



# RESEARCH SPONSORSHIP AND COLLABORATION POLICY

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<b>Responsible Division &amp; Unit:</b>	Research Services Office, Research and Innovation Division (RaID)		
<b>Supporting documents, procedures &amp; forms:</b>	<a href="#">Code of Practice – Research</a> <a href="#">Conflict of Interest Policy</a> <a href="#">Delegations of Authority Policy</a> <a href="#">Higher Degree Research (HDR) Supervision and Resources Policy</a> <a href="#">IP Intellectual Property Policy</a> <a href="#">Research Misconduct and Complaints Management Policy</a> <a href="#">Research Data Management Policy</a> <a href="#">Risk Management Policy</a> <a href="#">Secondary Employment Policy</a> <a href="#">University Code of Conduct</a>		
<b>Relevant Legislation &amp; External Documents:</b>	<a href="#">Australian Autonomous Sanctions Regulations 2011</a> <a href="#">Australia’s Foreign Relations (State and Territory Arrangements) Act 2020</a> <a href="#">Foreign Influence Transparency Scheme Act 2018</a> <a href="#">Guidelines to Counter Foreign Interference in the Australian University Sector</a> <a href="#">NHMRC National Statement on Ethical Conduct in Human Research (2007)</a> <a href="#">Public Interest Disclosures Act, 1994 (NSW)</a> <a href="#">Research Integrity and Research Misconduct Policy 2016</a> <a href="#">The Australian Code for Responsible Conduct of Research (2007)</a>		
<b>Audience:</b>	Public – Accessible to Anyone		

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## Contents

1	Purpose of Policy .....	3
2	Definitions.....	3
3	Application & Scope .....	5
4	Duty of Disclosure .....	5
5	Third Party Negotiations .....	5
6	Restrictions and Exclusions .....	6
7	Roles & Responsibilities .....	6
8	Version Control and Change History .....	8



## 1 Purpose of Policy

1. The University of Wollongong (the University) encourages its Researchers to seek external sponsorship of grant, consultancy and commercial research activities and to undertake research activities in collaboration with Third Parties.
2. The University values its reputation and the reputation of its Researchers when engaging in commercial and non-commercial research activities and endeavours to comply with all applicable regulations, standards and policies.
3. This policy ensures the good reputation and integrity of the University is maintained when undertaking research activities that are sponsored by, or in collaboration with Third Parties.

## 2 Definitions

Word/Term	Definition
Affiliates	Visiting Fellows, Volunteers and Visiting Students.
Collaborative Research	Research where the University is collaborating with one or more Third Parties that is not Commercial Research.
Commercial Research	Research activities conducted under a commercial contract that include, but are not limited to: <ul style="list-style-type: none"><li>· Contract research with government, non-government and/or private sector entities;</li><li>· Collaborative research with government, non-government and/or private sector entities;</li><li>· Cooperative Research Centres (CRCs).</li></ul> Research conducted under Australian Research Council competitive grants or other grant schemes are not considered as Commercial Research as they are externally funded schemes. However, they are considered “Sponsored Research” for the purposes of this policy such that the terms of this policy still applies to grant-funded research activities.
Conflict of Interest	Exists where there is a divergence between the individual interests of a Researcher and his/her professional obligation to the University such that an independent observer might reasonably question whether the professional actions or decisions of that person are influenced by their own interests or are for their own benefit.  It should be noted that enmity as well as friendship can give rise to perceptions of a conflict of interest and similarly that detriment to a third party can give rise to a conflict of interest just as much as benefit to a third party.
Foreign Arrangement	A foreign arrangement is a written agreement, contract, understanding or undertaking between an Australian State/Territory Entity (including the University) and certain foreign entities (primarily foreign governments and agencies, including certain universities), whether or not there are any other parties to the arrangement and whether it is legally binding or not



Foreign Influence	Foreign Influence occurs when Australian individuals or entities undertake certain registrable activities on behalf of a foreign principal (foreign governments, political parties and associated entities/persons) for the purpose of political or government influence.
Foreign Interference	As described in the Guidelines to Counter Foreign Interference in the Australian University Sector, foreign interference occurs when activities are carried out by, or on behalf of a foreign actor which are coercive, covert, deceptive or corrupting and are contrary to Australia's sovereignty, values and national interests.
Reputational Risks	<p>Activities that damage or have the potential to damage the good name or reputation of the University or give the impression that research outcomes are not independent and objective, or have not otherwise been achieved in compliance with best practice standards for the responsible and ethical conduct of research at the University.</p> <p>Examples include being associated with Third Parties, or industries, known to engage in activities that are fraudulent, misleading, unethical, deceptive, illegal or that cause health, population or significant environmental damage or that exploit disadvantaged or vulnerable members of the community (eg. impoverished communities, children, alcohol, tobacco etc).</p> <p>It also include presenting or agreeing to present a research outcome in a way that could reasonably be viewed as:</p> <p>(a) endorsing a particular product, service, opinion or Third Party without disclosing the underlying commercial or other relationship between the University and the Third Party;</p> <p>(b) being not objective, unbiased or independent; or</p> <p>(c) involving a real or perceived Conflict of Interest.</p>
Research	The creation of new knowledge and/or the use of existing knowledge in a new and creative way so as to generate new concepts, methodologies, inventions and understandings. This could include synthesis and analysis of previous research to the extent that it is new and creative.
Researcher	A Staff Member, occupational trainee, Visiting Student, Visiting Fellow, Volunteer, industry fellow, honorary and adjunct title holder, Emeritus Professor, professional staff or Student who conducts research at or on behalf of the University.
Sponsored Research	Research or research-related activities that are funded in whole or in part, by one or more Third Parties either directly or indirectly including but not limited to: <ul style="list-style-type: none"><li>· Research conducted under Australian Research Council competitive grants or other grant schemes;</li><li>· Commercial Research; and</li><li>· Participation in Third Party conferences etc.</li></ul>
Staff Member	All persons appointed as an academic or professional staff member of the University whether they hold full-time, part-time, casual, contract or conjoint appointments.
Student	A person registered for a course at the University of Wollongong.



The University	The University of Wollongong.
Third Party	A party other than the University. This could include a company, sole trader, individual, government department, not-for-profit institution or partnership.
Visiting Fellow	Honorary and visiting fellows appointed by UOW to non-salaried, full-time or fractional positions titled “Associate Fellow”, “Fellow”, “Senior Fellow”, “Principal Fellow”, “Professorial Fellow”, “Visiting Fellow”, or “Research Fellow” who are not Visiting Students or Volunteers.
Visiting Student	A student who undertakes part of their research or training at UOW but who is not registered at UOW.
Volunteer	A person who is not a Visiting Fellow, Visiting Student, Staff Member or Student of UOW but is working on a UOW project in a voluntary capacity. An example of a volunteer is someone who is undertaking unpaid work experience or is doing an internship at the University. A collaborating colleague from another university or research institution is not a Volunteer.

### 3 Application & Scope

1. This policy applies to all Researchers engaged in any form of research activity under the auspices of the University that involves “Sponsored Research” or “Collaborative Research”.

### 4 Duty of Disclosure

1. Researchers must disclose any perceived or actual Reputational Risks associated with any proposed Sponsored or Collaborative Research activity and any Reputational Risks that may arise during the course of conducting any Sponsored or Collaborative Research activity.
2. Disclosure of Reputational Risks must be made to the University’s authorised representative as per the [Delegations of Authority Policy](#) as appropriate.

### 5 Foreign Engagements

1. Researchers must ensure that legislative obligations are complied with in relation to any proposed Sponsored or Collaborative Research activities involving foreign entities and related persons.
2. Foreign Arrangements must be notified to the Minister for Foreign Affairs both at the negotiation stage and when finalised, in accordance with the *Australia's Foreign Relations (State and Territory Arrangements Act) 2020*. These notifications are coordinated by the Global Strategy Division.
3. If any proposed Sponsored or Collaborative Research activities involve a Researcher or the University agreeing to act on behalf of a foreign government, political party or related entity/person for the purpose of influencing Australian political or government outcomes, the activities may need to be registered in accordance with the *Foreign Influence Transparency Scheme Act 2018*.
4. Researchers should also give due consideration to the risk of Foreign Interference, and how any such risks can be managed, in accordance with the University’s Risk Management Policy.
5. Further information is available on UOW’s Foreign Engagements website (<https://www.uow.edu.au/about/governance/legislation/foreign-engagements/>).



## 6 Third Party Negotiations

1. All Sponsored Research and Collaborative Research must be conducted under an appropriate contract or other legal agreement and be approved by an authorised University representative (refer to the University [Delegations of Authority Policy](#)).
2. Researchers are able to commence discussions with Third Parties in relation to sponsorship and collaboration opportunities.
3. However, the negotiation of any formal terms of agreement with Third Parties by Researchers should be undertaken in collaboration with the appropriate authorised University Representative such as staff in the Research and Innovation Division, Legal Services Division or other as per the University [Delegations of Authority Policy](#).
4. In all negotiations with Third Parties, Researchers should be aware that:
  - 4.1. they are not able to bind the University to any agreement unless they hold the applicable delegation;
  - 4.2. negotiations are subject to obtaining formal approval from the University;
  - 4.3. They can negotiate scope, timing and deliverables, however, formal terms of agreement, and any requests to enter into Confidentiality or Non-Disclosure agreements will need to be discussed with the applicable University delegate.

## 7 Restrictions and Exclusions

1. The University can decline to authorise or endorse participating in a proposed Sponsored or Collaborative Research activity with a Third Party if it considers that:
  - 1.1. the terms and conditions being stipulated are not favourable to the University;
  - 1.2. the proposed research activities are not covered by the University's insurance policy;
  - 1.3. the proposed Research constitutes a Reputational Risk; or
  - 1.4. it is otherwise not in the University's best interests.
2. The University will only accept any kind of funding or sponsorship from the alcohol industry for research purposes on a case-by-case basis. Funding from the alcohol industry or involving the alcohol industry can only proceed with the written approval of the Deputy Vice-Chancellor (Research and Innovation). This approval must be obtained PRIOR to a grant or commercial research project being submitted for funding consideration.
3. The University WILL NOT accept any form of funding, sponsorship or participate in any kind of collaborative research with the tobacco industry.
4. Any decision by the University to decline or withdraw from a Sponsored or Collaborative Research activity with a Third party will be communicated in writing including, if practicable and subject to any confidentiality obligations binding on the University, the reason for the decision to prevent the engagement. The sources of this information will not be disclosed.

## 8 Roles & Responsibilities

1. The University is responsible for:
  - 1.1. The development and review of this policy;



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- 1.2. The provision of training and education strategies for all Researchers that may wish to partake in research in collaboration with and/or sponsored by Third Parties.
2. Researchers are responsible for ensuring:
  - 2.1. They identify and disclose Reputational Risks in accordance with this policy;
  - 2.2. That, in respect of Research involving foreign engagement, all relevant legislative requirements are complied with, and any risks of Foreign Interference are appropriately managed in accordance with University policies;
  - 2.3. That all Sponsored Research and Collaborative Research in which they are involved is conducted under an appropriate contract or other legally binding agreement; and
  - 2.4. That a reasonable time frame is provided to prepare and negotiate all required agreements.



## 9 Version Control and Change History

Version Control	Date Effective	Approved By	Amendment
1	15 October 2010	University Council	First Version
2	21 June 2011	Vice-Principal (Administration)	Updated to reflect change of name from Wollongong College Australia to UOW College
3	16 January 2012	Deputy Vice-Chancellor (Research)	Updated to reflect name change from Commercial Research Unit (CRU) to Innovation and Commercial Research (ICR)
4	22 August 2017	Deputy Vice-Chancellor (Research & Innovation)	Updated to reflect UOW Policy Template, UOW definitions, Division titles and supporting documents with links.
5	10 August 2018	University Council	Full document revision to align with other revised UOW policies and reflect the actual processes being applied to Research Sponsorship and Collaboration activities.
6	15 December 2021	Vice-Chancellor	Updated to refer to obligations under the <i>Australia's Foreign Relations (State and Territory Arrangements) Act 2020</i> and the <i>Foreign Influence Transparency Scheme Act 2018</i> , and to refer to the Guidelines to Counter Foreign Interference in the Australian University Sector.