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## Introduction

Faculty Approval requires that a **Relationship Review** be carried out to assess ethical issues and any reputational risk to the College before approval is given to research proposals.

When conducting a relationship review, Faculty Research Services check organisations have a mission or strategy which is consistent with the College’s. Where more than one organisation is involved (eg collaborative partners and sub-contractors) the reputational risk of each should be considered.

## Faculty Research Services

The senior grants administrator or the contract negotiator should check that the organisation is recorded as either *high or low risk* on the list maintained in the Ethics Code Due Diligence [shared folder](file:///\\icfs5g.cc.ic.ac.uk\Research%20Services\RS%20Operations\Ethics%20Code%20Due%20Diligence). If the organisation is not on the list they should contact the Chief Reviewer for their faculty in order for the due diligence to be carried out. Discretion may be applied by the Chief Reviewer, as to the most appropriate checks to conduct. The Chief Reviewer will **assign a low or high risk decision** for the organisation.

The Relationship Review process for the JRO is outlined below (and summarised in a chart.

## Initial check

1. Research Services (JRO) check that there are no research activities involving **tobacco research or classified research**. The following issues should be raised with the Chief Reviewer:

* weapons research or research in the alcoholic beverages or gambling field;
* potential conflicts of interest which the HoD/dept may not be aware of;
* for research conducted outside the EEA, North America, Australia, New Zealand, and Japan, Chief Reviewer to check there are no restrictions or embargos for that country.

1. The Senior Grants Administrator/Contract Negotiator should confirm that the HoD confirms that there are no ethical issues as part of Faculty Approval.
2. **Table 1** outlines the initial checks to be carried out **for all new research partners** to the College.

**TABLE 1**

|  |  |  |
| --- | --- | --- |
| **Principle** | **Due Diligence** | **Responsible** |
| The organisation is a new research partner at the College (unfunded activity). | Verify the existence of the organisation, eg Companies House, Charity Commission, online google search, [Dun and Bradstreet](http://www.dnb.com/) (US companies). | JRO |
| The organisation (and country in which it is based) should be checked against a list of sanctioned (or restricted) countries or organisations. | The [UK Government website](https://www.gov.uk/foreign-travel-advice) and the [UK Trade and Industry website](http://www.ukti.gov.uk/de_de/export/countries.html) both provide information by Country.  The European Commission website provides an [overview](http://eeas.europa.eu/cfsp/sanctions/index_en.htm) of restrictive measures imposed by the EU. The measures in place are [listed](http://eeas.europa.eu/cfsp/sanctions/docs/measures_en.pdf) by country and would highlight regimes or groups which the College may wish to consider carefully before working with.  The World Bank provides a searchable [list](http://web.worldbank.org/external/default/main?theSitePK=84266&contentMDK=64069844&menuPK=116730&pagePK=64148989&piPK=64148984) of debarred individuals and firms they have sanctioned under the Bank's fraud and corruption policy. | JRO |
| The organisation is a new research partner funding research at the College (New organisation integrity check). | A credit check should be carried out by AR to verify:   * The identity of the organisation * The organisational structure, directors and potential links to other companies or individuals * Solvency of the organisation. | Accounts Receivable |

## Due Diligence

**Table 2** lists the full due diligence to be conducted for all organisations to assess their reputational risk. JRO should carry out checks for all organisations **except for the types listed below**, considered low risk because they are UK government organisations and/or subject to UK or European legislation or further regulation, or an established research funder/collaborator in UK Higher Education:

* *All UK Research Councils*
* *All UK Government Depts*
* *Other UK, European, and US universities*
* *All UK Hospitals and NHS Trusts*
* *The European Commission projects where Imperial College is not the co-ordinator.*
* *UK charities registered with the Association of Medical Research Charities (AMRC)*

**TABLE 2**

|  |  |
| --- | --- |
| **Reputational Risk Due Diligence** | |
| STEP 1 | An internet search for recent evidence of illegal activities or ‘bad press’ should be carried out, using the organisation’s name and the following terms:   * Tax Evasion (Only unlawful tax evasion not corporate tax avoidance) * Fraud * Human Rights * Falsification of academic research * Bribe/bribery * Crime * Environmental conduct * Health and safety |
| STEP 2 | The organisation’s website should be checked for any links to other companies or individuals which may affect the reputation of the College, including pressure groups or political organisations or figures. |

|  |  |
| --- | --- |
| **Internet search guidance notes** | |
| INCLUDE | The search could produce articles from a variety of sources, ranging from evidence of lawsuits, or criminal convictions to allegations by various pressure groups or individuals. This is a subjective process and the person compiling the information is not expected to come to a decision about whether the organisation is a ‘guilty party’ or not.  Sources such as regulatory bodies or watchdogs should be given more credibility; however, any news item may have the potential to damage a reputation. |
| EXCLUDE | The following information can be filtered out as it might be of lower risk:   * Articles more than [five] years old [unless the issue is currently being raised in more recent press reports]. * Allegations or court cases involving any wrong-doing of an individual who works for the organisation [unless there is some level of corporate responsibility for which the organisation has been brought to task]. |
| CONCERNS | If the search returns a large number of potential concerns, the organisation’s website should be checked for the following:   * Does the organisation publish its ethical code of conduct? * Does the organisation have a statement on encouraging diversity? * Does the organisation report health and safety-related incidents, such as recordable injuries or fatalities? * Does the organisation report its sustainability or environmental policy? * Does the organisation report on its regulatory compliance?   Whilst this does not override any concerns raised through an internet search it *may* demonstrate that the organisation has a commitment to tackling such issues. |

## Outcome: No risk identified

Where no ethical concerns are raised (or where issues have been escalated and approval has been granted) JRO should confirm that the ethical review has been conducted, and a record of ethics approval retained.

## Outcome: Risk identified

Where a potential ethical issue is identified the Senior Grants Administrator/Contract Negotiator should inform the Chief Reviewer, who should complete the Pro-Forma including details of the organisational and/or project level issues.

The Chief Reviewer should discuss ethical issues with the HoD, who may agree action to resolve or mitigate the issue, assuming responsibility for any incumbent risks or may elect not to proceed. Any action or further clarification provided by the HoD must be formally recorded on the Pro-Forma by the Chief Reviewer.

* Where the HoD does not feel able to resolve the matter and wishes to proceed with the project, the issue should be escalated by the Chief Reviewer to the Director of the Research Office and the relevant Dean/Faculty Operating Officer.
* Where the HoD wishes to proceed, but the Chief Reviewer still has specific concerns, the Chief Reviewer may also escalate an issue.

The form at **Appendix B** should be submitted to the Dean/FOO and Director of the Research Office setting out the issues. Referrals should be made as early as possible in the process. Where the Director of the Research Office and the relevant Dean/Faculty Operating Officer cannot resolve the ethical matter [they] shall escalate the issue to the College Cabinet (via the Head of Secretariat).

The College Cabinet shall reach a decision on the ethical issue. Where consensus cannot be reached, a formal reference shall be made by the College Secretary and Registrar to the Audit Committee who will seek further advice from College employees, third parties and the College Council as required.

## Record-keeping

The following records will be kept by Research Services teams:

|  |  |
| --- | --- |
| **Organisation level review** | Results of due diligence carried should be recorded using **Due Diligence Pro Forma Part 1**, at **Appendix A**, and retained in the Ethics Shared Folder :   * Pro Formas for organisations with **NO** identified ethical issues, and deemed a **LOW** risk should be added to the **low risk folder** in the Ethics Code Due Diligence [shared folder](file:///\\icfs5g.cc.ic.ac.uk\Research%20Services\RS%20Operations\Ethics%20Code%20Due%20Diligence), using the naming convention “risk level, organisation name, date of review”, e.g. LowRisk-BHF-10Dec13. * Pro Formas for organisations with **identified** ethical issues, and deemed a **HIGH** risk should be added to the **high risk folder** in the Ethics Code Due Diligence [shared folder](file:///\\icfs5g.cc.ic.ac.uk\Research%20Services\RS%20Operations\Ethics%20Code%20Due%20Diligence), using the naming convention “risk level, organisation name, date of review”, e.g. HighRisk-RioTinto-10Dec13. |
| **Research Project level review** | Where an InfoEd record has been created HoD approval is the record which confirms that the department has considered reputational risk.  For contractual matters outside of InfoEd, confirmation by the HoD should be formally recorded in the SharePoint contract record.  Where an issue has been identified, but through discussion with the HoD, the HoD has resolved or mitigated any risks, this action, and the rationale for the decision should be recorded on the Pro Forma and retained, along with any supporting email chains, and other relevant documentation.   * Pro formas must be held on the Ethics Code Due Diligence [shared folder](file:///\\icfs5g.cc.ic.ac.uk\Research%20Services\RS%20Operations\Ethics%20Code%20Due%20Diligence) under **Project Relationship Review**, under the naming convention “PI-organisation-date of review”, and saved under the relevant Faculty folder. * Where a matter has been escalated for approval, a copy of the notification form (**Appendix B**), as well as confirmation of all approvals received under the escalation procedure should be recorded and retained. Any supporting emails, and other relevant documentation should also be retained. |

The following can be found in the appendix:

* Appendix A – Due Diligence Proforma, Part 1 Organisation Review
* Appendix A – Due Diligence Proforma, Part 2 Project Level Review
* Appendix B – Notification of matter for ethical consideration to the director of the research office and the faculty operating officer/dean
* Appendix C – Process map

## Relationship Review DUE DILIGENCE PROFORMA (Appendix A)

### PART 1 – Organisation review

**DETAILS OF INDIVIDUAL MAKING THE NOTIFICATION** *(to be completed by the individual making the notification)***:**

*To be completed only where the organisation does not appear in the* [*Ethics Code Due Diligence*](file:///I:\RS%20Operations\Ethics%20Code%20Due%20Diligence) *shared folder*

*Mitigating factors to consider:*

* *Previous activity with the organisation. Have these given rise to any issues?*
* *Other activity in the UK university sector. Are working with many other universities?*

|  |  |
| --- | --- |
| Organisation name (and website, address, contact details) | ***EXAMPLE*** *University of Sometown, www.sometown.ac.uk  Research Office, University of Sometown, Main Street, Anytown AT1 1AT* |
| Initial Project title (if known) | ***EXAMPLE*** *Investigation of something very complicated* |
| Initial Principal investigator(s) | ***EXAMPLE*** *Professor A. Cademic* |
| Name of reviewer | ***EXAMPLE*** *John Brown* |
| Signature and Date | ***EXAMPLE*** *Xxxx Yyyy 12-08-2016* |
| Background comments | |

|  |  |
| --- | --- |
|  | Outcome  Please summarise any issues and provide relevant URLs or |
| Issues identified from the Initial Organisation Check. *Please see Table 1*  For example:   * The identity of the organisation * The organisational structure and where possible directors and potential links to other companies or individuals * Where the organisation is based/registered | ***EXAMPLE***  *No issues identified* |
| Does the company have a ‘poor public image’ resulting from company practices, such as poor environmental conduct, health and safety record, human rights record, which may be detrimental to the College’s reputation? Has the internet search for recent evidence of illegal activities or ‘bad press’ raised any concerns? *Please see Table 2* | ***EXAMPLE***  *No concerns identified* |
| Is the organisation linked to any politically sensitive groups or persons? | ***EXAMPLE***  *No* |

**Evaluation – check box as appropriate**

|  |
| --- |
| No concerns were raised – ***Low Risk***  Ethical concerns identified – Consider alongside the Project and complete Part 2 – ***High Risk*** |

## Relationship Review DUE DILIGENCE PROFORMA (Appendix A)

### PART 2 – Project level review

**DETAILS OF INDIVIDUAL MAKING THE NOTIFICATION** *(to be completed by the individual making the notification, being one of the following: HoD, Chief Reviewer)***:**

|  |  |
| --- | --- |
| Organisation name (and website, address, contact details) |  |
| Project title (if known) |  |
| Principal investigator(s) |  |
| Name of reviewer |  |
| Signature and Date |  |
| Background and comments |  |

**Reputational Risks?**

e.g. The research activity involves a subject matter which could be seen as politically sensitive such as:

* gambling
* tobacco
* alcoholic beverages
* weapons manufacturing or biological warfare research

Have you identified any identified potential Conflicts of Interest?

Does the relationship have the potential to compromise the College’s status as an independent institution?

Where research is being conducted outside the [EEA](http://en.wikipedia.org/wiki/European_Economic_Area), North America, Australia, New Zealand, and Japan does this present any additional risks?

Does the relationship present any other concerns or issues?

**Evaluation**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Have issues been identified?** | **Yes** | | **No** |  |
| Organisation (Due diligence form Part 1) |  | |  |
| Project (Due diligence form Part 2) |  | |  |
| *If answer is yes for either the project or the organisation consultation is required* | | | |
| Ethical concerns identified; Consult with academic department (HoD) | | |  |  |
| Outcome: | | | |
| Ethical concerns cannot be resolved with department > Escalate | |  | |
| Outcome: | | | |

## Relationship Review DUE DILIGENCE PROFORMA (Appendix B)

**NOTIFICATION OF MATTER FOR ETHICAL CONSIDERATION TO THE DIRECTOR OF THE RESEARCH OFFICE AND THE FACULTY OPERATING OFFICER/DEAN**

**UNDER THE IMPERIAL COLLEGE RELATIONSHIP REVIEW POLICY**

**DETAILS OF INDIVIDUAL MAKING THE NOTIFICATION** *(to be completed by the individual making the notification, being one of the following: HoD, Research Services Manager, Contracts Manager)***:**

**Name:** ………………………………………………………………………………….

**Position:** ……………………………………………………………………………….

**Organisation/Party** (who issue is being raised for): …………………………………………...

**DETAILS OF THE ETHICAL ISSUE** *(to be completed by the individual making the notification).*

**Type of relationship** *(i.e. research funder, multi-party collaboration etc)* **[xx]**

**Reason for notification** *(i.e ethical concern arising in the course of due diligence or otherwise)* **[xx]**

**Detail of the ethical issue and your recommendation as to how the matter should proceed: [xx]**

**Brief history of the matter** *(including whether the proposed relationship arises from a solicitation from (or a contact within) Imperial College or from an independent approach):* **[xx]**

**Details of any non-standard or potentially onerous conditions proposed in connection with the proposed relationship: [xx]**

**Details of the due diligence that has been carried out and the results of that due diligence: [*Attach Due Diligence Proforma part 1 and 2*]**

**Status of the relationship and timescales:** *(including details of the current status of negotiations/previous contact between the College and relevant individual or organisation/ when it is intended that the relationship will be entered into):* **[xx]**

**Further comments and reference to additional documentation provided** *(include all further details that you would like to draw to the attention of the decision maker and refer to all supplementary documents included for review)* **[xx]***.*

**DETAILS OF FURTHER INFORMATION REQUIRED BY DECISION MAKER**

**Further information required:** *(if none, please specify)* **[xx]**

**CONFIRMATION OF DECISION AND GUIDANCE** *(to be completed by the Director of the Research Office)*

**Do you approve the proposed relationship?** Yes/No

**Details of any conditions attached to an approval: [xx]**

**Any further comments [xx]**

**CONFIRMATION OF DECISION AND GUIDANCE** *(to be completed by the Dean/FOO)*

**Do you approve the proposed relationship?** Yes/No

**Details of any conditions attached to an approval: [xx]**

**Any further comments [xx]**

## Relationship Review Process (Appendix C)

