Arts & Humanities Research Council

TERMS AND CONDITIONS OF RESEARCH COUNCIL GRANTS (pre-fEC)

Research Grants awarded by the following Research Councils are made to Research Organisations on the basis of this single set of core terms and conditions:

Arts and Humanities Research Council (AHRC)
Biotechnology and Biological Sciences Research Council (BBSRC)
Economic and Social Research Council (ESRC)
Engineering and Physical Sciences Research Council (EPSRC)
Medical Research Council (MRC)
Natural Environment Research Council (NERC)
Particle Physics and Astronomy Research Council (PPARC)

Individual Councils may add additional conditions to the grant to reflect the particular circumstances and requirements of their organisation, or the nature of a particular grant. Acceptance of a research grant constitutes acceptance of both the core conditions and any additional conditions.

The Research Councils reserve the right to vary these terms and conditions.

Definitions

Dipstick Testing: A programme of visits and office-based tests to seek assurance that research grant funds are used for the purpose for which they are given and that grants are managed in accordance with the terms and conditions under which they are awarded.

Investigator: the generic term used to identify the individual member of staff to whom the research project is assigned. The Principal Investigator takes responsibility for the intellectual leadership of the research project and for the overall management of the research.

Large Capital: items of equipment above a threshold value set by the individual Research Council and specified in the grant. Large capital items are not paid by profiled payments; they require claims to be submitted.

Research Council: any of the bodies listed above, including the Arts and Humanities Research Council.

Research Grant: a contribution to the costs of a stated research project which has been assessed as suitable for funding through the procedures established by the relevant Research Council. Research Grants provide for the eligible direct costs of the research, plus a contribution to indirect costs.

Arts & Humanities Research Council

Research Organisation: the organisation to which the research grant is awarded and which takes responsibility for the management of the research project and the accountability of funds provided.

References in these terms and conditions to statutory provisions and guidance include any subsequent amendments or re-enactments.

Data Protection Act

The Research Councils will use information provided on the research grant proposal form for processing the proposal, the award of any consequential grant, and for the payment, maintenance and review of the grant. This may include:

- Registration of proposals;
- Operation of grants processing and management information systems;
- Preparation of material for use by referees and peer review panels;
- Statistical analysis in relation to the evaluation of research and the study of trends;
- Policy and strategy studies.

To meet the Research Councils' obligations for public accountability and the dissemination of information, details of research grants may also be made available on the Research Councils' web sites and other publicly available databases, and in reports, documents and mailing lists.

RG 1 Responsibilities of the Research Organisation

- The Research Organisation must provide the infrastructure needed to carry out the research, together with any specific contributions identified in the application.

- The Research Organisation must ensure that Investigators are made aware of their responsibilities and that they observe the terms and conditions of research grants.

- The Research Organisation must ensure that the research supported by the grant complies with all relevant legislation and Government regulation, including that introduced while work is in progress. This requirement includes approval or licence from any regulatory body that may be required before the research can commence.

- The Research Organisation is expected to adopt the principles, standards and good practice for the management of research staff set out in the

1996 Concordat for the Career Management of Contract Research Staff, and subsequent amendments.

- The Research Organisation must notify the Research Council of any change in its status, or that of any of the investigators, that might affect the eligibility to hold a research grant.

- The Research Organisation must ensure that the requirements of the Employing Organisation under the Department of Health's Research Governance Framework for Health and Social Care are met for research involving NHS patients, their organs, tissues or data, and that the necessary arrangements are in place with partner organisations. Where it also accepts the responsibilities of a Sponsor (as defined in the Governance Framework), it must also ensure that the requirements for Sponsors are met.

- The Research Organisation must ensure proper financial management of research grants and accountability for the use of public funds.

RG 2 Research Governance

It is the responsibility of the Research Organisation to ensure that the research is organised and undertaken within a framework of best practice that recognises the various factors that may influence or impact on a research project. Particular requirements are to ensure that all necessary permissions are obtained before the research begins, and that there is clarity of role and responsibility among the research team and with any collaborators. The Research Councils expect research to be conducted in accordance with the highest standards of scientific integrity and research methodology.

Research Ethics

The Research Organisation is responsible for ensuring that ethical issues relating to the research project are identified and brought to the attention of the relevant approval or regulatory body. Approval to undertake the research must be granted before any work requiring approval begins. Ethical issues should be interpreted broadly and may encompass, among other things, the involvement of human participants in research, the use of animals, research that may result in damage to the environment and the use of sensitive economic, social or personal data.

Arts & Humanities Research Council

Use of Animals in Research

Wherever possible, researchers must adopt procedures and techniques that avoid the use of animals. Where this is not possible, the research should be designed so that:

- The least sentient species with the appropriate physiology is used;
- The number of animals used is the minimum sufficient to provide adequate statistical power to answer the question posed;
- The severity of procedures performed on animals is kept to a minimum. Experiments should be kept as short as possible. Appropriate anaesthesia, analgesia and humane end points should be used to minimise any pain and suffering.

The provisions of the Animals (Scientific Procedures) Act 1986**,** and any amendments, must be observed and all necessary licences must have been received before any work requiring approval takes place.

Medical and Health Research

The Research Organisation is responsible for managing and monitoring the conduct of medical and health research in a manner consistent with the Department of Health's Research Governance Framework for Health and Social Care. There must be effective and verifiable systems in place for managing research quality, progress and the safety and well-being of patients and other research participants. These systems must promote and maintain the relevant codes of practice and all relevant statutory review, authorisation and reporting requirements.

Health-related research within the social sciences that falls outside the Department of Health's Research Governance Framework must meet the provisions and guidelines of the ESRC's Research Ethics Framework. While this research may involve patients, NHS staff or organisations, it is defined as research that poses no clinical risk or harm to those who are the subjects of research. Research Organisations must ensure that appropriate arrangements are in place for independent ethics review of social science research that meet local research ethics committee standards.

Significant developments must be assessed as the research proceeds, especially those that affect safety and well-being, which should be reported to the appropriate authorities and to the Research Council. The Research Organisation must take appropriate and timely action when significant problems are identified. This may include temporarily suspending or terminating the research.

The Research Organisation is responsible for managing and monitoring statutory requirements for which it accepts responsibility, for example, in relation to legislation on clinical trials, use of human organs, tissues and data.

Guidance by the MRC on the conduct of medial research, and by ESRC on the conduct of social science research, provided on behalf of all Research Councils, must be observed.

Health and Safety

The Research Organisation is responsible for ensuring that a safe working environment is provided for all individuals associated with a research project. Its approach and policy on health and safety matters must meet all regulatory and legislative requirements and be consistent with best practice recommended by the Health & Safety Executive. Appropriate care must be taken where researchers are working off-site. The Research Organisation must satisfy itself that all reasonable health and safety factors are addressed. The Research Councils reserve the right to require the Research Organisation to undertake a safety risk assessment in individual cases where health and safety is an issue, and to monitor and audit the actual arrangements made.

Misconduct and Conflicts of Interest

The Research Organisation is required to have in place procedures for governing good research practice that meet the requirements of the Research Councils' guidance on good practice. The Research Organisation must ensure that there are reliable systems and processes in place for the prevention of research misconduct e.g. plagiarism, falsification of data, together with well-defined and clearly-publicised arrangements for investigating and resolving allegations of misconduct. Where an allegation of misconduct arises in respect of a researcher supported by a research grant, the Research Council must be informed immediately and notified of the outcome of any investigation.

The Research Organisation must ensure that potential conflicts of interest in research are declared and subsequently managed.

RG 3 Use of Funds

Subject to the following conditions, grant funds may be deployed to meet eligible research costs, without reference to the Research Council, in such a manner as to best carry out the research. Research grant funds are cash limited and the grant is made on the understanding that its value will not be increased, except as stated in these terms and conditions. Research grant funds are provided to sustain a specific research project. Under no circumstances may funds be used to meet costs incurred by any other project or activity.

Arts & Humanities Research Council

RG 4 Starting Procedures

The start of a research grant is defined as the date on which the first member of staff paid from the grant starts work, or, if there are no staff or if staff are intended to commence later in the project, the date on which expenditure under another heading is first incurred.
Notification of this date, by submission of the starting certificate, will constitute acceptance of the grant and will activate the profiled payments. Submission of the starting certificate is required not more than 28 days after the actual start date. A separate acceptance letter may be required in certain circumstances.

The start of research may be delayed by up to 6 months (ESRC and AHRC 3 months) after the start date stated in the award letter, the duration of the grant remaining unchanged. The grant may lapse if not started within this period.

RG 5 Changes in Research Project

The Research Council must be consulted in the event of any major change in the proposed research, including failure to gain access to research facilities and services, particularly those which make it unlikely that the objectives of the research can be achieved. If appropriate, revised proposals may be required**.** The Research Council reserves the right to make a new grant in place of the existing grant, or to revise, retain or terminate the existing grant.

RG 6 Transfers between Headings

The Research Organisation may increase the amounts within individual headings of expenditure by transfer from another heading, subject to the following restrictions:

- Indirect costs cannot be transferred;
- Funds provided for Large Capital, or savings on the purchase of such items, are not transferable without prior written approval;

If the staff heading is increased by transfer from another heading, proportional funds must also be transferred to the indirect costs heading.

RG 7 Extensions

After a research grant has started, the duration may be extended by a total of up to 6 months, subject to prior written approval. Extensions may cover breaks or delays in the appointment of staff, periods of maternity leave or paid sick leave exceeding 3 months for staff funded by the grant, or other exceptional circumstances with the agreement of the Research Council. Requests for

extensions should be made as soon as the requirement is identified and confirmed when the period required is known. All requests for extensions must be made before the grant ends.

RG 8 Staff

The Research Organisation must assume full responsibility for staff funded through research grants and, in consequence, accept all duties owed to and responsibilities for these staff, including, without limitation, their terms and conditions of employment and their training and supervision, arising from the employer/employee relationship. Staff must be appointed on terms that are no less favourable than those of comparable posts in the Research Organisation.

The Research Organisation must provide research staff with a statement, at the outset of their employment, setting out the provisions for career management and development, including personal skills training.

Research staff may undertake teaching and demonstrating work for up to 6 hours a week (pro rata for part-time staff**)** during normal working hours provided that this work is related to the research project to which they were appointed.

RG 9 Maternity Pay and Leave

Research grant funds may be used to fund paid maternity leave if staff fulfil the qualifying conditions of the employing organisation. Funding may be sought by the Research Organisation at the end of a grant to cover the additional costs of either a substitute appointment or an extension of the grant. The salary of any substitute appointment must not exceed that of the individual on maternity leave. Similar provisions will apply in respect of paternity leave.

The salary element of a research grant may be used to fund paid maternity and paternity leave only to the extent that it is taken during the original period of the grant. The Research Organisation will be responsible for any liability for maternity and paternity pay for staff supported by the research grant outside the original period of the grant. If, for example, a research grant ends while a member of research staff is part-way through her maternity leave, the Research Organisation will be responsible for that part of the maternity leave which is taken after the research grant has ended.

RG 10 Sick Leave

During the period of the research grant, funds may be used to provide paid sick leave to staff supported by a research grant who fulfil the qualifying conditions of the Research Organisation. Where there is a continuous period of sick leave in excess of 3 months, the Research Organisation may apply to the Research

Council to discuss the possibility of a substitute appointment to safeguard progress on the project, or an extension to the duration of the project, if the period of leave can be predicted.

For the purposes of the provisions of RG 9 and RG 10, the Research Organisation will be compensated at the end of the grant for any additional costs or time resulting from maternity leave, paternity leave or sick leave, falling within the original period of the grant. The duration of a grant will be extended only if the period can be accommodated within the maximum period allowed for extensions.

RG 11 Procurement of Equipment

The procurement of equipment and services must comply with all relevant national and EU legislation and the Research Organisation's own financial policy. Accepted procurement best practice in the higher education sector must be observed. For all equipment costing more than £25,000, professionally qualified procurement staff must be consulted at the beginning of the procurement process and must approve the order before it is placed with a supplier.

RG 12 Ownership and Use of Equipment

Equipment is provided primarily for use on the research project for which the research grant was awarded, and belongs to the Research Organisation. In certain circumstances the Research Council may wish to retain ownership throughout the period of the grant and possibly beyond. In such cases, the grant will be subject to an additional condition.

The Research Council must be informed if, during the life of the research grant, the need for the equipment diminishes substantially or it is not used for the purpose for which it was funded. The Research Council reserves the right to determine the disposal of such equipment and to claim the proceeds of any sale.

Any proposal to transfer ownership of the equipment during the period of the grant is subject to prior approval by the Research Council. After the research has ended, the Research Organisation is free to use the equipment without reference to the Research Council, but it is nevertheless expected to maintain it for research purposes as long as is practicable.

Where there is spare capacity in the use of the equipment, the Research Council expects this to be made available to other users. Priority should be given to research supported by any of the Research Councils and to Research Council-funded students.

Arts & Humanities Research Council

RG 13 Claims for Large Capital Equipment

Claims are required for major purchases of equipment at a level set by the individual Research Council and specified in the grant. In such cases, claims must be submitted in arrears. Submission of large capital claims should normally be made within a year of the start date of the grant and must be accompanied by an invoice for the relevant equipment. Reimbursement will be limited to the actual price paid, within the awarded value. Savings on the purchase cost of large capital equipment may be used elsewhere in the grant subject to prior approval.

RG 14 Transfer of a Grant

The Research Organisation must notify the Research Council if the Principal Investigator intends to transfer to another organisation. If this organisation is eligible to hold research grants, and is able to provide a suitable environment to enable the project to be successfully completed, the expectation is that the grant would be transferred with the investigator. Written agreement to this is required from both the relinquishing and receiving organisations.

The Research Council will wish to be assured that satisfactory arrangements have been agreed that will enable the project to be undertaken, or to continue, in accordance with its research objectives. If suitable arrangements cannot be agreed, the Research Council will consider withdrawing its offer of support or terminating the grant.

Where there is a basis for continuing involvement by the relinquishing organisation, agreement should be reached between both organisations on the apportionment of work and the distribution of related funding.

RG 15 Change of Principal Investigator

The Research Organisation must consult the Research Council if it is proposed to change the Principal Investigator, for example, following retirement or resignation. Where the Principal Investigator is transferring to another organisation eligible to hold a research grant, the provisions of RG 15 will apply. In other circumstances, the Research Organisation may nominate a replacement Principal Investigator. The Research Council will wish to be assured that the replacement meets the eligibility criteria for Principal Investigators and has the expertise and experience to lead the project to a successful conclusion, in accordance with its research objectives.

Arts & Humanities Research Council

RG 16 Annual Statement

The Research Organisation may be required to return a statement each year showing payments made by the Research Council during the previous financial year for all the research grants it holds. Where a statement is required, the Research Organisation must certify, by signing and returning the statement, that:

- The expenditure shown has been incurred in accordance with the grant conditions, and
- Those grants shown as current are continuing.

No further payments will be made until the signed annual statement has been received by
the Research Council.

RG 17 Expenditure Statements

The Research Organisation must complete and return an expenditure statement within 3 months of the end date of a research grant. Once an expenditure statement has been received and the expenditure incurred has been reconciled against payments made, it will be considered as final.

Costs arising from maternity leave or sick leave should be identified in the exceptional items heading of the statement.

The Research Council reserves the right to require the Research Organisation to complete and submit a statement of expenditure at any time during the course of a research grant, or to provide supplementary information in support of an interim or final expenditure statement.

RG 18 Inspection

The Research Council reserves the right to have reasonable access to inspect the records and financial procedures associated with research grants or to appoint any other body or individual for the purpose of such inspection.

The Research Organisation must, if required by the Research Council, provide a statement of account for the grant, independently examined by an auditor who is a member of a recognised professional body, certifying that the expenditure has been incurred in accordance with the research grant terms and conditions.

Research Councils will undertake periodic reviews of Research Organisations within the Dipstick Testing programme to seek assurance that research grants are managed in accordance with the terms and conditions under which they are awarded.

Arts & Humanities Research Council

RG 19 Final Report

A report on the conduct and outcome of the project must be submitted by the Research Organisation within three months of the end of the research grant, on the form provided. No further application from a Principal Investigator will be considered while a final report is overdue.

If there are exceptional reasons that will prevent submission of the final report within the period allowed, a written request may be made, before the due date passes, for the submission period to be extended.

RG 20 Sanctions

If the final report or the final expenditure statement is not received within the period allowed, the Research Council may recover 20% of expenditure incurred on the grant. All payments made by the Research Council may be recovered if the report or statement is not received within 6 months of the end of the grant.

RG 21 Public Engagement

It is the responsibility of the Research Organisation and the Investigators to actively communicate the research to the public at both local and national level, and to raise awareness of the role of science and research in any related issues of public interest. Special schemes exist in some Research Councils providing additional support for these activities, or earmarked funding may be provided in the grant for this purpose.

RG 22 Commercial Exploitation

Unless stated otherwise, the ownership of intellectual property, and responsibility for its exploitation, rests with the Research Organisation. The Research Council may, in individual cases, reserve the right to retain ownership of intellectual property and to arrange for it to be exploited for the national benefit and that of the Research Organisation involved. This right, if exercised, will be set out in an additional condition.

It is the responsibility of the Research Organisation, and all engaged in the research, to make every effort to ensure that any potentially valuable results obtained in the course of the research are exploited, and that there is a suitable return to the Research Organisation and the researchers from any such exploitation. The Research Organisation must ensure that all those associated with the research are aware of, and accept, the arrangements for exploitation.

Collaborative arrangements are expected to be put on a formal basis through an agreement covering the contributions and rights of the organisations and individuals concerning exploitation**.** Such agreements must be in place before the research begins. The terms of collaboration agreements must not conflict with the Research Councils' terms and conditions of research grants.

RG 23 Research Monitoring and Evaluation

While it is the responsibility of the Research Organisation and the Investigator to manage the research, the Research Council reserves the right to call for periodic information on progress or to visit the Investigator. The Investigator may also be asked to attend meetings to exchange information and ideas with others undertaking research in the same or similar fields.

The Investigator must make all reasonable efforts, if so invited, to attend events or activities organised by the Research Council concerning the research undertaken. Such events may be held after a grant has finished.

RG 24 Publication and Acknowledgement of Support

The Investigator should, subject to the procedures laid down by the Research Organisation, publish the results of the research in accordance with normal academic practice. Publications and other forms of media communication, including media appearances, press releases and conferences, must acknowledge the support received from the Research Council, quoting the grant reference number.

RG 25 Disclaimer

The Research Councils accept no liability, financial or otherwise, for expenditure or liability arising from the research funded by the research grant, except as set out in these terms and conditions, or otherwise agreed in writing.

Where studies are carried out in an NHS Trust, the Trust has a duty of care to its patients. The Research Council does not accept liability for any failure in the Trust's duty of care, or any negligence on the part of its employees.

The Research Councils reserve the right to terminate the grant at any time, subject to reasonable notice and to any payment that may be necessary to cover outstanding and unavoidable commitments.

If a grant is terminated, no liability for payment or redundancy or any other compensatory payment for the dismissal of staff funded by the grant will be accepted, but negotiations will be held with regard to other contractual

commitments and concerning the disposal of assets acquired under the research grant.

RG 26 Law

These terms and conditions will be governed by the laws of England and Wales; all matters relating to the terms and conditions will be subject to the exclusive jurisdiction of the courts of England and Wales.

If any provision of these terms and conditions is found by a court or other legitimate body to be illegal, invalid or unreasonable, it will not affect the remaining terms and conditions which will continue in force.

These terms and conditions, together with any additional conditions set out in the grant, contain the whole agreement between the Research Council and the Research Organisation in relation to the stated research grant. The Research Council and the Research Organisation do not intend that any of these terms and conditions should be enforceable by any third party.

Arts & Humanities Research Council

Annex to the Terms and Conditions of Research Council Grants (pre-fEC) –

AHRC Fellowships in the Creative and Performing Arts awards

The following are additional terms and conditions applicable to AHRC Fellowships in the Creative and Performing Arts and as such reflect the particular nature of the scheme. They should be read in conjunction with the Terms and Conditions of Research Council Grants.

RG1 in addition to *Responsibilities of the Research Organisation*

Fellowship awards are made to the Research Organisation and not to the successful applicant as an individual.

In addition to the responsibilities outlined in the core terms the Research Organisation must:

- Meet the balance of the Fellow's salary costs if not met by the grant, and ensure that the level of salary agreed with the Fellow meets her/his postdoctoral standing and experience

- Appoint a mentor to facilitate the Fellow's introduction to – and continuing relationship with- the department/Research Organisation, and monitor the progress of the award

- Accept the Fellow as a full-time employee for the duration of the award

RG3 in addition to *Use of Funds*

Payment will be made direct to the Research Organisation by the AHRC and will be individually identified. The AHRC will not accept responsibility, financial or otherwise, for:

- Any financial commitment incurred before an award is formally announced.

- Retrospective payments for work undertaken before the approved start date of the AHRC award.

- Any redundancy, severance or compensation payments, for which the Research Organisation may become liable as an employer, unless expressly agreed in writing by the Chief Executive of the Research Council.

Arts & Humanities Research Council

RG8 in addition to *Staff*
The Fellow will be expected to carry out the programme of research on a full-time basis. For this reason the Fellow's teaching, examining or administrative duties should not be in excess of one quarter of the normal load of full-time members of the department, and in no case should they exceed 6 hours a week including preparation time. The AHRC would expect the total hours to be less than this outside of term time. Any teaching, examining or administrative duties should relate to the main interests of the Fellow's programme of research and not the general needs of the department.

RG14 to replace *Transfer of a Grant*
When assessing Fellowships applications, the AHRC takes into account the match between the individual and the Research Organisation. For this reason it is not normally possible to transfer an award to another Research Organisation. In **exceptional** circumstances the AHRC will consider approval for the transfer of the grant to another Research Organisation, but only with the agreement of all parties concerned. In such cases the Fellow will be required to submit a proposal jointly with the proposed new Research Organisation giving details of:

- How the research programme would fit into, develop and enhance the research environment and culture of the proposed Research Organisation

- The support that would be provided, giving assurance that the new host Research Organisation would guarantee at least the same level of support for the Fellowship as available in the current host Research Organisation.

In such cases, responsibility for ensuring the continuance of the research for which the award was made remains with the original Research Organisation until the transfer has been agreed with all parties concerned and until the date of the transfer. The AHRC considers the original Research Organisation to be responsible for leading these negotiations and will not itself act as arbitrator. The AHRC reserves the right to reclaim funds from the original Research Organisation if it has not met this condition of the award.

RG15 to replace *Change of Principal Investigator*
As awards under the Fellowships scheme are made on the basis of a named individual's suitability to undertake and benefit from the period of research, changes to the Principal Investigator are not permitted.

Arts & Humanities Research Council

RG20 to replace Sanctions
For awards of more than one years' duration an annual progress report will be required. If the annual progress report is not received within the specified timescale, the AHRC will suspend grant payments until the report has been received.

If the 'final' report or the final expenditure statement is not received within three months of the end date of the award, the AHRC may:

- Bar the investigator from making any further applications to any of the AHRC award schemes until the report is received.
- Seek to recover the grant in full.
- Keep a record of the failure to submit on time and take this into consideration when the investigator makes further applications to the AHRC.

RG24 in addition to *Publication and Acknowledgement of Support*

- Due acknowledgement of support received from the AHRC must be made in accordance with the AHRC's acknowledgement of support guidelines.

- One copy of any publication or public output (CD-ROM, video etc) must be sent to the Council. Where the research programme results in a non-permanent output such as an installation or performance, photographs, recordings and reviews may constitute an acceptable record of the output.

RG28 Deposit of resources or datasets with the AHDS.

The AHDS must be consulted within **three months** of the start of the proposed research to discuss and agree the form and extent of electronic materials to be deposited with the AHDS.

The Research Organisation must ensure that any significant electronic resources or datasets created as a result of research funded by the Council, together with documentation, are offered for deposit at the AHDS within three months of the end of the project. Resources or datasets offered for deposit with the AHDS will be considered for deposit according to criteria designed to assess their fit within the AHDS collections.

If the offer of deposit is not accepted by the AHDS or the Research Organisation is prevented from depositing for a specified reason it is the Research

Organisation's responsibility to ensure that a waiver of deposit is agreed by the AHDS.

RG(30) Resignation of the Fellowship

If a Fellow decides to resign the Fellowship before the end of the award period, she/he should inform the AHRC, giving a minimum of two month's notice. The Research Organisation will need to relinquish the remainder of the award, calculated on a pro rata basis, and the Fellow will need to provide an end of award report as detailed in the AHRC's Monitoring Policy.