

**Tertiary Education  
Commission**  
Te Amorangi Mātauranga Matua



# PBRF Sector Reference Group – Consultation paper 5

**Individual Researcher Circumstances  
and Staff Identification**

<b>Name</b>	<b>Status</b>	<b>Distribution</b>
PBRF Sector Reference Group – Consultation Paper 5 Individual Researcher Circumstances and Staff Identification	CONSULTATION PAPER	Public Direct feedback to: <a href="https://www.surveymonkey.com/r/LSKLGXJ">https://www.surveymonkey.com/r/LSKLGXJ</a> Feedback due 5pm, 2 June 2022

## Purpose

- 1 This paper sets out options developed by the PBRF Sector Reference Group (SRG) for changes to individual researcher circumstances and staff identification in the Quality Evaluation 2025 and invites feedback from tertiary education organisations (TEOs) and other stakeholders. Specifically, it:
  - › Sets out background information on the following four areas:
    - a. eligibility criteria for New and Emerging Researchers (NERs)
    - b. eligibility criteria and declaration processes for Extraordinary Circumstances (EC)
    - c. recognising the impacts of COVID-19 on individual researchers' activity during the assessment period, and
    - d. collecting staff ethnicity data for use in the new weightings for Māori and for Pacific staff.
  - › Provides the rationale for the SRG's proposed options, based on feedback from the previous Quality Evaluation, the PBRF Review, and TEC officials' analysis
  - › Sets out the options the SRG has developed, and
  - › Invites feedback on the options and questions set out in this paper.
- 2 A second paper on individual researcher circumstances will consider the consequences of NER status and EC declarations, including COVID-19 impacts, in relation to what Evidence Portfolios (EPs) must contain and how they are assessed. This second paper will be published once the SRG has made recommendations on EP design, as those recommendations will determine the possible options that can be considered.

## Background

### ***PBRF Review recommendations: New and Emerging and Extraordinary Circumstances criteria***

- 3 Following the PBRF Quality Evaluation 2018, the Ministry of Education (MoE) set up an independent PBRF review panel. The PBRF Review drew on sector feedback, PBRF data, expert analysis, and insight from TEC, Ministry of Business Innovation and Enterprise, and MoE officials in developing its recommendations.
- 4 The PBRF Review recommended that the NER provision should be retained, but that the eligibility and assessment criteria should be reviewed and simplified, with a view to reducing administrative burden and avoiding counterproductive outcomes.<sup>1</sup>

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<sup>1</sup> PBRF Review Panel. *Toward the Tertiary Research Excellence Evaluation: The Report of the PBRF Review Panel*. Wellington, New Zealand Government, pp.86-7.

- 5 The review recommended that the EC provision should be reviewed with a view to:
- › Normalising the very great diversity of career trajectories of academic staff rather than framing life circumstances as ‘extraordinary’ or ‘special’
  - › Introducing a ‘merit relative to opportunity’ concept when panels assess the quantity of research, to promote equity, diversity and inclusion, and to fall in step with current human resources best practice, and
  - › Limiting the number of people who have access to sensitive or confidential information relating to individuals, such as through some assessment at the TEO level or a tightly constrained group of peer review panel members.<sup>2</sup>

### ***Cabinet decisions and instructions: New and Emerging and Extraordinary Circumstances criteria***

- 6 In July 2021, Cabinet released its decisions on changes to the PBRF, including instructing the TEC, in consultation with the SRG, to ‘simplify the New and Emerging qualifying criteria’.<sup>3</sup>
- 7 Cabinet also directed the TEC, in consultation with the SRG, to revise the EC qualifying criteria to:
- › Introduce a merit relative to opportunity element to allow assessment of research quantity in ways that promote equity and inclusion
  - › Ensure the process collects and evaluates information in a sensitive way, and limits the number of people with access to this information
  - › Review and potentially remove the minimum threshold of three years
  - › Allow for part-time employment to be considered more deliberately throughout assessment, including potentially in this category, and
  - › Take account of the negative impacts of COVID-19.<sup>4</sup>

### ***Cabinet decisions on funding weightings to support Māori and Pacific researchers***

- 8 Cabinet decided to apply a funding weighting of 2.5 for EPs submitted by Māori staff, and to apply a funding weighting of 2 for EPs submitted by Pacific staff. Given this change, the SRG agreed that it would consider the process by which the TEC receives staff ethnicity data for the purposes of the PBRF Quality Evaluation.

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<sup>2</sup> *Report of the PBRF Review Panel*, p.67.

<sup>3</sup> Ministry of Education, 2021. *Education Report: Final recommendations on the PBRF Review*. Wellington, New Zealand Government, para 64; Cabinet Minute of Decision: Review of the Performance-Based Research Fund: Final Report (CAB-21-MIN-0175), p. 2.

<sup>4</sup> Ministry of Education, 2021. *Education Report: Final recommendations on the PBRF Review*. Wellington, New Zealand Government, para 61; CAB-21-MIN-075 p. 2.

- 9 Any changes to issues in this paper should give effect to the new PBRF Guiding Principles agreed by Cabinet:
- › Partnership: the PBRF should reflect the bicultural nature of Aotearoa New Zealand and the special role and status of the Treaty of Waitangi / Te Tiriti o Waitangi
  - › Equity: different approaches and resources are needed to ensure that the measurement of research excellence leads to equitable outcomes, and
  - › Inclusiveness: the PBRF should encourage and recognise the full diversity of epistemologies, knowledges, and methodologies to reflect Aotearoa New Zealand's people.<sup>5</sup>

### Sector Reference Group process

- 10 The options in this paper on NER and EC provisions set out potential changes to the criteria and processes for determining eligibility. This paper does not set out options for how EPs submitted by staff who meet NER and/or EC criteria will be assessed, because this is dependent on recommendations on EP design.
- 11 In developing and considering options, the SRG has taken into account whether they:
- › Are consistent with Cabinet's instructions to make operational design changes to other elements of the Quality Evaluation
  - › Address the concerns and aspirations identified in the *Report of the PBRF Review Panel* and the *Report of the Moderation and Peer Review Panels*
  - › Deliver fair and equitable outcomes for all participating TEOs and their staff
  - › Uphold the unique nature of research produced in Aotearoa New Zealand and reflect what is distinctive about our national research environment, and
  - › Are consistent with the PBRF Guiding Principles, including the three new Principles of partnership, equity, and inclusiveness.

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<sup>5</sup> CAB-21-MIN-075, p. 2.

## New and Emerging Researcher eligibility criteria

- 12 This section provides context, and sets out options, for changes to the NER eligibility criteria.

### *Background to the New and Emerging Researcher provision*

- 13 The NER provision was introduced in Quality Evaluation 2006 for staff members who had started their research career during the assessment period. The provision was introduced following concerns in Quality Evaluation 2003 that researchers at the start of their careers who were beginning to build research platforms and publish outputs were being disadvantaged relative to their more senior peers, particularly in respect to demonstrating peer esteem or research contributions.
- 14 The purpose of the NER provision was to allow those staff members to be recognised under the PBRF by creating the funded C(NE) and unfunded R(NE) Quality Categories. These Quality Categories could only be awarded to staff who had been identified as NERs, and they provided a way to evaluate the quality of the research and research activity of those staff while adjusting for the early stage of their research careers.
- 15 In making this provision, the intent was to ensure that NER staff were encouraged to pursue research, and the correct incentives for TEOs were in place to support the government goal of building a sustainable tertiary sector workforce.

### *Quality Evaluation 2018 New and Emerging Researcher eligibility criteria*

- 16 In Quality Evaluation 2018, the key principle TEOs had to apply in determining whether a PBRF-eligible staff member also met the eligibility criteria to be categorised as an NER was ‘that the staff member is undertaking substantive and independent research for the first time in their career. Staff who have produced outputs that meet the PBRF Definition of Research before 1 January 2012, except when in a supervised or supporting role, cannot be considered new and emerging’.<sup>6</sup>
- 17 In applying this principle, TEOs had to also determine that staff members met all the following three criteria:
  1. They met the requirements of the PBRF staff eligibility criteria
  2. They met the substantiveness test for research for the first time on or after the start date of the assessment period, and
  3. They had not been eligible to participate in any previous Quality Evaluation.

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<sup>6</sup> Tertiary Education Commission, *Performance-Based Research Fund Guidelines for tertiary education organisations participating in the 2018 Quality Evaluation*, Wellington, New Zealand Government, pp. 19-20 (<https://www.tec.govt.nz/assets/Forms-templates-and-guides/PBRF/a7c29b5b70/PBRF-TEO-guidelines-April-2018.pdf>).

- 18 The 'substantiveness test for research' was defined as: *staff members have to undertake one or more of the following: the design of research activity; the preparation of research outputs (for example, as a co-author or co-producer) that is likely to result in being named as an author (or co-author or co-producer) on one or more research outputs; the academic supervision of graduate research students.*
- 19 To assist TEOs in determining whether submitting staff met the key principle and the three criteria, the Guidelines contained the following additional guidance:
- › The PBRF Definition of Research does not distinguish between research undertaken within or outside of academia. TEOs should not make this distinction either. If an output meets the PBRF Definition of Research, the staff member's role or location or employer is not a deciding factor in regard to whether it is research.
  - › Staff members are normally considered to undertake substantive and independent research if they meet the requirements of the substantiveness test for research.
  - › Staff members are not normally considered to undertake substantive research if they undertake activities that are excluded from the PBRF Definition of Research, for example, part of routine standard practice, or are providing a technical function only or produce outputs that do not embody original research.
  - › Staff members who are named as an author on a research output while in a supervised or support role are considered to be working under the close guidance of a lead researcher. This would not normally be seen as undertaking independent research.
- 20 The Guidelines contained further guidance on how to work out if staff met the NER criteria, including a recommendation to answer Criterion 2 via a combination of reviewing staff members' CVs, conducting interviews, and searching publicly available information. The Guidelines recommended answering Criterion 3 by confirming whether staff submitted EPs or met the eligibility criteria in any previous Quality Evaluations.
- 21 The Guidelines included nine worked examples to support TEOs in determining whether staff members met the new and emerging criteria. The full guidance relating to NER staff is attached in Appendix 1.

### ***Rationale for changing the new and emerging eligibility criteria***

- 22 The 2019 PBRF Review found that the introduction of the NER assessment pathway from Quality Evaluation 2006 was generally considered to have been successful, increasing the equity of assessment outcomes through providing an assessment standard tailored to reflect the early stages of a research career. However, the criteria for identifying NERs have been identified by review panels as requiring redesign by the Sector Reference Group in every Quality Evaluation since 2006.

- 23 The 2019 PBRF Review heard from the sector that the 2018 criteria for identifying NER staff ‘can be problematic to apply and interpret’. Peer-review panel members in the Quality Evaluation 2018 also provided feedback that in some instances the criteria produced outcomes which ‘did not conform with their intuitive understanding of the status of researchers’.<sup>7</sup> The 2019 PBRF Review noted that in the Quality Evaluation 2012, misidentification of staff as NER was the second most common staff eligibility error.
- 24 The introduction of Criterion 2 (meeting the substantiveness test for research for the first time on or after the assessment period start date) in 2018 does not appear to have addressed the cause of NER staff misidentification, with instances increasing slightly from 4.1% of all EPs submitted by NERs in 2012 to 4.5% in 2018.
- 25 The 2019 PBRF review also heard that the criteria created some perverse outcomes, including the fact that research students who engaged in desirable behaviour such as producing research outputs and were subsequently hired in PBRF-eligible roles could later be found ineligible as NERs because these outputs were produced before the assessment period.
- 26 Finally, the 2019 PBRF Review heard that applying the NER criteria placed an onerous administrative burden on participating TEOs, as determining NER status required reviewing the entirety of an individual’s professional and academic history, including carrying out interviews with staff members, reviewing their CVs, and carrying out searches of publicly-available information, in order to determine whether outputs produced or activity undertaken prior to the assessment period met the substantiveness test. In 2018, 1,452 EPs of the 8,269 total were submitted by NERs, representing a significant amount of work by TEO staff.<sup>8</sup>

### ***Specific issues to address and impact of potential changes to eligibility criteria***

- 27 Submissions to the PBRF Review and subsequent feedback from TEOs indicate that the administrative effort, as well as the lack of clarity, was felt most strongly in relation to applying Criterion Two (meeting the substantiveness test for research for the first time on or after the start date of the assessment period) and to the key principle that the staff member is undertaking substantive and independent research for the first time in their career.
- 28 This was because staff members who had been appointed to their first academic role within the assessment period could previously have had non-academic roles in which they were expected and supported to carry out research or research-related activity, and had therefore produced a body of outputs or carried out activity that might meet the criteria described in the substantiveness test for research. This was true across all disciplines, but was particularly the case within the creative arts and other disciplines with a practice-based focus, where staff members often had careers as practitioners prior to taking up academic roles. TEOs report that they often found it difficult and

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<sup>7</sup> Report of the PBRF Review Panel, p. 86.

<sup>8</sup> *Report of the PBRF Review*, pp. 86-87.



time-consuming to work out whether a staff member had met the substantiveness test for research in prior roles.

- 29 The PBRF Review proposed that one way of simplifying the criteria and reducing the burden could be to 'place more emphasis on the initiation of a substantive employment relationship with a TEO that participated in the PBRF. Less weight would then be placed on incidental research activity undertaken as part of a researcher's prior employment'.<sup>9</sup>
- 30 The SRG considers that it is important to consider a staff member's research activity in roles held prior to taking up a PBRF-eligible role. The underlying aim of the NER pathway is to reduce inequity between staff who, regardless of employer type, have been expected and supported to carry out research activity over a number of years (through, for example, expectations in job descriptions; allocated workload time for research), and those who, during the assessment period, have for the first time started positions with those expectations and support. It is important that the criteria do not enable staff members who have been expected and supported to build research platforms in previous non PBRF-eligible roles to be considered as NERs. For this reason, the SRG has not proposed an option whereby the initiation of a substantive role with a TEO that participates in the PBRF is the sole criterion for NER status.
- 31 Other potential approaches to simplifying the criteria which were considered and which have not been recommended as options include:
  - › *Specifying a maximum amount of time since a PhD was obtained.* Using the PhD award as a proxy for the start of a research career will not work in some disciplines where a PhD is not a requirement for a PBRF-eligible academic role, and could disadvantage staff who for a range of reasons might take many years following the PhD to commence such a role or may not ever undertake a PhD.
  - › *Specifying a maximum amount of time since publication (or equivalent) of the first output that meets the PBRF Definition of Research.* Using research outputs alone as a proxy for the start of a research career elides the equity principle which underpins the NER category, since it is possible to produce an output which meets the PBRF Definition of Research while in a role which does not require or support substantive independent research. The PBRF Review noted the example of a graduate research student who produces an eligible research output while not employed in a role that expects or supports substantive independent research as a part of that role. It is intuitively counter to the aims of the NER category that they would not, when subsequently employed in a PBRF-eligible role for the first time during the assessment period, be considered an NER.

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<sup>9</sup> Report of the PBRF Review, p. 87.

### *Options for changes to the New and Emerging Researcher eligibility criteria*

- 32 Below are set out two options the SRG has developed for changes to the NER eligibility criteria.
- 33 In developing these options, the SRG has been guided by the underlying aim of the NER pathway: to reduce inequitable assessment outcomes for early career staff who are beginning to build a research platform but who, relative to their more senior peers, have not yet benefited from the time and organisational support to carry out research activities.
- 34 All the options remove the previous Criteria 1 and 3. These appear to have been included for the “avoidance of doubt” but this does not seem to have had the intended effect, and in some cases may have led to duplication of administrative effort. The previous Criterion 1, which required NER staff members to “meet the requirements of the PBRF eligibility criteria”, duplicates the more general requirement of the TEO to identify *all* PBRF eligible staff for the purposes of inclusion in the PBRF. For this reason, the SRG considers that Criterion 1 does not assist in identifying NERs and may duplicate administrative effort.
- 35 Similarly, the previous Criterion 3, which is that to be eligible as an NER the staff member must “not have been PBRF-eligible in a previous Quality Evaluation”, is not an additional requirement. Any submitting staff member who meets Criterion 3 axiomatically also meets Criterion 2: meeting the substantiveness test for research for the first time in the current assessment period. On this basis, neither 1 nor 3 are independent criteria for being an NER.
- 36 **Option 1:** Refine the key principle to clarify the importance of the assessment period and reduce the number of criteria:

*New and Emerging Researchers are defined as staff who meet the PBRF staff eligibility criteria and who started their careers as independent researchers in this assessment period. The key principle that TEOs must apply is that the staff member has commenced undertaking substantive and independent research for the first time in their career during this assessment period.*

*Criteria: To be considered new and emerging researchers, PBRF-eligible staff members must have met the substantiveness test for research for the first time on or after 1 January 2018.*

- 37 Option 1 clarifies that the key principle must be met within the current assessment period, thus removing any ambiguity around the 2018 principle’s wording ‘for the first time in their career’. It also simplifies the criteria to be applied.
- 38 For reference, the substantiveness test for research is defined as: “staff members have to undertake one or more of the following: the design of research activity; the preparation of research outputs (for example, as a co-author or co-producer) that is

likely to result in being named as an author (or co-author or co-producer) on one or more research outputs; the academic supervision of graduate research students.”

- 39 **Option 2:** Revise the key principle to focus on role and reduce the number of criteria:

*New and Emerging Researchers are defined as staff who meet the PBRF staff eligibility criteria and who started their careers as independent researchers in this assessment period. The key principle that TEOs must apply is that the staff member has commenced undertaking substantive and independent research for the first time in their career during this assessment period.*

*Criteria: To be considered new and emerging researchers, PBRF-eligible staff members must have been employed for the first time in a role which included the expectation to carry out substantive and independent research as defined in the substantiveness test for research on or after 1 January 2018.*

- 40 Like Option 1, Option 2 clarifies that the key principle must be met within the current assessment period, thus removing any ambiguity around the 2018 principle’s wording ‘for the first time in their career’.
- 41 This option applies the substantiveness test for research to the staff member’s role, rather than to the staff member themselves. This ensures that submitting staff members who may have previously carried out independent research whilst not employed in roles with support or expectation to do so, are not excluded from NER eligibility.
- 42 Both options are intended to ensure that staff who produced their own eligible research outputs prior to the assessment period while employed in roles that did not meet the substantiveness test for research are not penalised for carrying out independent research (e.g. graduate research students, research assistants, hourly-paid or short-term contract teaching staff, individuals working in unrelated roles but who are aiming to obtain academic positions). At the same time, it ensures that newly PBRF-eligible staff who previously held roles outside of a TEO that would have met the substantiveness test for research, and have thus been expected and supported to produce research prior to this assessment period, will not be eligible as NERs.
- 43 Both options are intended to reduce the administrative burden on TEOs, which will no longer need to take research outputs into account in determining whether eligible staff meet the NER criteria, and will only need to apply one criterion or definition.

## Extraordinary Circumstances eligibility criteria

44 This section provides context, and sets out options, for changes to the EC eligibility criteria and for changes to the way in which EC claims are reviewed and assessed as eligible or not. As noted above, options for how EPs submitted by staff whose claims are accepted as eligible should be assessed will be looked at in a second paper on Individual Researcher Circumstances.

### *Background to the Extraordinary Circumstances provision*

45 Recognising the negative impact of individual circumstances such as long-term illness, parental leave, and part-time employment on the *quantity* of participating staff members' research outputs and activity has been a feature of the Quality Evaluation since the initial *Investing in Excellence* report of the PBRF Working Group.<sup>10</sup> Considering potential impacts on the *quality* of research has never been a factor in considering individual circumstances.

46 In the first Quality Evaluation, in 2003, 75 percent of EPs claimed what were then called 'special circumstances'. As a result, a requirement to include more detailed information on these circumstances was introduced for the 2006 Quality Evaluation. The new guidance reduced this number to 60 percent of all EPs submitted. Further changes were introduced for Quality Evaluation 2012 which again reduced this number to just over 37 percent of all EPs submitted. Quality Evaluation 2012 also introduced special circumstances provisions to recognise the impacts of the Canterbury earthquakes.

47 Following the Ministry of Education's 2013 review of the PBRF, Cabinet decided that the eligibility criteria for special circumstances should be further tightened for Quality Evaluation, with the explicit aim of reducing the number of EPs using the provision to less than 10 percent. The review found that the provisions were being overused, and that the types of circumstances most often claimed were in fact part of the normal expectation of an academic staff member's activity (for example teaching workloads or leadership roles). The SRG for Quality Evaluation 2018 was asked to consider options for how to implement changes on this basis.

48 The SRG recommended, and the TEC implemented, the following changes to special circumstances for Quality Evaluation 2018:

- › Renaming the provision 'extra-ordinary circumstances'. This name change was intended to provide a clearer signal to submitters that only those circumstances that are uncommon and unexpected would be considered as part of the EP submission.
- › Establishing a minimum time period of three years total during the assessment period over which the circumstances need to have occurred in order for these circumstances to be submitted.

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<sup>10</sup> Ministry of Education and the Tertiary Education Commission, *Investing in Excellence: the Report of the PBRF Working Group*, Wellington, New Zealand Government, 2002, p. 15.

- › Allowing only the following circumstance types to be claimed:
  - Long-term illness or disability of a nature that would reduce the quantity of research outputs or activities
  - Extended personal leave of a nature that prevents research activity from occurring. This includes sick leave and parental leave. Sabbatical leave is not considered in this circumstance, and
  - Significant family/community responsibilities of a nature that prevents research activity from occurring. This includes responsibility for dependants and/or to specific communities, such as iwi and/or Pacific communities.

49 This change resulted in the following circumstance types being no longer eligible and as such removed from the Guidelines for Quality Evaluation 2018:

- › Leadership positions involving extended or above the usual time commitment such as Dean or Pro-Vice-Chancellor positions
- › Part-time employment for some or all of the assessment period, or becoming research active for the first time during the assessment period, and
- › Other circumstances that are seen to be relevant, at the discretion of the panel Chair, such as staff teaching at both degree and sub-degree level, or confidentiality requirements that restrict the publication of further outputs based on the confidential research output.

50 The changes to the EC provision achieved Cabinet’s intent of reducing the number of EPs using this provision. The results of Quality Evaluation 2018 show that 4.3 percent of EPs submitted included an EC declaration.

***Quality Evaluation 2018 Extraordinary Circumstances eligibility criteria***

51 In Quality Evaluation 2018, there were two EC provisions (general, and Canterbury Earthquakes) which were intended to ensure staff members who had experienced circumstances that had seriously affected the quantity of research and research-related activities during the assessment period were treated equitably. Full details of the provisions for both general and Canterbury Earthquakes EC, including how EC should be described, TEO verification requirements, how EC were taken into consideration by panels, and audit process are attached in Appendix 1.

52 One or more of the following EC types could be claimed under the general provision:

- › Long-term illness or disability that would reduce the quantity of research outputs or activities during the assessment period. This could include ill health or injury, mental health conditions, sensory or developmental conditions, or other health conditions or diseases that may be progressive or have fluctuating or recurring effects.

- › Extended personal leave that prevents research activity from occurring during the assessment period. This could include shorter-term leave due to ill health, mental health conditions or injury and parental leave relating to pregnancy, maternity, paternity, adoption or childcare. Sabbatical leave was not considered in this circumstance.
  - › Significant family or community responsibilities that prevent research activity from occurring during the assessment period. This included responsibility for dependants, including caring for elderly or ill, injured or disabled family members, or to specific communities, such as iwi or Pacific communities, to a level that reduced the opportunities to undertake research.
- 53 Under the Canterbury Earthquakes EC provision, one or more of the following five impact types could be claimed:
- › Ongoing trauma, stress and fatigue
  - › Loss or damage to house and/or contents
  - › Disruption related to facilities or resources
  - › Significant additional responsibilities
  - › Reduced research opportunities.
- 54 Staff members claiming EC (general and Canterbury Earthquakes) were asked to make a declaration in the EP ‘in sufficient detail that the panel can make a judgement about the specific negative impact the circumstance(s) have had on the quantity of research or research-related activity, or both, in the assessment period. This detail must include dates of all relevant times and a clear description of the impact on quantity’.<sup>11</sup>
- 55 Staff were not required to submit evidential documentation, and individual EC claims were not subject to audit. However, TEOs were required to have verified prior to submission that the circumstances claimed were legitimate, that the staff member had been able to undertake less research activity in the assessment period as a consequence, and that the claimed circumstances occurred over a minimum period of three years.
- 56 TEOs were required to have developed an internal process for considering, endorsing and validating legitimate EC to be included in EPs. This process was subject to audit at the Process Assurance phase.

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<sup>11</sup> *Quality Evaluation 2018 Guidelines*, p. 95.

### **Quality Evaluation 2018 employment status settings**

- 57 The Quality Evaluation 2018 Guidelines provided a mechanism to enable staff to provide information about their employment status that remained relevant to the assessment of the EP but which was no longer eligible to be considered as an EC.
- 58 Staff were invited to use the Platform of Research – Contextual Summary section of the EP to provide information about employment status including part-time employment, becoming research active for the first time during the assessment period, or teaching on sub-degree programmes. This information enabled panels to contextualise the research outputs and activities submitted in the Research Output and Research Contribution components, and could support the panel to make judgements about the EP if it required detailed review at the Holistic Assessment stage.

### **Issues to be addressed through changes to the Extraordinary Circumstances criteria**

#### **Ensuring the eligibility criteria are equitable and appropriate**

- 59 As detailed in the *Background to Extraordinary Circumstances provision* section above, previous SRGs have been asked to consider how to make changes with the express aim of reducing the proportion of EPs claiming ECs. For Quality Evaluation 2025, Cabinet’s instructions are not aimed at achieving any specific proportion, but rather, following the findings of the 2019 PBRF Review, at ensuring the provisions are equitable and do not disadvantage researchers.
- 60 The PBRF Review found that the successive reductions in the proportion of EPs claiming ECs across the four Quality Evaluations to date did not reflect ‘a lessening of the complexity of the working and personal lives of researchers. Rather these changes were the result of better understanding of the process, deliberate decisions to exclude certain circumstances from the “approved” categories of EC and the setting of minimum periods over which some impact needed to have occurred.’<sup>12</sup>
- 61 The PBRF Review considered that the 2018 EC eligibility criteria had created inequitable disparities between staff who:
- a. met one or more of the three criteria, and additionally met the three-year minimum, and thus could submit EC claims
  - b. did not meet any of the criteria but who were able to provide commentary about their employment arrangements (including part-time work, becoming research active during the assessment period, or teaching on sub-degree programmes) and the impacts of those arrangements in the Platform of Research summary section of the EP, and
  - c. had experienced legitimate barriers to research activity that could not be accounted for in their EP in any way, either because they were not reflected in the criteria, were not of three years total duration, or were not employment

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<sup>12</sup> Report of the PBRF Review Panel, p. 38.

arrangements that could be commented on the Platform of Research summary section.

- 62 The PBRF Review noted that because women were twice as likely as men to be employed part-time, and accounted for 67 percent of claims under the extended personal leave type and 76 percent of the significant family/community responsibilities type, it was likely that the successive tightening of EC eligibility criteria was disadvantaging women researchers.
- 63 The PBRF Review's concerns reflected those of the *Report of the Moderation and Peer Review Panels: PBRF 2018 Quality Evaluation*. The consensus of peer review panellists was that the settings for considering the impacts of part-time employment were not sufficient, and neither was the process for considering parental leave, given the three-year minimum. The report noted that further consideration was needed to ensure researchers were not unduly disadvantaged, particularly women.<sup>13</sup>
- 64 The PBRF review recommended that eligible ECs should reflect factors such as 'mental and physical health, illness and disability, family responsibilities including the full gambit of obligations that might be assumed relating to fertility, childbirth and rearing and care for other family group members, community responsibilities and interruptions to employment' and that part-time or flexible working arrangements, becoming research active during the assessment period, or teaching on sub-degree programmes should be explicitly re-introduced as eligible circumstances.<sup>14</sup>
- 65 The panel additionally recommended that underpinning the EC provisions should be an understanding that 'normal' career trajectories are diverse, and that events such as ill-health, pregnancy, and caring for others are not 'extraordinary'. The concept of 'merit relative to opportunity' should be placed at the heart of the revised provision, the panel argued.
- 66 Cabinet has instructed the TEC to 'introduce a merit relative to opportunity element to allow assessment of research quantity in ways that promote equity and inclusion' and the options produced below have been developed with this concept as a guiding principle.
- 67 The SRG notes that re-introducing 'becoming research active during the assessment period' as an eligible circumstance may duplicate the New and Emerging Researcher eligibility criteria, and thus create a 'double-dipping' effect. Likewise, teaching or leadership roles should be considered part of the normal expectations of an academic role. As such, the SRG is not consulting on introducing such circumstances.
- 68 The SRG notes that some PBRF-eligible staff may continue to be affected by the impacts of the Canterbury Earthquakes. These numbers are likely to be small: in Quality

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<sup>13</sup> Tertiary Education Commission, *Report of the Moderation and Peer Review Panels: PBRF 2018 Quality Evaluation*, Wellington, New Zealand Government, 2019, p. 11.

<sup>14</sup> *Report of the PBRF Review Panel*, p. 67.



Evaluation 2012, 775 EPs declared Canterbury earthquake impacts, and in Quality Evaluation 2018 the number was 141. However, any ongoing impacts may be very profound. The SRG considers it important to seek the sector's views on retaining the Canterbury Earthquakes ECs provisions in some form.

### **Ensuring the process for declaring and assessing Extraordinary Circumstances is sensitive and appropriate**

- 69 The *Report of the Moderation and Peer Review Panels* noted that the process for assessing ECs required staff to detail highly personal and often upsetting circumstances in the EP in ways that could be re-traumatising. Panellists also noted that they felt unable to gauge the impact of such circumstances when the actual impact was not always well outlined.<sup>15</sup>
- 70 Both the report and the PBRF Review recommended that the process be revised to restrict as much as possible the number of people who have access to sensitive or confidential personal information. The report recommended that panellists could be shown only the impact of the circumstances, with independent audit of details, while the PBRF Review recommended that some assessment could take place within TEOs, or within a small group of peer review panel members.<sup>16</sup>
- 71 It has been a principle of audit since the first Quality Evaluation that individual EC declarations are not audited and as such the SRG is not consulting on options that include this approach.
- 72 The SRG agrees with the 2019 PBRF Review that the EC provisions should be underpinned by the same principles that inform best human resources practice: acknowledge that individuals are best placed to understand their own circumstances and their impacts; trust them to declare those circumstances accurately; and avoid unnecessary collecting or sharing of personal data. The SRG considers that the declaration of ECs is a human resources matter and therefore fundamentally between a staff member, as the employee, and a TEO as their employer.
- 73 On that basis, approaches which require the sharing of staff members' personal information contained in EC declarations with third parties beyond the TEO should be avoided where at all possible. The SRG has not proposed options which would involve personal information being shared with an independent panel/committee, or with TEC staff.

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<sup>15</sup> *Report of the Moderation and Peer Review Panels*, p. 11.

<sup>16</sup> *Report of the PBRF Review Panel*, p. 67.

### **Options for changes to the Extraordinary Circumstances eligibility criteria**

74 Because Cabinet has asked the TEC to consider how to achieve specific outcomes in relation to EC provisions, retaining the settings from Quality Evaluation 2018 is not an option proposed here. The SRG would like to hear feedback on the options below, noting that each option can be considered independently.

75 **Option 1:** Rename the 'Extraordinary Circumstances' provision as the 'Achievement Relative to Opportunity' provision.

This change reflects the recommendations of the PBRF Review and Cabinet's decisions. It signals the fact that the many of the events already considered eligible, including parental leave, caring responsibilities, and ill-health, are normal parts of the human experience. The change in name also allows for the more inclusive range of eligible circumstances envisaged in the additional options below.

This option reflects the fundamental aim of the provision: to recognise where staff members' capacity to carry out research activity has been affected by personal or professional circumstances outside of the normal expectations of their role.

76 **Option 2:** Re-word the current three eligible types of circumstances (see paragraph 54, above, for the 2018 wording) as follows:

a. *"Long-term illness or disability that has affected the quantity of research outputs produced and/or activities undertaken during the assessment period. This could include physical or mental disability, ill-health or injury, sensory or developmental conditions, or other disabilities, health conditions, or diseases that may be progressive or have fluctuating or recurring effects."*

This wording adjustment is intended to emphasise mental ill-health alongside physical disability and ill-health. The TEC is consulting with the Office for Disability Issues on the final wording used here.

b. *"Extended personal leave that has affected the quantity of research outputs produced and/or activities undertaken during the assessment period. This could include leave due to shorter-term physical or mental ill health or injury, parental leave relating to fertility, pregnancy, maternity, paternity, adoption, or childcare. Sabbatical leave is not considered in this circumstance."*

This wording adjustment is intended to more inclusively reflect the range of circumstances that might lead to parental leave. The wording has also been revised to align with the *long-term illness or disability* wording that this circumstance will have affected the quantity of research outputs produced and/or activities undertaken in the assessment period.

c. *"Significant family or community responsibilities that have affected the quantity of research outputs produced and/or activities undertaken during the assessment*

period. This includes responsibility for dependants, including caring for elderly or ill, injured or disabled family group or community members, or responsibilities to specific communities, such as iwi or Pacific communities.”

This wording adjustment is intended to be more inclusive and better reflect the range of family and community caring responsibilities. The wording has also been revised to align with the *long-term illness or disability* wording that this circumstance will have affected the quantity of research outputs produced and/or activities undertaken in the assessment period.

**77 Option 3:** Add the following eligible circumstance: *Career breaks or interruptions in employment.*

This includes periods where the staff member was not employed in a role, whether in New Zealand or overseas, in which they were expected and supported to carry out research or degree or postgraduate-level teaching, as well as periods of unemployment. Extended personal leave or leave without pay is not considered in this circumstance.

This additional circumstance is intended to reflect the fact that there may be periods within the assessment period where some staff are unable to carry out research due to their employment status, even while they may otherwise meet the staff eligibility criteria.

**78 Option 4:** Add the following eligible circumstance: *Force Majeure.*

This includes significant natural or human-made events such as earthquakes, flooding, volcanic activity, armed conflict, or terrorist attacks which significantly disrupt or prevent research activity.

Recent events related to COVID-19, as well as the Canterbury and Kaikoura earthquakes, have highlighted that a variety of *force majeure* events can disrupt research activity and have significant ongoing impacts that are not anticipated or easily acknowledged within the design for the PBRF currently. Depending on which, if any, of the options set out here are adopted, there would be an option to include COVID-19 and/or Canterbury Earthquakes as separate to a *force majeure* type or as sub-options within it.

**Options for recognising part-time or flexible working arrangements**

A note on the terms used in these two options: The term “part-time” refers hereto employment that is less than 1 FTE, as previously defined in the PBRF Guidelines 2018. The term “flexible working arrangements” has a specific meaning in New Zealand legislation.<sup>17</sup> As used here, it refers only to temporary arrangements to reduce working

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<sup>17</sup> See <https://www.employment.govt.nz/workplace-policies/productive-workplaces/flexible-work/> for full details.

hours. It is not intended to refer to e.g. working from home or working the same hours but at different times of day, which are other common meanings of “flexible working”.

- 79 **Option 5:** Add the following eligible circumstance: *Part-time or flexible working arrangements* that have affected the quantity of research outputs produced and/or activities undertaken during the assessment period. This includes all arrangements where the total employment in all roles with the expectation and support to carry out research or degree or postgraduate-level teaching is less than 1 FTE for at least six months out of the total assessment period, regardless of the employer type. It does not include arrangements where the staff member is employed part-time in a PBRF-eligible role at a TEO, and part-time in a non-PBRF-eligible role in which they are also expected and supported to carry out research, where the two roles add up to 1 FTE.

Note that this option would not replace the requirement that each submitting staff member’s overall FTE employment be declared for the 12-month period from the staff eligibility date.

- 80 **Option 6:** If the SRG recommends, and the TEC accepts, a shift in EP design that requires all EPs to contain four EREs unless certain exemptions apply, (Option 2b in Consultation Paper 3), another option can be considered, as follows: Part-time or flexible working arrangements resulting in employment of less than 1 FTE for at least six months of the total assessment period are not eligible ECs. Instead, the relationship between the FTE fraction and the EP submission requirements are formalised. The specific nature of the formalisation is dependent on EP design but could include, for example, a staff member employed 0.5 FTE in a PBRF-eligible role being required to submit a minimum of one and maximum of two Examples of Research Excellence, and a similarly proportional maximum number of Other Examples of Research Excellence and Research Contributions.

#### **Options for recognising the ongoing impacts of Canterbury Earthquakes**

- 81 **Option 1:** The standalone Canterbury Earthquakes provision is removed.
- 82 **Option 2:** The standalone Canterbury Earthquakes provision is retained, as in in the Quality Evaluation 2018 Guidelines.
- 83 **Option 3:** The five Canterbury Earthquakes impact types are combined into a single type, *Ongoing impacts of Canterbury earthquakes*, which is included within and treated in the same way as the other general ECs.
- 84 **Option 4:** The five Canterbury Earthquakes impact types are combined into a single type, *Ongoing impacts of Canterbury earthquakes*, which is included within a new *Force Majeure* category and treated in the same way as the other general ECs

#### **Option for changes to the way in which Extraordinary Circumstances claims are declared**

- 85 **Option:** Staff declarations of ECs are made to TEOs only, and are not forwarded on to panels as part of the EP assessment. TEOs must develop a process for inviting, checking, and assigning declarations to one of the circumstance types. This process will

be audited during the Process Assurance phase to ensure it complies with all relevant legislation including the Employment Relations Act 2000, the Privacy Act 2020, and the Human Right Acts 1993. The claims themselves will not be subject to audit.

EPs with eligible EC claims (as determined by TEOs) contain a notification of the type of ECs that apply (e.g. long term illness or disability), and a brief description of the impact those circumstances have had on the staff member's ability to carry out research and research-related activities during the assessment period. This statement should include dates and the nature of the activity impacted (e.g. 'on extended personal leave and unable to carry out any research between March - December 2019, leading to delayed completion of planned project A and related outputs B and C'; 'unable to work at full capacity due to long-term illness or disability for duration of assessment period; necessity of prioritising teaching and administrative commitments impacted on capacity to undertake research').

Unlike in Quality Evaluation 2018, the EC statements in the EP do not contain any details about the nature of the circumstances experienced. Panels only see the circumstance type, and the description of the impacts on the staff member's research.

As discussed in paragraphs 71-75, the SRG has not proposed options which would involve personal information being shared with an independent panel/committee or with TEC staff.

## Impacts of COVID-19 on research activity during the assessment period

- 86 In revising the EC qualifying criteria, Cabinet has also asked the SRG to consider how the negative impacts of COVID-19 can be taken into account in Quality Evaluation 2025.
- 87 The COVID-19 pandemic is a unique event, and, unlike the general EC types, it will have affected every participating staff member in Quality Evaluation 2025, albeit in different ways and to different extents. The SRG notes that there will have been significant variation in impact based on career stage, discipline, geographical location, gender, ethnicity, and differences in organisational ability to pivot and support staff, as well as a range of personal factors. Because of this, the SRG considers that at this stage an ‘information gathering’ approach is appropriate. This will enable the SRG to determine the best way to recognise COVID impacts, acknowledging that these are likely to be extensive.
- 88 It is important to note that the COVID-19 pandemic is ongoing. As such, the SRG has agreed that it will review its recommendations on recognising COVID-19 impacts arising from this issue paper, and its recommendations on how to take into account those impacts arising from the Individual Researcher Circumstances - Paper 2, towards the end of the SRG process in early 2023. This will ensure that the recommended settings are fair and equitable and reflect the situation at that time.
- 89 Below are set out a series of questions and options about how Quality Evaluation 2025 should treat the impacts of COVID-19 on researchers’ activity and outputs during the assessment period, and the impact types that should be recognised as eligible. As with the NER and EC settings, this paper does not consider options for the assessment outcomes which flow from recognising those impacts, as these will depend on EP design.

### *How should COVID-19 impacts be presented?*

- 90 The SRG considers there may be value in presenting COVID-19 impact provisions separately to the general EC provisions as a standalone section in the Guidelines, in a similar way to the Canterbury Earthquakes EC provisions. If a similar approach was followed, the EP template would include a section for a COVID-19 declaration separate to the section for EC declarations.
- 91 The SRG welcomes feedback on the following questions:
- › Are there other ways of presenting COVID-19 impacts in that the SRG should consider, aside from following the model of ECs?
  - › If COVID-19 is treated in a similar way to ECs, would it be more appropriate to have it as a separate category, as with the Canterbury Earthquakes, or as a type within the general EC category?

- › If the new *Force Majeure* type proposed in this paper this was adopted, would it be appropriate to have COVID-19 impacts as an item within this new type?

### **Which COVID-19 impacts should be eligible?**

- 92 The COVID-19 pandemic will have affected all participating staff to some extent in terms of their ability to carry out research activity during the assessment period. However, the nature and degree of the impacts will vary significantly.
- 93 The SRG proposes that the following types of impacts should be recognised:

#### **Personal impacts:**

- › Illness and recovery from COVID-19 (including the ongoing effects of long COVID).
- › Ongoing psychological impacts such as bereavement, trauma, stress, and fatigue.
- › Reduced research time due to increased personal responsibilities as a direct result of COVID-19 or as a result of complying with the public health measures the government took to manage the pandemic, such as caring for immediate or extended family members, home-schooling, caring for or supporting members of the community.

#### **Research activity impacts:**

- › Inability to carry out planned research activity due to closure of laboratories, studios, archives or other specialist spaces, inability to access necessary equipment and/or materials, inability to access laboratories, studios, archives or other specialist spaces due to health vulnerabilities, or not being vaccinated, restrictions on travel including government restrictions on entering New Zealand, fieldwork, or research involving face-to-face interaction with participants or with vulnerable groups and communities.
- › Inability to carry out planned programmes of research due to delay, reduction, or cancellation of funding, loss of PhD students, research assistants or postdoctoral fellows, or loss of collaboration partners.
- › Reduced opportunities to disseminate research or to realise intended research impact as a direct result of COVID-19 or government responses to COVID-19 due to cancellation of conferences, exhibitions, performances and other events, the inability to plan such events, and the inability to travel domestically and internationally.
- › Reduced opportunities to build research profiles and future research pipelines through inability to participate in networking activity, loss of research students, inability to apply for funding or to commit to contracts or to collaboration activities with international or domestic partners.

- › Reduced research time due to significant additional responsibilities as a direct result of COVID-19, or government and/or organisational responses to COVID-19 leading to increased teaching loads or pastoral care, increased teaching preparation time for online delivery, increased or new administrative or leadership responsibilities, or COVID-19 response planning/management duties.

94 The SRG welcomes feedback on whether the impacts listed are appropriate, and whether other impacts should be added.

### **How should COVID-19 impacts be declared?**

95 In determining options for how COVID-19 impacts should be declared, the SRG has considered how to balance the following aims:

- › Providing sufficient detail to enable fair and accurate evaluation of the impact of the pandemic on the staff member's research activity and outputs
- › Avoiding unnecessary burden on or possibly trauma to the submitting staff member, and
- › Avoiding unnecessary compliance costs for the participating TEO.

96 The SRG considers that the same principles outlined in relation to declaring ECs must apply to declaration processes for COVID-19 impacts. The questions below are framed on the basis that TEOs will need to develop a process for inviting, checking categorising COVID-19 impact declarations which will be subject to audit, that individual declarations will not be audited, and that impact declarations in the EP should not provide personal details.

97 The SRG would welcome feedback on the following questions:

- › Do you support the approach of asking submitting staff to indicate in the EP which, if any, of the list of eligible impact categories they have experienced?
- › Should submitting staff also be asked to provide a statement in the EP with further details such as dates/time periods and the consequences for their research outputs and activities?
- › In developing internal processes, should TEOs be expected to check all COVID-19 impact declarations, or only those that are not personal in nature (i.e. the Research Activity Impacts in paragraph 95 above)?

### **Ensuring fair and transparent staff ethnicity data collection processes**

98 Cabinet has increased the funding weightings for EPs submitted by Māori researchers and Pacific researchers for Quality Evaluation 2025. The Funding Determination for 2022 onwards includes the instruction to the TEC to 'establish how to determine who



qualifies as a Māori staff member or a Pacific staff member for this purpose', and as a consequence the SRG has decided to look at this issue.<sup>18</sup>

- 99 Below is set out the mechanism used to collect this information in previous Quality Evaluations, a discussion of the issues raised by Cabinet's decision, and the approach the SRG proposes.

***Previous Quality Evaluation staff data collection methods***

- 100 In all previous Quality Evaluations, the TEC has asked TEOs to declare staff ethnicity in the staff data file, where the staff member has already disclosed this information to the TEO.

- 101 Under the Privacy Act 2020, TEO employees can be asked by TEOs to declare their ethnicity, but are not required to do so because this is data which is collected for statistical purposes and for the promotion of equality and diversity, rather than to meet a 'legitimate business need' or legal requirement. As a consequence, in Quality Evaluation 2018 there was no ethnicity declared for approximately 20 percent of submitting staff.

***Issues to be addressed: Ethnicity declarations remain voluntary***

- 102 The new funding weightings decided by Cabinet are intended to create an incentive for TEOs to grow their Māori research base and Pacific research base. They also create a greater incentive than previously for TEOs to ensure that Māori staff and Pacific staff who wish to do so have declared their ethnicity. The intent of Cabinet's decision is not to create a situation where ethnicity declarations are no longer voluntary and it must remain up to individuals to decide.

- 103 Given the design of the PBRF as a fund, the only possible method of collecting staff data is from participating TEOs because Quality Evaluation submissions are made by TEOs.

- 104 It is not the TEC's role to set requirements for TEOs on their own internal Human Resources processes around collecting ethnicity data from staff or obtaining permission to use it. However, the PBRF Guidelines for Quality Evaluation 2025 can set expectations, and the Audit methodology can include in its scope consideration of whether TEO processes for determining and reporting staff ethnicity data within the context of the PBRF are fair and transparent.

***Issue to be addressed: Ethnicity groupings used for term 'Pacific'***

- 105 PBRF staff ethnicity declarations in Quality Evaluations since 2007 have used Statistics New Zealand coding down to Level 3 of four levels. This includes a range of categories that are included in the Level 1 coding of 'Pacific Peoples':

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<sup>18</sup> <https://www.tec.govt.nz/assets/Funding-mechanisms/Determination-of-Design-of-Funding-Mechanism-PBRF.pdf>, paragraph 29.

Code	Description
311	Samoan
321	Cook Islands Maori
331	Tongan
341	Niuean
351	Tokelauan
361	Fijian
371	Other Pacific Peoples

106 In considering how a funding weighting will be applied, it is important that the coding used allows Pacific researchers to identify themselves accurately and appropriately where they wish to do so.

***Suggested approach to ensuring fair and transparent staff ethnicity data collection and reporting processes***

107 Below are set out three elements for ensuring TEOs collect and report staff ethnicity data in fair and transparent ways. The SRG invites feedback on whether some or all of the proposed elements are sufficient or if any other approaches may be appropriate to consider.

108 **Statement:** The Guidelines contain a statement of expectations setting out the TEC’s expectation that staff declarations of ethnicity remain voluntary.

109 **Audit:** The audit methodology includes instructions to audit TEO processes for seeking staff ethnicity declarations and for recording and storing the data. This will take place during the Process Assurance phase of audit, prior to the submission date. For Quality Evaluation 2018, this occurred approximately a year ahead of submission. Staff data will continue be audited as in Quality Evaluation 2018 during the Data Evaluation phase.

110 **Declaration:** The Declaration of the chief executive officer will include a specific statement that staff ethnicity data has been collected and reported in line with the Privacy Act 2020 and that processes for seeking staff ethnicity declarations were fair and transparent.

***Suggested approach to identifying ‘Pacific’ staff***

111 **Option:** Continue to use Level 3 coding that has been used since 2007. Under this option, researchers declaring the ethnicities noted above will be counted as Pacific for the purpose of applying a funding weighting.

## Technical matters to consider

112 The potential changes outlined above raise a number of follow-on technical matters. These will be addressed once In Principle decisions on all Individual Circumstances issues have been reached, but we note them here to support consideration of the options.

### *EP template and schema*

113 Any changes to the EC provisions, including new types, and new guidance on what information to provide in the declaration, will need to be reflected in the EP template and schema.

114 The template and schema will require revision to reflect decisions on COVID-19 impacts, including potentially a 'check box' to enable staff to select impacts, and a text box with an appropriate character limit for impact declarations.

### *Audit methodology*

115 The audit methodology will need to reflect any new eligibility criteria for NER staff.

116 The audit methodology may need to include revised instructions for auditing TEO processes for collecting, checking, and categorising EC declarations, and may need to include new instructions for auditing TEO processes for collecting, checking, and categorising COVID-19 impact declarations

117 The audit methodology will need to reflect any decisions in relation to collecting staff ethnicity data.

### *Ethnicity data collection*

118 TEOs will need guidance on which ethnicity codes to use in declaring Pacific in the staff data file and how the TEC will manage this data for funding and reporting purposes. Note that ethnicity information reported in the staff data file is not considered by assessors or panels in assessing the EPs, so this does not affect EP design.

## Next steps and consultation feedback

119 Feedback is sought on the following:

1. **What should the criteria be for New and Emerging Researchers?**

Do you prefer Option 1 (Refine the key principle to clarify the importance of the assessment period, reduce the number of criteria) or Option 2 (Revise the key principle to focus on role, reduce the number of criteria)?

Is there a different option you would like to propose?

2. **Do you support renaming Extraordinary Circumstances as ‘Achievement Relative to Opportunity’?**

Is there a different name you would like to propose?

3. **Do you support rewording the three existing Extraordinary Circumstances types?**

Is there different wording you would like to propose?

4. **Do you support adding the proposed additional Extraordinary Circumstances types?**

Do you agree that *Career breaks or interruptions in employment*, and/or *Force Majeure* and/or *Part-time or flexible working arrangements* should be added as types of EC?

Are there other new types of EC you think should be added?

5. **What’s the best way to acknowledge part-time/flexible employment type of circumstances?**

If Evidence Portfolio design was changed to require all EPs to have EREs unless certain exemptions apply (Option 2b in Consultation paper 3), would you support an option to formalise the relationship between the FTE fraction and the EP submission requirements?

Is there a different option you would like to propose?

6. **Recognising the ongoing impacts of the Canterbury Earthquakes**

Do you prefer Option 1 (standalone Canterbury Earthquakes provision is removed), Option 2 (Standalone Canterbury Earthquakes provision is retained, as in Quality Evaluation 2018), Option 3 (Canterbury Earthquakes impact types are combined into a single type of general EC) or Option 4 (Canterbury Earthquakes impact types are combined into a single type, which is included within a new *Force Majeure* category)?

Is there a different option you would like to propose?

## 7. **Changing how Extraordinary Circumstances are declared**

Do you support the option proposed, whereby staff declarations of ECs are assessed by TEOs not panels?

Is there a different option you would like to propose?

## 8. **Presentation of COVID-19 impacts**

The SRG welcomes feedback on the following questions:

- › Are there other ways of presenting COVID-19 impacts that the SRG should consider, aside from presenting them following a similar model to ECs?
- › If COVID-19 is treated with ECs, would it be more appropriate to have it as a separate category similar to Canterbury Earthquakes, or as a 'type' within the general EC category?
- › If the new *Force Majeure* type proposed in this paper this was adopted, would it be appropriate to have COVID-19 impacts as an item within this new type?

Is there a different option you would like to propose?

## 9. **Eligible COVID-19 impacts**

Do you have any comments on the proposed list of eligible impacts? Are there any impact types you think should be reworded, or removed?

Is there a different type of impact you would like to propose adding?

## 10. **Declaring COVID-19 impacts**

The SRG would welcome feedback on the following questions:

- › Do you support the approach of asking submitting staff to indicate in the EP which, if any, of the list of eligible impact categories they have experienced?
- › Should submitting staff also be asked to provide a statement in the EP with further details such as dates/time periods and the consequences for their research outputs and activities?
- › In developing internal processes, should TEOs be expected to check all COVID-19 impact declarations, or only those that are not personal in nature (i.e. the Research Activity Impacts in paragraph 95 above)?

Is there a different option you would like to propose?

## 11. **Ensuring staff ethnicity data is collected fairly and transparently**

Do you support the options proposed of having a **Statement** (confirming that staff declarations of ethnicity remain voluntary), and/or an **Audit** approach (looking at

TEO processes for seeking staff ethnicity declarations and for recording and storing the data) and/or a **Declaration** (that staff ethnicity data has been collected and reported in line with the Privacy Act 2020 and that processes for seeking staff ethnicity declarations were fair and transparent)?

Is there a different option you would like to propose?

**12. Ensuring Pacific staff can make appropriate ethnicity declarations**

Do you agree that the Quality Evaluation should continue to use Statistics New Zealand's Level 3 ethnicity coding, which has been used since 2007?

Is there a different option you would like to propose?

120 Feedback can be provided to the TEC via the online survey here:

<https://www.surveymonkey.com/r/LSKLGXJ>

Responses must be submitted by 5pm, 2 June 2022.

121 Following the end of the consultation period, the SRG will consider the feedback, and produce a second paper which outlines options for the consequences of individual circumstances for EP submission and assessment. Following feedback on this second paper, the SRG will make recommendations to the TEC and In Principle decisions on individual circumstances will be confirmed.

## **Appendix 1: NERs and ECs in the Quality Evaluation 2018 Guidelines**

- › undertaking one or more of the following: the design of research activity; the preparation of research outputs (for example, as a co-author or co-producer) that is likely to result in being named as an author (or co-author or co-producer) on one or more research outputs; the academic supervision of graduate research students.

*The **three years bridging the staff-eligibility date** includes any continuous three-year period between 15 June 2015 and 14 June 2021.*

*The exceptions to continuous employment apply for each of the three years.*

*If any of the three-year period extends beyond 14 June 2018, it is expected that staff members are contracted either on a permanent basis or fixed-term basis covering the entire period. This requirement can be demonstrated by preparing a memorandum that indicates the courses that the staff member will be expected to teach (and their role in teaching) for the three years.*

*As noted in the section Auditing process for tertiary education organisations, follow-up reporting on staff eligibility may also occur before funding is finalised, to ensure that the eligibility requirements have been met.*

*Fulfilling **a major role** in the teaching and assessment of at least one degree or postgraduate-level course or equivalent during each year of the three-year period can be demonstrated in any semester in each of the relevant years.*



Following the 2003 Quality Evaluation, panels raised concerns that the assessment criteria could discourage staff who had recently completed a PhD. Panels noted that some of these staff were building a research platform but achieved an R Quality Category because they were unable to demonstrate sufficient peer esteem or contribution to the research environment.

The C(NE) and R(NE) Quality Categories were introduced in the 2006 Quality Evaluation round to allow new and emerging researchers to be assessed on outputs alone (or something similar).

### **New and emerging researchers**

Once a TEO has determined which of its staff are eligible to participate in the 2018 Quality Evaluation, they need to determine if any eligible staff can be categorised as new and emerging researchers.

The new and emerging researcher status is specifically for staff members who have started their research career in the 2018 Quality Evaluation assessment period (1 January 2012 – 31 December 2017). The purpose is to allow these staff members, who are starting to build a platform of research outputs but have had limited opportunities to engage in research contribution activities, to be recognised and funded under the PBRF. This category also supports the Government’s goal of building a sustainable tertiary workforce.

The new eligibility criteria and guidance are designed to support TEOs to correctly and consistently identify new and emerging researchers. In the 2012 Quality Evaluation, the misidentification of staff as new and emerging researchers was the second most common staff-eligibility error found by the TEC, particularly in the creative and performing arts. The TEC has developed new eligibility criteria and guidance to support TEOs to identify which staff can be classified as new and emerging researchers.

### **New and emerging researcher eligibility criteria**

The key principle that TEOs must apply is that the staff member is undertaking substantive and independent research for the first time in their career. Staff who have produced outputs that meet the PBRF Definition of Research before 1 January 2012, except when in a supervised or support role, cannot be considered as new and emerging.



*The substantiveness test for research means staff members have to undertake one or more of the following: the design of research activity; the preparation of research outputs (for example, as a co-author or co-producer) that is likely to result in being named as an author (or co-author or co-producer) on one or more research outputs; the academic supervision of graduate research students.*

To be considered new and emerging researchers, staff members must meet **all** of the new and emerging researcher eligibility criteria. They must:

1. meet the requirements of the PBRF staff-eligibility criteria
2. meet the substantiveness test for research for the first time on or after 1 January 2012
3. not have been PBRF-eligible in a previous Quality Evaluation.

### Guidance on applying the new and emerging researcher criteria

TEOs need to assess any potential new and emerging researchers against both the key principle and the criteria. TEOs should take the following guidance into consideration when reviewing the specific circumstances of their staff for potential new and emerging researcher status.

- › The **PBRF Definition of Research** does not distinguish between research undertaken within or outside of academia. TEOs should not make this distinction either. If an output meets the PBRF Definition of Research, the staff member's role or location or employer is not a deciding factor in regard to whether it is research.
- › Staff members are normally considered to undertake **substantive and independent research** if they meet the requirements of the substantiveness test for research.
- › Staff members are not normally considered to undertake **substantive research** if they undertake activities that are excluded from the PBRF Definition of Research, for example, part of routine standard practice, or are providing a technical function only or produce outputs that do not embody original research.
- › Staff members who are named as an author on a research output while in a **supervised or support role** are considered to be working under the close guidance of a lead researcher. This would not normally be seen as undertaking independent research.

*A supervised or support role in a research project may be part of a research Master's or PhD, or a technical, clinical support or minor advisory role. Undertaking post-graduate study does not automatically mean that all research outputs produced by that staff member are 'supervised'. All research outputs and the staff member's role in them need to be considered against the relevant eligibility criteria.*

It is important for TEOs to document their rationale for their decisions for audit purposes. As a minimum, you must obtain the staff member's CV. All staff identified as new and emerging researchers will be reviewed as part of the TEC's Data Evaluation audit. TEOs will be able to discuss the eligibility criteria and



### Working out if staff meet the new and emerging criteria:

To answer criterion 2, TEOs should obtain the staff member's CV, interview them and perform a search of publicly available information to assess their previous roles and publication history. TEOs should also determine:

- if their research prior to 1 January 2012 meets the PBRF Definition of Research, and
- if their research was done independently.

To answer criterion 3, TEOs should confirm if the staff member:

- submitted an EP in any of the previous Quality Evaluations\* or
- was recorded in the 2003 and/or 2006 PBRF census data as being PBRF eligible\* or
- met the PBRF-eligibility criteria in the 2012 Quality Evaluation.

\*TEOs can check a staff member's previous records with the TEC by providing the NSN and name of the staff member to [pbrfhelp@tec.govt.nz](mailto:pbrfhelp@tec.govt.nz).

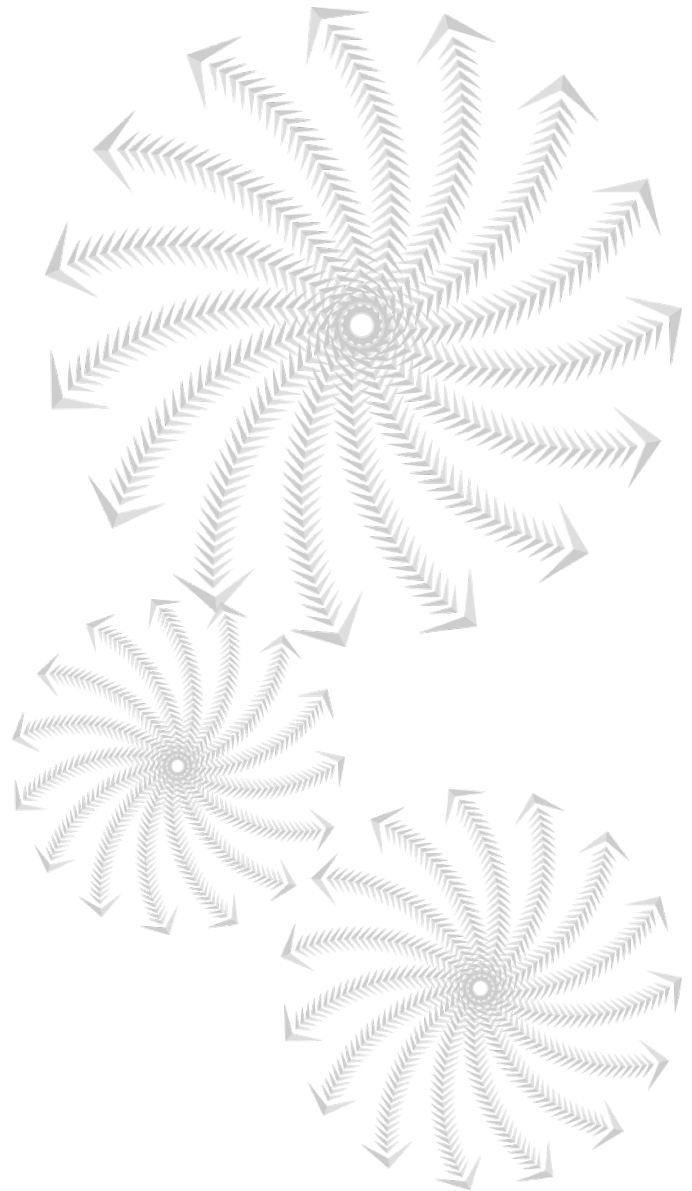
evidence requirements with auditors during the Process Assurance audit before EPs are submitted in June 2018.

TEOs should be aware that the EPs of staff incorrectly assigned new and emerging status will continue to be assessed as part of the 2018 Quality Evaluation but will not be considered for the C(NE) or R(NE) Quality Categories.

Working examples for determining if a staff member can be categorised as new and emerging are set out in the table below.

Examples	Criterion 1 Meet the requirements of the PBRF staff-eligibility criteria	Criterion 2 Meet the substantiveness test for research for the first time on or after 1 January 2012	Criterion 3 Not PBRF eligible in a previous Quality Evaluation	Decision
Staff member A is a new PhD graduate and completed their thesis in 2013. Staff member A is employed to teach and to undertake research at 1 FTE since 1 March 2014 and has sole and co-authored several journal articles since graduating in 2013.	Yes.	Yes – they have undertaken independent research for the first time in the assessment period.	Yes – they have not been employed by a TEO before.	<b>New and emerging.</b>
Staff member B has been employed at 0.4 FTE to teach on a degree-level course since 1980 but is not employed to undertake research. Staff member B has never produced any outputs that meet the PBRF Definition of Research.	Yes.	No – they do not meet the substantiveness test for research during any assessment period.	No – they were eligible but were not put forward for assessment.	<b>Not new and emerging.</b>
Staff member C has been employed to teach on a sub-degree programme since 1990. In 2013, their role changed and they were required to teach a degree-level programme and undertake research at 0.5 FTE. They produced their first research output in 2015.	Yes.	Yes – they produced their first research output in 2015.	Yes – they were not eligible as they did not meet the PBRF staff-eligibility criteria until 2013.	<b>New and emerging.</b>
Staff member D has been employed to teach for the first time on a degree-level programme for 0.2 FTE for two years from 2016. Staff member D has been employed due to their expertise in their professional area and, while they are not required to undertake research as part of their role, they have produced outputs including exhibitions and other creative outputs for the past 15 years that the TEO believes meet the PBRF Definition of Research.	Yes.	No – their history of research outputs predates the assessment period.	Yes – they have not been employed by a TEO before.	<b>Not new and emerging.</b>

Staff member E has been employed to supervise graduate research students and teach full-time on a degree-level course since 1 January 2012. Before 2012, they mentored colleagues in the workplace but did not undertake any academic supervision or teaching in an academic setting. They have a long career in product development and have produced a number of products and hold several granted patents and have received industry awards for excellence.	Yes.	No – they are undertaking academic supervision for the first time after 1 January 2012 but they have a history of producing research outputs before 1 January 2012.	Yes – they have not been employed by a TEO before.	<b>Not new and emerging.</b>
Staff member F completed their PhD in 1989 and has returned to academia for the first time in 2012 from the public sector. They have written reports during that time that were published, but the TEO confirms these did not embody original research so do not meet the PBRF Definition of Research. They are employed full-time to teach and undertake research.	Yes.	Yes.	Yes – they have not been employed by a TEO before.	<b>New and emerging.</b>
Staff member G has worked as a lecturer since 2007 at a university in the UK teaching on degree programmes; the appointment did not require any research. The staff member is appointed full-time as a lecturer at an NZ university in 2014, with degree-level teaching and research obligations and finished their PhD in 2015. The staff member has no outputs before their PhD.	Yes.	Yes.	Yes – they have not been employed by a TEO before.	<b>New and emerging.</b>
Staff member H completed their research degree in 2010 and published journal articles from their thesis. The staff member has returned to academia for the first time in 2014 after being on parental leave since 2011. They are now employed full-time to teach and undertake research. They have no published research outputs between 2010 and 2014, other than those that resulted from their thesis, and the TEO confirms these outputs were produced while in a supervised role.	Yes.	Yes.	Yes – they have not been employed by a TEO before.	<b>New and emerging.</b>
Staff member I has been employed as a senior tutor and taught at degree level since 2005. Staff member I completed their PhD in 2014 and has moved to a lecturer role including teaching and research duties. The staff member has no outputs before their PhD.	Yes.	Yes.	No – they were eligible but not put forward for assessment.	<b>Not new and emerging.</b>



2018 Quality Evaluation

What are  
extraordinary  
circumstances?

## Claiming extraordinary circumstances

The two extraordinary circumstances provisions for the 2018 Quality Evaluation (general and Canterbury) aim to ensure staff members who have experienced circumstances that have seriously affected the quantity of research and research-related activities during the assessment period are treated equitably.

- › Extraordinary circumstances will be considered by the peer review panel only in relation to the **quantity** of research outputs and other aspects of research activity produced during the assessment period.
- › Extraordinary circumstances are not relevant to the assessment of the quality of research outputs and activities.
- › Staff members may claim one or both extraordinary circumstances provisions if they are eligible.
- › The extraordinary circumstances provisions will be assessed at the Holistic assessment stage of the 2018 Quality Evaluation assessment process.

### Eligibility of extraordinary circumstances

TEOs **must only** submit extraordinary circumstances in EPs where they have determined and verified:

- › that the staff member's circumstances are legitimate and the staff member has experienced a reduction in the quantity of research outputs or research-related activity, or both, during the assessment period
- › the staff member's circumstances have occurred over a minimum period of three years (that do not have to be continuous) during the assessment period.

### General extraordinary circumstances

One or more of the following three extraordinary circumstances types can be claimed under this provision:

- › *Long-term illness or disability* that would reduce the quantity of research outputs or activities during the assessment period. This could include ill health or injury, mental health conditions, sensory or developmental conditions, or other health conditions or diseases that may be progressive or have fluctuating or recurring effects.
- › *Extended personal leave* that prevents research activity from occurring during the assessment period. This could include shorter-term leave due to ill health, mental health conditions or injury and parental leave relating to pregnancy, maternity, paternity, adoption or childcare. Sabbatical leave is **not** considered in this circumstance.
- › *Significant family or community responsibilities* that prevent research activity from occurring during the assessment period. This includes responsibility for dependants, including caring for elderly or ill, injured or disabled family members, or to specific communities, such as iwi or Pacific communities, to a level that reduces the opportunities to undertake research.

One or more types can be claimed.



The previous special circumstances provisions have been reviewed and updated.

In addition to the changes detailed in this section, the TEC will:

- appoint a **special advisor** to support the Moderator and panels in relation to the assessment of both general and Canterbury extraordinary circumstances
- **provide enhanced panel training** on the assessment of general and Canterbury extraordinary circumstances provisions for the 2018 Quality Evaluation.



Part-time employment is not considered a circumstance on its own. However, staff members affected by extraordinary circumstances, and who are also part-time, can include information on their employment status. Alternatively, part-time status can be outlined in the Platform of Research – Contextual Statement. This information may be particularly relevant at the Holistic assessment stage. For example, working three days a week throughout the period due to childcare commitments.



### The Accepted Manuscripts

**provision** (as it applied to Canterbury Earthquakes special circumstances provision in the 2012 Quality Evaluation) will not apply in the 2018 Quality Evaluation.

## Canterbury extraordinary circumstances

One or more of the following five impact types can be claimed under the Canterbury extraordinary circumstances provision:

- › *Ongoing trauma, stress and fatigue*, which could include the ongoing impacts of death or injury to a family member, friend or close colleague; an injury to self; a personal psychological impact; and ongoing fatigue or stress.
- › *Loss or damage to house and/or contents*, which could include loss of home or displacement from home; substandard housing or alternative housing; ongoing or protracted issues dealing with the Earthquake Commission, insurers, builders; and care and advocacy for extended family who have been displaced or need support.
- › *Disruption related to facilities or resources*, which could include the ongoing inability to access facilities or equipment or resources or venues; disruption caused by temporary office or laboratory spaces, decanting and/or deconstruction or construction nearby; lost samples or data, or resources or consumables; and damaged equipment.
- › *Significant additional responsibilities*, which could include increased teaching loads; additional administration related to building activity, for example, construction and decanting; increased financial administration; additional or increased personal or community responsibilities, such as caring for family members or board of trustee duties; and increased head of department responsibilities associated with the earthquakes.
- › *Reduced research opportunities*, which could include disruption to the research pipeline affecting research outputs years later; disruption to postgraduates – reduced recruitment, lost students, PhDs downgraded to Master's, loss of preferred candidates, increased pastoral care; reduced research support or lost opportunities due to reduction in travel funding and research funding; lost networking opportunities due to travel restrictions; lost funding opportunities (unable to submit applications, unable to commit to new research contracts), with subsequent impact on the research pipeline and publications; and reduced research time due to increased student recruitment activity and teaching loads.

## Describing extraordinary circumstances

In each case where extraordinary circumstances are claimed, the circumstances must be described by the staff member in sufficient detail that the panel can make a judgement about the specific negative impact the circumstance(s) have had on the **quantity** of research or research-related activity, or both, in the assessment period. This detail must include dates of all relevant times and a clear description of the impact on quantity.

There is no requirement for evidential documentation to be submitted to the TEC. The TEC does require the TEO, which has the primary relationship with an affected staff member, to have discussed the submission of this information with the staff member, determined if there is a legitimate claim and validated that claim.

The field for describing the specific negative impact of the circumstance(s) is 2,000 characters long, while the field for describing the period over which the circumstance(s) occurred is 500 characters long.

## Validating claims under the extraordinary circumstances provisions

TEOs need to have a process for considering, endorsing and validating legitimate extraordinary circumstances to be included in EPs. This process needs to include internally verifying (for example, through mapping output production over time or confirmation from the head of department or school) that staff members have sustained a reduction in research outputs and research-related activity during the assessment period. The TEO Audit Declaration also requires the Vice-Chancellor or Chief Executive Officer to confirm that all reasonable steps have been taken to ensure that only staff members with legitimate circumstances have claimed the provision.

The process will also be included in the TEO audit by the TEC. If a TEO does not have any staff members claiming extraordinary circumstances, then they are not required to have such a process in place.