

THE BERA CHARTER FOR RESEARCH STAFF IN EDUCATION

2012

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About BERA

The British Educational Research Association (BERA) is a member-led charity which exists to encourage educational research and its application for the improvement of practice and public benefit.

We strive to ensure the best quality evidence from educational research informs policy makers, practitioners and the general public and contributes to economic prosperity, cultural understanding, social cohesion and personal flourishing.

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Dear Colleague

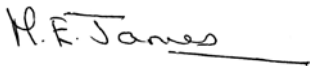
Many, if not most, senior educational researchers have spent a considerable proportion of their careers as contract researchers. I spent ten years as such. They are therefore well aware of the enormous importance of this group of researchers to the success of funded research projects, to building capacity and sustainability of educational research more generally, and ensuring the vitality of the discipline as a whole. For these specific reasons, as well for ethical considerations to do with equity, inclusion and human respect, research staff deserve and need the good conditions of employment that will nurture and support them – whether they work in institutions of higher education, or in national and local government departments, research foundations, charitable bodies, think tanks or commercial agencies.

In order to promote such quality conditions, the Council of the British Educational Research Association (BERA) presents this third version of its *Charter for Research Staff in Education*. Building on the versions published in 2000 and 2008, this 2012 version takes account of several recent changes in UK and EU legislation. It focuses on research environment, contractual matters, status and rights, and career development and management.

We are very grateful to Gary McCulloch, Gemma Moss, Kalwant Bhopal and others who have worked on this new version. BERA's contribution depends on the knowledge, insights and effort of such willing volunteers.

I commend this *2012 BERA Charter* to you and invite you to disseminate it as widely as possible.

With best wishes

A handwritten signature in black ink that reads "M. F. James". The signature is written in a cursive style and is underlined with a horizontal line.

Mary James
President

ABOUT THE 2012 BERA CHARTER FOR RESEARCH STAFF IN EDUCATION

The *BERA Charter for Research Staff in Education* is intended to provide institutions, Principal Research Investigators and research staff with practical guidance on how to provide good conditions of employment for researchers that will also strengthen the quality of educational research.

The Charter was originally developed through research undertaken by the British Educational Research Association (BERA) between 1996 and 1999. It was published by BERA in August 2000, as part of *Quality Conditions for Quality Research – Guidance for Good Practice in the Employment of Contract Researchers in Education*, a book by Elaine S Freedman, Helen Patrick, Bridget Somekh, Donald McIntyre and Felicity Wikeley. The Charter was subsequently reprinted as a separate booklet (Freedman *et al.*, 2001) and has been updated twice since in 2008 and 2012.

The British Educational Research Association owes a considerable debt to the late Donald McIntyre (1937-2007) for starting this process. In his Presidential Address at the 1996 BERA Conference Donald McIntyre drew attention to the lack of information about educational researchers and to the importance of nurturing and developing this group of staff, not only out of a concern for the welfare of educational contract researchers themselves, but also out of a concern to safeguard the quality of the educational research field which they played such a crucial part in creating.

As a result, BERA Executive Council commissioned a Working Group (1996-1999) to carry out research into the careers and conditions of service of contract researchers. The research findings suggested that the field of educational research was at risk of losing many of the experienced staff whom it needed the most. If the educational research profession wished to retain their services then it was important to improve their conditions and prospects. The Charter was also influenced by the document issued by the Committee of Vice-Chancellors and Principals of the Universities of the United Kingdom and the Office of Science and Technology in 1996, which was published in March 1997 as *A Concordat on Contract Research Staff Career Management*.

Major changes in United Kingdom (UK) legislation affecting the employment of contract researchers have occurred since the publication of the original *BERA Charter*. *The Fixed-term Employees (Prevention of Less Favourable Treatment) Regulations 2002* legislation came into force in October of that year, implementing the 1999 *COUNCIL DIRECTIVE* on fixed-term work issued by the Council of the European Union.

The *BERA Charter* has been revised to take account of these and other changes, including: developments within the European Union, including *The European Charter for Researchers and The Code of Conduct for the Recruitment of Researchers*, 2005; initiatives such as *RESEARCH CAREERS: A strategy for success* (2007), undertaken by Research Councils UK (RCUK); and *The Concordat to Support the Career Development of Researchers* (2008), produced by the HE (Higher Education) Sector Working Group coordinated by RCUK and Universities UK (UUK).

The 2002 *Fixed-term Employees* legislation has had considerable impact on contract researchers' conditions of employment:

“The Regulations mean that if fixed-term employees have their contracts renewed, or if they are re-engaged on a new fixed-term contract, when they already have a period of four or more years of continuous employment, the renewal or new contract takes effect as a permanent contract unless employment on a fixed-term contract was objectively justified or the period of four years has been lengthened under a collective or workplace agreement.” (*The Fixed-term work: a guide to the regulations*, 2002)

Further progress has been made through the Equality Act (2010) and the ‘Every Researcher Counts’ initiative (Vitae 2011). However, implementation of recent changes continues to require dissemination of information and support from all parties involved. Continuing issues involving research staff in education were highlighted in the August 2009 special themes issue of *Research Intelligence* on ‘Fixed-term employment in research’ (*Research Intelligence* 2009).

BERA’s original aim of promoting good institutional practice in the employment of educational contract-funded researchers continues, as does the Association’s commitment to enhancing the training and education of educational researchers. This is important to improving their conditions and prospects and retaining researchers of quality within the field. It is also vital to the enduring good health of British educational research.



THE 2012 BERA CHARTER FOR RESEARCH STAFF IN EDUCATION: PROMOTING QUALITY CONDITIONS FOR CONDUCTING QUALITY RESEARCH

The *BERA Charter* was originally developed and tested in the context of university departments of education, but it is also intended to be useful for educational research staff employed in national government departments and agencies, local government, research foundations, charitable bodies, and commercial agencies. For this reason the term “research staff” and “centres of educational research activity” are used to refer to contract researchers and to those employed to undertake research, regardless of their source of funding or institutional location. The term “contract-funded research staff” is used when time-limited funding linked to a specific project raises particular issues.

The 2012 BERA Charter aims to:

- foster the recruitment, continued employment and retention of increasingly well qualified research staff;
- encourage parity of employment conditions between research and other academic staff;
- promote equality and diversity in researcher careers

and hence:

- facilitate excellence in the conduct of educational research.

In pursuing these aims, *The 2012 BERA Charter* continues to address issues of equality and respect, bearing in mind the point made by *The European Charter for Researchers* (2005, p.16):

“All researchers engaged in a research career should be recognised as professionals and be treated accordingly.”

BERA hopes that all the institutions concerned with educational research will adopt the proposals of this Charter, recognising that they are in their own broad interests as well as in those of high quality research. Career management and development are not just important concerns for researchers at the start of their research career, or for more experienced researchers. On the contrary, retaining and developing the skills base in research is vital for long term research excellence in the field.

BERA's recommendations for good practice centre on four main issues:

- research environment;
- contractual matters;
- status and rights; and
- career management and development.

1. Research Environment

In order to conduct high quality research, centres of educational research activity need to develop a research workforce of high quality. The research reputation of a centre of educational research activity depends on the quality of the research it does, and that in turn depends on the professional expertise of those who are employed to do it. Promoting conditions which help to foster that expertise is likely to benefit both individual researchers and the research environment of their host institution.

The first set of recommendations deals with the interaction between research staff and their research environment.

- 1.1 It should be recognised that the quality of research will depend upon the expertise of the researchers undertaking it and upon their ongoing professional development. Such experience should be recognised and such development fostered within their research environment.
- 1.2 Research employment contracts should make explicit that what is being financially supported is not only the immediate research output but also the fostering and development of high-quality transferable research skills, through access to appropriate training and career/staff development.
- 1.3 In the recruitment of research staff, consideration should be given to their potential for longer-term careers as educational researchers, or for careers in which such research expertise will be appropriate.
- 1.4 Research staff should be fully included in centre-wide communications, and their active participation in the research institution/community should be encouraged and facilitated, with opportunities for wider networking and for working collaboratively outside their immediate project.
- 1.5 Centres of educational research activity should ensure that their overall strategic research plans, and any exercises concerning the assessment of centre-wide research quality, acknowledge and make appropriate use of the expertise of their research staff.
- 1.6 Management structures should ensure that contract-funded researchers are employed in such a way that their interests are fostered, and their contribution to the overall quality of the centre's research is suitably acknowledged.
- 1.7 Those who direct research projects employing such staff should undertake appropriate training to enable them to develop their research staff's expertise as well as deliver on the project's research aims.
- 1.8 All centres of educational research activity should ensure that the *BERA Revised Ethical Guidelines for Educational Research 2011* and/or the *Scottish Educational Research Association Revised Ethical Guidelines for Educational Research 2005*, or any future revisions of them, are adhered to by all staff engaged in educational research.

2. Contractual Matters

The guidance issued by the Joint Negotiating Committee for Higher Education Staff (JNCHES) in relation to *The Fixed-term Employees (Prevention of Less Favourable Treatment) Regulations, 2002*,

has made it clear that indefinite contracts should be the norm. Fixed-term and casual contracts for research posts should be used “only where there are transparent, necessary and objective reasons for doing so” (JNCHES, 2002, section 2, p.2).

Employing institutions have the responsibility to ensure that these criteria are met if temporary contracts are issued. Research staff should normally be placed on open-ended contracts at their employing institution after working there continuously for four years, and ideally sooner than this.

Research staff need to have a clear understanding of the precise terms of their employment and of the implications for them of these terms. The responsibility for ensuring that such an understanding is achieved should be shared between employers and research staff. Contractual conditions should be made clear to the researcher and, when probationary periods are attached to open contracts, there should be clarity and transparency about the ways in which the terms of probation are set and reviewed.

Effective implementation of the 2002 legislative changes should promote good employment practice, aiming to foster continuity of service and research staff retention; staff commitment; successful completion of projects; and opportunities for the development of staff expertise and careers.

The second set of recommendations concerns contractual matters and suggests ways of promoting job security and continuity of service.

- 2.1 Contractual procedures and decisions should be transparent and carried out in accordance with both the letter and the spirit of *The Fixed-term Employees (Prevention of Less Favourable Treatment) Regulations 2002*; and of *The European Charter for Researchers and The Code of Conduct for the Recruitment of Researchers* (2005).
- 2.2 On initial employment, research staff should be given full and clear formal contracts which comply with the necessary legal requirements. They should be offered the opportunity to discuss the terms of the contract with an appropriately qualified adviser to ensure that the terms are understood.
- 2.3 Institutions should have written Codes of Practice for the employment of researchers, including employment terms and conditions; any requirements for probation; criteria for promotion; and complaints procedures. Each researcher should be given a copy of this Code of Practice on being offered a contract.
- 2.4 Probation schemes for research staff should be no less favourable than those for lecturer colleagues, and should offer opportunities for researchers to consider and enhance their professional and career development. When similarly-graded posts within the same institution are involved, additional periods of probation should not be required if a member of research staff changes posts; experiences a temporary break in service; or is awarded an open-ended contract.
- 2.5 Centres of educational research activity should make every effort to ensure formal continuity of employment, in order to maximise the employment rights and the career development of research staff.
- 2.6 Centres of educational research activity should make every effort to ensure that all research staff have contracts of employment lasting a minimum of two years. Open-ended contracts should be issued after no more than four years' continuous employment, and where possible this should occur sooner.
- 2.7 Institutions should aim to adopt standard policies of offering research staff open-ended contracts, irrespective of whether external funds are secured. Access to these contracts should be

a normal expectation for researchers who successfully complete a probationary period of service, and who show a readiness and ability to work in a wide enough range of educational research to make external funding likely.

- 2.8 Centres of educational research activity should enable contract-funded research staff to apply for bridging funding, as long as there is a likelihood of future research income, and there are clear plans for further research activity during that period. Centres of educational research activity should establish a centre-wide strategy (and encourage the development of an institution-wide strategy) concerning the availability of such funds; the eligibility to apply for them; and the process for determining which applications will be supported.
- 2.9 Research staff should be offered regular formal meetings with the line manager and human resources, at least every six months, to discuss ongoing employment; sources of and applications for funding; and other career development issues. Where there is the possibility of employment being terminated, such meetings should identify this issue, and do so at least six months before termination would occur.
- 2.10 Towards the end of their contract of employment, efforts should be made to facilitate the appropriate redeployment of research staff within their institution. Specific procedures should be in place for informing contract-funded employees of any internal vacancies.
- 2.11 An exit interview, with an appropriately trained professional, and involving the line manager and human resources should be convened for any research staff leaving their employment.

3. Status and Rights

To encourage the retention of well-qualified and experienced research staff, any practices which might be deemed discriminatory should be avoided.

The third set of recommendations addresses the twin issues of status and rights.

- 3.1 In addition to the statutory requirements regarding employee pay and conditions of work, centres of educational research activity should ensure that research staff automatically have the same entitlements as lecturer colleagues of equivalent grade (for example, proportionate relocation expenses).
- 3.2 Research staff should also have equality with their lecturer colleagues of equivalent grade in terms of access to facilities and resources: appropriate office accommodation; administrative and information technology support; library usage; study leave; and payment of PhD fees and independent research time.
- 3.3 There should be an agreed policy for the equitable recognition of the work of research staff. This should include the terms of the authorship of publications (such as research reports, research proposals, and academic papers); opportunities for being the first-named author; and arrangements to acknowledge the contribution of the research staff beyond the project lifetime and when staff move on from the institution.¹ Opportunities (and, where appropriate, financial resources) should be available to research staff to disseminate research outputs in other ways, for example through media coverage, stakeholder meetings or conference presentations. There should be clear agreements on access to any data after the project has finished. The BERA ethical guidelines should be consulted.

- 3.4 Research staff should be afforded opportunities and support to prepare research proposals; hold research budgets; and be principal or co-investigators. They should also have the right to apply for promotion (to posts such as senior or principal research fellowships, readerships and chairs).
- 3.5 Participation in institutional structures and activities should be seen as a legitimate and desirable part of the role of research staff. Research staff should be given recognition as members of “academic staff”, and be eligible for committee membership in their centre of educational research activity. They should also be eligible to represent colleagues on institution-wide committees.
- 3.6 Centres of educational research activity should ensure that equal opportunities legislation is fully implemented in relation to the employment of research staff, in particular the Equality Act (Home Office 2010). (See also Equality Challenge Unit 2010, 2011).
- 3.7 Centres of educational research activity should facilitate and promote the formation of research staff groups which meet regularly, so that researchers can provide mutual support; share research expertise; and contribute more effectively to their centre’s research community.
- 3.8 Centres of educational research activity should monitor implementation of their policy and procedures on a regular basis.

4. Career Management and Development

Educational researchers have diverse profiles in terms of age, experience and qualifications, and will be at different stages in their careers. Generally, institutions should ensure that all research staff have the same rights to career management and development opportunities as other academic staff. In accordance with *The European Charter for Researchers* and *The Code of Conduct for the Recruitment of Researchers* (2005), institutions should establish a clear career development strategy for both early stage and experienced researchers.

Career options for research staff may include a move to a traditional academic lectureship, involving both research and teaching; an educational research career; or an educational career which draws on research experience (for example, in schools, local authorities or national agencies). Support, which recognises these models as being equally legitimate career paths, should be available to help research staff make appropriate career choices.

Centres of educational research activity need to work closely together, as well as with BERA and with research and funding bodies, to allow for adequate time to be costed into projects, in order to facilitate the career management and development opportunities set out in the fourth set of recommendations.

- 4.1 The process of appointing research staff to posts in centres of educational research activity should involve staff other than those engaged in the specific project(s) concerned. Although

¹ BERA *Ethical Guidelines recommend on Authorship*

48 The authorship of publications is considered to comprise a list of everyone who has made a substantive and identifiable contribution to their generation. Examples of substantive contributions include: contributing generative ideas, conceptual schema or analytic categories; writing first drafts or substantial portions; significant rewriting or editing; contributing significantly to relevant literature reviewing; and contributing to data collection, to its analysis and to judgements and interpretations made in relation to it.

49 Academic status or other indicator of seniority must not determine first authorship; rather the order of authorship should reflect the relative leadership and contributions made by the researchers concerned.

relating primarily to the needs of the project upon which the researcher will work, the appointment process should also be concerned with the development of the researcher's longer-term career progression.

- 4.2 All research staff have a right to regular and independent appraisal, and centres of research activity should ensure that the same procedures are in place for both research and lecturing staff.
- 4.3 All research staff should have access to appropriate careers advice provided by their employing institution, from a careers advisor with expertise in the employment and the career development of researchers.
- 4.4 Institutions should provide access to research training and continuing professional development for all researchers, and should ensure that sufficient time is allowed to pursue these activities. It is recommended that one fifth of researchers' employed time be made available for a variety of activities to enhance their professional development, including time for independent research and writing.
- 4.5 Wherever possible, research staff should benefit from formal accreditation for their learning and professional development (for example, through teaching qualifications or research degrees).
- 4.6 Centres of educational research activity should establish specific career progression arrangements for researchers, in relation to both pay and responsibilities, with annual opportunities to be considered for promotion. There should be explicit criteria for promotion, and well-publicised and transparent processes.
- 4.7 Researchers should be provided with opportunities and support in their research activities to acquire new skills appropriate to their stage of development. Such skills might include project design; fieldwork; new methodological approaches; data analysis; reporting via a range of dissemination activities; writing for publication; and submitting bids for future funding.
- 4.8 Research staff should be afforded opportunities for teaching and for supervising research students in areas where they have appropriate expertise.
- 4.9 Projects should be planned in such a way as to ensure adequate time for researchers to be able to disseminate and make full use of their work during the project lifetime. Centres of educational research activity should also ensure that researchers' rights to benefit from their work are protected in accordance with *The European Charter for Researchers* and *The Code of Conduct for the Recruitment of Researchers* (2005).

Implementation of the diverse recommendations made in the various sections of *The 2012 BERA Charter* will need careful consideration in relation to the distinctive circumstances of each centre of educational research activity. This Charter recognises the constraints which can act upon institutions, and acknowledges the needs of the institution as well as those of the individual. It is not suggested that implementation of these recommendations will be straightforward. On the contrary, it will require ingenuity; persistence; a good understanding of the way that research activities are organised; and active consideration of what researchers need and can offer.

The 2012 BERA Charter is intended to help promote excellence in educational research by promoting quality conditions of employment for those engaged in its conduct, and to facilitate the retention of well-qualified and experienced researchers. To this end, it is hoped that centres of educational research activity, and the institutions within which they function, will recognise the importance of ensuring that their provisions for research staff meet the standards articulated in this Charter.

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