| University of Birmingham **Official Development Assistance Due Diligence:  Ethical and Reputational Concerns**  **PARTNER APPROVAL FORM** |
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This form is designed to help Principal Investigators record the results of due diligence checks on proposed project partners associated with Official Development Assistance (ODA) research grants, such those awarded by the Global Challenge Research Fund (GCRF). Overseas research partners include NGOs/ charities, Universities or Research Institutes/ centres.

This process will help identify any ethical or reputational concerns with the partners that you are thinking of working with.

**The PI should complete this form and keep it as part of their project documentation.** It is possible that a funder will request evidence of the due diligence checks that were undertaken before the project commenced.

Where you are developing a funding proposal which will refer to an overseas research partner, you should complete these checks early on in the discussions. If issues are only identified at grant award stage, it can be awkward for all parties if you decide that it is not appropriate for a partner to be involved in the project.

If in the process of completing this form you identify issues with a partner, you need to share this information with your Head of School and local research support office. Highlighting a potential issue in will not automatically result in our not working with the partner, but instead will be used to make an informed decision about how to proceed.

This form is not designed to cover business or charitable donors to the University, or organisations from which we are procuring commercial goods or services. If you are planning to work with these organisations please contact your local Business Engagement representative.

Before completing the form you should refer to ‘Part 1’ of this document, which tells you how to undertake online research for any reputational or ethical issues connected with the proposed partner. You should then complete the form which can be found in ‘Part 2’. There is a Frequently Asked Questions section at the end of this document.

For help and advice during the bid development phase of a project, please contact your College research support office.

**Part 1: How to complete an Ethical and Reputational risk assessment**

The following guidance provides information for a Project lead or Principal Investigator on how to check for any *reputational or ethical concerns* about potential project partners, and what your responsibilities are.

* ***How do I carry out a search to check for potential reputational or ethical issues?***

The first key aspect of checking for reputational and ethical issues is to undertake *research of online media* to check for controversies or questionable conduct.

The keywords/phrases listed below should be used (as a minimum) to carry out Google searches on prospective partners. These checks should ideally be carried out as part of proposal development and constitute an important element of wider due diligence, but as a minimum should be carried out before contracts are in place. Where these initial searches identify specific potential controversies, ad-hoc searches may also be used to research matters further.

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| --- | --- | --- |
| **Keyword/phrase** |  | **Keyword/phrase** |
| Abuse |  | Human Rights |
| Bribery |  | Illegal |
| Controversy |  | Litigation |
| Corporate Manslaughter |  | Slavery |
| Corruption |  | Tobacco |
| Discrimination |  | Arms Trade |
| Exploitation |  | Defence |
| Extremism |  | Embargoes |
| Financial Irregularity |  | Sanctions |
| Fraud |  |  |
| Health and Safety Breach |  |  |

For example, for a partner called *Global* *Research partners*, the Google search terms used would be:

* “*Global* *Research partners*” bribery
* “*Global* *Research partners*” controversy
* “*Global* *Research partners*” corporate manslaughter
* …etc.

*Tip: Using quotation marks in Google searches will return exact matches for specific phrases. So, rather than return everything on the web to do with global,* r*esearch, and partners, Google will know to narrow your search to focus on the organisation called ‘Global* *Research partners’. Learn more about Google Search Operators here – they can be a useful tool when carrying out online research:* [*https://support.google.com/websearch/answer/2466433?hl=en*](https://support.google.com/websearch/answer/2466433?hl=en)*.*

You should use the “**Ethical and Reputational Risk Form**” (part 2) to record your findings, and keep this as part of the project documentation. In particular, copy the links to the webpages which have information of concern, so that they can be referred back to.

2) The second key aspect of due diligence for reputational and ethical concerns is checking of *international watch lists*. Watch lists provide a way for law enforcement and other government agencies to share information about organisations that are operating illegally or unethically.

Just because an organisation is ‘large scale’ in terms of its financial health, staff numbers or reputation does not mean it will not feature on a watch list. For example, major international banks may be added to a watch list if there is evidence that they are engaged in money laundering or activities that support terrorism and organised crime.

Similarly, the name or location of an organisation should not be an indicator as to its status. For example, an organisation called the “Global Relief Foundation (GRF)” based in Bridgeview, Illinois, USA, is on a watch list as it was found to be a sponsor of terrorism.

Best practice is that potential partners are checked against major watch lists such as:

**Organisations and individuals subject to financial sanctions (UK):**

<https://www.gov.uk/government/publications/financial-sanctions-consolidated-list-of-targets>

**Proscribed terror groups or organisations (UK):**

<https://www.gov.uk/government/publications/proscribed-terror-groups-or-organisations--2>

Further information about sanctions and embargos can be found here:

[**https://www.gov.uk/guidance/sanctions-embargoes-and-restrictions**](https://www.gov.uk/guidance/sanctions-embargoes-and-restrictions)

In order to check an organisation against these lists, simply open the list and perform a “Ctrl + F” search on the page, using the name of the partner as the search term. If no results are returned, we can be confident that the organisation is not on the list.

The nature of watch lists is that they are frequently updated as new groups form or new transgressions come to light. Therefore, checks should be carried out as part of ongoing Due Diligence associated with the project, and ideally checks should be repeated every six months.

**Part 2: Ethical and Reputational Risk Form**

The following form should be completed for each partner.

|  |  |
| --- | --- |
| **Title of Research Project:** |  |
| **Funder:** |  |
| **Principal Investigator/ Leading member of UoB Staff:** |  |
| **School / Department:** |  |
|  |  |
| **Name of proposed partner:** |  |
| **Approx. number of years (months if less than 1 year) the entity has been in existence:** |  |
| **Any relevant parent/subsidiary affiliations? (e.g. research centre is part of a hospital)** |  |
| **Type of organisation: (NGO, charitable research institute, Government agency, business, etc.)** |  |
| **Organisation web address:** |  |
| **Value of Funding Passed to External Partner Organisation:** |  |
| **Brief description of the partner organisation’s role in the project:** | |
|  | |

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| --- | --- |
| **Please undertake research on the partner as described in Part 1 of this document** | |
| 2a. | Has your online review brought to light any evidence that the project partner has engaged in, or is alleged to have engaged in, **improper conduct?** (such as abuse, bribery, fraud, tax evasion etc)  Yes/No  If YES record, provide details: |
| 2b. | Has your online review brought to light any evidence that the project partner is currently involved in any aspect of the **tobacco** industry (including investment in/by the business)?  Yes/No  If YES record, provide details: |
| 2c. | Is the organisation featured on any **watch lists** or **sanctions lists?**  Yes/No  If YES record, provide details: |
|  | |
| 3a. | Has your online review brought to light any evidence that the organisation is or has been involved in any aspect of **arms manufacturing** or **trade**?  Yes/No  If YES at Q3a PLEASE complete appendix 1 |
| 3b. | Has your online review brought to light any evidence of **any links between the organisation and state governments, companies** or individuals with current or past **history of serious human rights violations?**  Yes/No  If YES please provide details: |
|  | |
| 4 | Is there published or other credible evidence that the partner is involved in any one of the following activities: |
| 4a. | Restricted freedom of enquiry or academic freedom?  Yes/No  If YES please provide details: |
| 4c. | Any forms of abuse, including exploitation of vulnerable persons or discrimination against certain individuals or groups?  Yes/No  If YES please provide details: |
| 4d. | Actions that may create unacceptable conflicts of interest for the University?  Yes/No  If YES please provide details: |
| 4e. | Actions that may harm the University's relationship with other benefactors, partners, potential students or research supporters?  Yes/No  If YES please provide details: |
|  | |
| 5a. | In your opinion, might a relationship with this partner raise potentially damaging media interest?  Yes/No  If YES please provide details: |
| 5a. | Are you aware of any additional reputational or ethical difficulties for the University in entering in to the proposed relationship?  Yes/No  If YES please provide details: |
|  | |
| 6a. | In order to ascertain if any [conflict of interest](https://intranet.birmingham.ac.uk/hr/employment/conflict/interest.aspx) exists, please state if **you are aware of** any employee, representative, alumnus/a of the University of Birmingham, or relative of a prospective/current student having a financial interest in the organisation?  Yes/No  If YES please provide details: |
|  | |
| 7 | Are there any other findings you wish to declare that are not covered elsewhere in this form? |

| **SIGNATURE -** Principal Investigator | | | | |
| --- | --- | --- | --- | --- |
| Name: |  | | |
| School / Institute |  | | |
| Date: |  |  |

*Please note: This form assesses the partner only; it does not replace the Research Ethics Review Process which should be completed as normal.*

***Please complete the form and keep as part of your project documentation. If any issues have come to light, you should raise these initially with your Head of School / Director of Institute and local research support office.***

**Appendix 1: Laws and agreements to consider in regards to arms manufacturing and trade**

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| --- | --- | --- | --- |
| **Type of Arms** | **Does the entity manufacture or trade in this type of arms?**  **YES / NO** | **3aii. If yes to manufacture or trade, does the entity comply with this treaty?**  **Relevant Treaty** | **YES / NO** |
| Explosive projectiles weighing less than 400 grams |  | Declaration of Saint Petersburg (1868) |  |
| Bullets that expand or flatten in the human body |  | Hague Declaration (1899) |  |
| Poison and poisoned weapons |  | Hague Regulations (1907) |  |
| Chemical weapons |  | Geneva Protocol (1925) |  |
| Convention on the prohibition of chemical weapons (1993) |  |
| Biological weapons |  | Geneva Protocol (1925) |  |
| Convention on the prohibition of biological weapons (1972) |  |
| Weapons that injure by fragments which, in the human body, escape detection by X-rays |  | Protocol I (1980) to the Convention on Certain Conventional Weapons |  |
| Incendiary weapons |  | Protocol III (1980) to the Convention on Certain Conventional Weapons |  |
| Blinding laser weapons |  | Protocol IV (1995) to the Convention on Certain Conventional Weapons |  |
| Mines, booby traps and "other devices" |  | Protocol II, as amended (1996), to the Convention on Certain Conventional Weapons |  |
| Anti-personnel mines |  | Convention on the Prohibition of Anti-Personnel Mines (Ottawa Treaty) (1997) |  |
| Explosive Remnants of War |  | Protocol V (2003) to the Convention on Certain Conventional Weapons |  |
| Cluster Munitions |  | Convention on Cluster Munitions (2008) |  |

**Frequently Asked Questions**

* ***What counts as a controversy?***

Any allegations of a potential partner engaging in improper practice is a concern to the University, and as such it should be recorded as part of your due diligence review. However, common sense should also be applied – and any matters which you feel represent questionable conduct, or that could affect the reputation of the institution should be recorded so a more thorough assessment can be carried out.

As an example, imagine the University were partnering with a research organisation based in a Low and Middle Income Country on a project around effective education. In carrying out research, you discover that the organisation is in ongoing litigation. This should be included in the findings, but the specific nature of the lawsuit will also have a bearing on the decision to collaborate with the organisation. If the lawsuit is in relation to accusations of child labour this will have a material bearing on the due diligence. On the other hand, if the lawsuit is in relation to a rent dispute, or anything unrelated to the proposed University research project, the impact is less acute. Context, therefore, is clearly very important when recording findings, and will prove helpful when it comes to making a decision about working (or continuing to work) with a partner.

* ***Does this check replicate the University’s ethics review process?***

No, due diligence is not designed to replicate the University’s ethics review. The research ethics process focuses on the specifics of the proposed research project, and the participants who will be involved – it does not take into account prior activities of any collaborative partners. If, of course, in the course of an ethics review, concerns are raised about the behaviour or prior activities of a partner organisation, then these would be flagged, but this is different from doing a pro-active check that an organisation is an appropriate partner for the University to be working with.

* ***Why is tobacco included as a keyword?***

The University’s [Code of Ethics](https://www.birmingham.ac.uk/research/opportunities/integrity.aspx) states “The University’s investment policy excludes direct investment by/in the tobacco industry.” Any partnership with a company involved in the production of tobacco or tobacco-related products (i.e. cigarettes, etc.) would be improper. Thus it is imperative that any link between a partner and tobacco is flagged up in the Reputational and Ethical Concerns Form, however small. This can be as apparent as a cigarette manufacturer, or as subtle as a company supplying machinery to that manufacturer.

* ***What timeframe should be considered when researching findings?***

Generally speaking, any reports in the past five years should be considered when researching controversies. However, if a matter of particular concern is identified outside of this timeframe, it should be included.

* ***Do I need to include web references?***

Yes, include links to the news articles discovered, so that these can be referred back to. Furthermore, consideration should be given to the credibility of the source. Articles on websites known for journalistic rigour such as the BBC, The Guardian, Reuters, Associated Press, etc. tend to be more credible than blog posts, single-issue publications, or websites editable by users, e.g. Wikipedia. If a significant volume of more minor sources have published details of a controversial issue, and these feature prominently in Google search results, you may wish to include details of these publications with a caveat as to the extent of their journalistic reliability.

* ***What do I do if the search highlights issues regarding current or previous actions of a partner organisation?***

If a search does bring to light issues, it is not necessarily the case that this precludes our working with a partner. Equally the findings may themselves lead you to decide you no longer wish to work with them. **However, if you wish to continue the planned collaboration, it is your responsibility as the Project Lead or PI to record and raise any concerns you come across**. In the first instance, you should share your findings with your Head of School and local Research Support Office.

* ***What if issues subsequently come to light later after this assessment has been completed?***

In this situation a further assessment will take place, however it will be important for the University to be able to demonstrate to funders that reasonable checks were undertaken at the outset – this is why it is important for you to keep the completed Reputational and Ethical Concerns Form as part of your project documentation.