper

## Purpose

This provides a summary of sector responses to the Special circumstances Consultation paper produced by the Performance Based Research Fund (PBRF) Sector Reference Group.

**Note: The Tertiary Education Commission and the Sector Reference Group makes no claims about the accuracy or appropriateness of any of these sector responses.**

## Introduction

This consultation paper discusses the issues and concerns about the special circumstance provisions and their application in the PBRF Quality Evaluation. It considers some options for addressing these concerns and invites feedback from stakeholders in the tertiary education sector on the options and recommendations of the Sector Reference Group (SRG) presented in the paper.

It was approved by the PBRF Sector Reference Group at their meeting on 8 August 2008. Sector response to this consultation paper was invited through the Tertiary Education Commission (TEC) web site from 12<sup>th</sup> September 2008 to 31<sup>st</sup> October 2008.

A total of 19 responses were received. The respondents are listed in the Appendix.

## Organisation of summary

The summary has been organised into the following five parts:

- A. responses to question 1 of the feedback template (“Which special circumstances should staff members be able to claim?”)
- B. responses to question 2 of the feedback template (“Do you have views on the methodology used to assess which special circumstances staff members should be able to claim?”)
- C. responses to question 3 of the feedback template (“What impact should special circumstances have on the quality score and category?”)
- D. responses to question 4 of the feedback template (“When should special circumstances be considered?”)
- E. miscellaneous comments

## Summary of responses

### ***Part A: Responses to the question, “Which special circumstances should staff members be able to claim?”***

The following table gives special circumstance types and the number of submissions that favoured each type (some submissions favoured more than one type):

<b>Special circumstance type</b>	<b>Number of favouring submissions</b>
Extended leave	13
Part-time employment	10
Significant community responsibilities	9
Leadership position	6
Other circumstances	3
Research active for the first time (but not eligible as new and emerging researcher)	3
Sub-degree teaching	3
Discipline responsibilities	1
Engaging in research in a Māori paradigm	1
Long-term disability	1
Responsibilities to another employer	1
Social commitment to raising one’s children	1

Some submissions gave reasons for/provided comments in support of the special circumstance type they favoured.

#### Extended leave:

- maternity leave is the only special circumstance that has a major impact on a researcher both before and after the actual leave is taken
- extended leave is a significant equity issue as more women than men take leave, and women tend to take longer leave
- recognising the impact of parental leave is a gender issue
- the full impacts on a researcher of caring for an elderly dependent are likely to extend beyond any actual leave taken (for example, being unable to attend overseas conferences)
- a minimum duration of six months rather than twelve months is appropriate for parental leave and serious illness
- extended leave should not be dealt with as a special circumstance but instead should focus on the proportion of FTE that the researcher is contracted during the PBRF period
- sabbatical leave enhances a researchers ability to engage in research so should not be considered a special circumstance

#### Part-time employment:

- researchers claiming part-time employment as a special circumstance must be able to demonstrate how it has negatively impacted on their ability to research
- many part-time staff will be employed part-time because of career responsibilities, or be at an early stage in their career, or have disabilities/impairments that prevent full-time work, or a combination of these
- part-time employment should not be dealt with as a special circumstance but instead should focus on the proportion of FTE that the researcher is contracted during the PBRF period

#### Leadership position:

- the impact of an academic leadership role on ability to research is not adequately compensated for by listing such a role as part of the PE or CRE component of an EP, because the weighting assigned to these components does not reflect the true cost to research of taking on such a role
- if leadership is not treated as a special circumstance then collegiality in New Zealand universities will be undermined
- academics who take on significant leadership and management roles should be encouraged to remain research active and model scholarly behaviour for junior staff
- academics in leadership positions must remain connected to the 'core business' of universities

- if leadership is not treated as a special circumstance then leaders may suffer a drop in their Quality Category, weakening their legitimacy as leaders and de-motivating them as academics
- if leadership is not treated as a special circumstance then there will be an incentive for giving greater leadership and managerial responsibilities to non-research-active staff, which seems a strange dynamic

Sub-degree teaching:

- failing to treat sub-degree teaching as a special circumstance is inequitable as it does not recognise the significant difference between the University sector and the ITP sector and the differing expectations on researchers teaching in these two sectors
- some staff at ITPs teach in sub-degree courses for as much as 90% of their teaching time, so their teaching in degree courses may be as little as 0.1 FTE, and the impact of this on the performance of ITPs in PBRF must be acknowledged in some way (modifying PBRF eligibility requirements to exclude such staff would be another possible approach)

Long-term disability:

- disability reduces the capacity to travel to conferences and to engage in the networking opportunities that such conferences offer and to benefit from publication offers that may result from this

Responsibilities to another employer:

- emerging researchers especially may spread their academic and financial commitments between two or more organisations in the course of study

***Part B: Responses to the question, “Do you have views on the methodology used to assess which special circumstances staff members should be able to claim?”***

The following responses were received. They are presented in no particular order:

- adjustments for extended leave and part-time employment should be formula-based, taking the raw score before adjustment and increasing it proportionally according to the formula
- researchers must indicate how and where performance was negatively impacted by any claimed special circumstance
- part-time employment and leadership roles must have the same status - either both of them count as special circumstances or neither of them do
- part-time employment and leadership roles should be treated not as special circumstances but instead dealt with by assigning fractional FTEs to researchers who are in this position
- clearer and more prescriptive guidelines on special circumstances (including examples) should be given to panel members
- the consultation paper did not have adequate data on which to base its discussion and did not make sufficient international comparisons
- claimed special circumstances should be subject to random audit
- the meaning of the phrase “normal expectations” is unclear and the relationship between the “normal expectations” of a position and the types of special circumstances must be reconsidered
- each case in which the consideration of special circumstances changes a researcher’s quality category should be considered by the moderation panel
- special circumstances should be calculated on a pre-determined, publicly available formula
- researchers must describe special circumstances in sufficient detail for a judgement to be made about them
- special circumstances should play only a minor role in determining quality categories as these are judgements about what a researcher has done, not what they might have done
- in making judgements about special circumstances, panel members should consider each of the seven questions given as bullet points on page 11 of the consultation paper EXCEPT FOR the following:
  - whether a claimed special circumstance has already been compensated for by the TEO
  - whether there is a reasonable expectation that a TEO should have mitigated the impact of a claimed special circumstance
  - treatment of special circumstances by overseas TEO

**Part C: Responses to the question, “What impact should special circumstances have on the quality score and category?”**

The following table gives the preferences expressed for the four options presented on pages 18-21 of the consultation paper (some submissions favoured more than one option, not all submissions expressed a preference):

<b>Option</b>	<b>Number of favouring submissions</b>
Option 1: Recalculation based on a predetermined formula	2
Option 2: Allowing consideration of entries from before the assessment period	0
Option 3: Providing a list of special circumstances that should impact on the quality score	5
Option 4: General guidelines on the application of the provisions	11

In addition, the following comments were made about the options. These comments are presented in no particular order:

- strong opposition to Option 1 as quality categories should represent what a researcher has actually done, not what they might have done
- Option 1 is transparent, Option 2 has potential for ‘game-playing’, Option 4 as stated contains durations that would affect quality scores in a way that seems unreasonable
- Option 3 is irrelevant as this information should be made available in any case
- Option 1 is supported for part-time and extended leave only
- Option 4 is supported if more space is provided in Evidence Portfolios to give details of special circumstances

**Part D: Responses to the question, “When should special circumstances be considered?”**

The following table gives the preferences expressed in response to this question:

<b>Option</b>	<b>Number of favouring submissions</b>
Special circumstances should be considered during the panel review holistic assessment and not before	9
Special circumstances should be considered during a separate transparent process with the impact communicated to the researcher	1
Special circumstances should be removed from the PBRF assessment process	1

In addition, the following comments were made in response to this question. These comments are presented in no particular order:

- for the extended leave and part-time special circumstance types a separate adjustment step should occur at the end of the assessment process
- if special circumstances are considered during the panel review holistic assessment then the risk of inconsistent judgements across panels is increased, particularly in view of the large number of special circumstance claims

**Part E: Miscellaneous comments.**

The following miscellaneous comments were also made. These comments are presented in no particular order:

- the cut-off dates for new and emerging researchers should be adjusted, being made earlier for those working part-time or on leave
- adjustments for special circumstances need to be fair and transparent or they risk complaints to the Human Rights Commission
- the PBRF is a mechanism for determining bulk funding for TEOs and the special circumstances of staff are not relevant for this purpose - the funding a TEO receives should not be influenced by some special circumstances preventing some of its staff producing Research Outputs
- inconsistency in the consideration of special circumstances across panels is a problem
- full-time employment should not be classified as “normal” because this implies that it is the expected norm for academic researchers and it suggests that part-time employment is less usual
- the PBRF must deal with part-time staff appropriately to avoid any accusation of indirect discrimination under s21 of the Human Rights Act 1993 and also to avoid violation of the Employment Relations (Flexible Working Arrangements) Amendment Act 2007
- to fully understand equity and diversity all panels should have a mix of males and females and preferably a cultural diversity and a mix of staff who work full and part time
- it must be a necessary condition of any special circumstance that it be sustained over at least 2/3 of the assessment period
- special circumstances should only be considered if a researcher is on the cusp of a quality category
- it is naïve to assume that special circumstances only impact on the quantity and not the quality of Research Outputs
- special circumstances should be divided into two types
  - ‘intrinsic’ - those that relate to personal situations
  - ‘extrinsic’ - those that relate to institutional or workplace situations
- the PBRF guidelines 2012 must make it clear that consideration of special circumstances will rarely result in an increased quality category
- the limit on the number of types of special circumstance that a researcher can claim should be a sensible proportion of the total number of types
- researchers should be informed whether the consideration of special circumstances altered their quality category and if so how it did so

## **Appendix**

A total of 19 responses were received. The responses fall into three categories. All responses are given equal weight by the PBRF Sector Reference Group.

Responses made on behalf of the following institutions or organisations:

- University of Auckland Academic Women's Group
- Vice-Chancellor's Office of The University of Auckland

Responses made by staff from the following Tertiary Education Organisations:

- Auckland University of Technology
- Christchurch Polytechnic Institute of Technology
- Eastern Institute of Technology
- Lincoln University
- Massey University
- NorthTec
- Open Polytechnic of New Zealand
- Unitec Institute of Technology
- University of Canterbury
- University of Otago (2 separate responses)
- University of Waikato

Responses made by individuals:

- 5 responses were received from individuals