



**THE 2008 BERA CHARTER
FOR RESEARCH STAFF:
promoting quality conditions
for conducting quality research**

new and revised edition

**THE 2008 BERA CHARTER FOR RESEARCH STAFF:
promoting quality conditions for conducting quality research**

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Contents

Members of the Research Staff Issues Working Group 2005-2008	ii
About The 2008 BERA Charter	1
The 2008 BERA Charter for Research Staff: promoting quality conditions for conducting quality research	3
References	13

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About The 2008 BERA Charter

The *BERA Charter for Good Practice in the Employment of Contract Researchers* (2001) was based upon research undertaken between 1996 and 1999 by the British Educational Research Association (BERA). It 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*.

The original Charter 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).

The British Educational Research Association owes a considerable debt to the late Donald McIntyre (1937-2007) for beginning the whole process which led to the original research; to the book; and to the first *BERA Charter*.

It was in his Presidential Address at the 1996 BERA Conference that Donald McIntyre drew attention to the lack of information about educational researchers and to the importance of nurturing and developing the stock of good researchers. The research was initiated 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 in which they were playing such a crucial part.

As a result, BERA Executive Council set up a Working Group (1996-1999) to carry out research into the careers and conditions of service of contract researchers, which culminated in the production of the first *BERA Charter*. The research findings suggested that educational research was losing, or likely to lose, 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 Association's commitment to these issues did not end with the publication of the first *BERA Charter*. Each Member of BERA Executive Council carries a specific portfolio of responsibility, and a Portfolio for Contract Researchers, held by Elaine Freedman, was introduced in September 2000. It was re-named the Portfolio for Research Staff Issues in 2005.

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 now been revised to take account of these changes; 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 *Fixed-term work: a guide to the regulations*, which accompanied the 2002 *Fixed-term Employees* legislation, makes clear one of the key innovations (2002, p 18):

“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.”

Such developments might well lead one to the assumption that many of the challenges reported in the original BERA Contract Research survey no longer exist or are on the point of resolution. However, the 2002 legislation does include caveats, and the implementation of the new European Charter and Code of Conduct will rely on employers, funders and the researchers themselves for practical implementation, as *Europa - The Researcher's Mobility Portal* (2005) suggests.

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. Improving their conditions and prospects also remains important, because retaining researchers of quality within the field is vital to the enduring good health of British educational research.

A new Research Staff Issues Working Group was therefore set up by BERA Executive Council in 2005 (see page ii for those taking part) to revise *The BERA Charter for Good Practice in the Employment of Contract Researchers*. The result of the work of this Group is *The 2008 BERA Charter for Research Staff: promoting quality conditions for conducting quality research*, which is endorsed by BERA Executive Council and presented in this booklet.

The 2008 BERA Charter for Research Staff: promoting quality conditions for conducting quality research

The first *BERA Charter* was developed and tested in the context of university departments of education, but BERA recognises that there are also educational research staff employed in national government departments and agencies, local government, research foundations, charitable bodies, and commercial agencies. For this reason *The 2008 BERA Charter* refers to “centres of educational research activity” as an all-embracing term. Similarly, the term “research staff” is used to refer to contract researchers and to those employed to undertake research, regardless of their source of funding. The term “contract-funded research staff” is used when funding linked to a specific project is a crucial element of the point being made.

Through disseminating *The 2008 BERA Charter*, and recommending its implementation by institutions involved in educational research activity, BERA aims to:

- foster the employment and retention of increasingly well qualified research staff;
 - encourage parity of employment conditions between research and other academic staff;
- and hence:
- to facilitate excellence in the conduct of educational research.

BERA hopes that all the institutions concerned will adopt the proposals of this Charter, recognising that they are in their own interests as well as in those of high quality research.

In pursuing these aims, *The 2008 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.”

Career management and development are also clearly important concerns, and they too are not restricted to researchers at the start of their research career. *The 2008 BERA Charter* focuses on the needs of “experienced” as well as on those of “early stage” researchers, (to use the definitions adopted by *The Code of Conduct for the Recruitment of Researchers*, 2005, pp.28-29). It should also

be remembered that career and skill development are not merely mechanisms for gaining employment elsewhere. Retaining experienced researchers is vital for long term research excellence.

BERA's recommendations for good practice centre on four main sets of (often overlapping) 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.

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 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. Those who take on this management role should undertake training to develop the appropriate expertise.

1.7 Similar staff development should be undertaken by anyone responsible for managing research members of staff.

1.8 All centres of educational research activity should ensure that the *BERA Revised Ethical Guidelines for Educational Research (2004)* 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, on a minimum of two contracts.

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, whilst bearing in mind the duration of an initial contract of employment, 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 provide opportunities whereby all contract-funded research staff can 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, 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, 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.

3.3 There should be an accepted policy for the equitable recognition of the work of research staff, in terms of the authorship of publications (such as research reports, research proposals, and academic papers); and for being the first-named author when appropriate. 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.

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.

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.

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 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.

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.

4.5 Wherever possible, accreditation should be made available for the professional development and learning of research staff (for example, through teaching qualifications or research degrees).

4.6 Research staff should be afforded opportunities for teaching and for supervising research students in areas where they have expertise.

4.7 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.

4.8 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.

4.9 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. 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 2008 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 2008 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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