|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **PI** |  | **Date** |  | **Reference** |  |
| **Title** |  |

| Note | Risk area | Risk (examples give as prompts, not an exhaustive list) | Actions/Comments |
| --- | --- | --- | --- |
|  | New sponsor | Ethical, financial, reputational, or Terms & Conditions not optimal/acceptable  |   |
|  | HR - all applicants/named posts eligible | Extention of employment beyond retirement age, contract extension, DoR required; college contract required, student status issues etc. |   |
|  | PI FTE acceptable/ available?Should PI be DI or DA? | PI over-committed, more than 100% so cannot claim salary or indirect costs, unable to teach. OR not-Chest funded so needs to be DI? |   |
|  | Teaching buy out required? | Time and funds must be available and agreed by the Head of Department  |   |
|  | Staff and students working more than 6 months cumulatively in a single year abroad | Tax implications - Guidance can be found using this link. <https://www.hr.admin.cam.ac.uk/policies-procedures/overseas-working>  |  |
|  | Space  | Space for project staff/equipment available |   |
|  | Buildings  | Refurbishment or modification required |   |
|  | Other staff not on grant | Admin or IT required to deliver project |   |
|  | All appropriate costs recovered? | Not all potential costs recovered; shortfall on direct costs or Chest share of overheads |   |
|  | VAT  |  VAT may need to be applied to amounts charged between project ~~collaboration~~ partners, if research doesn’t qualify as collaboration for VAT purposes. The Department could be exposed to a significant VAT cost.  |   |
|  | Sub-contractors; Suppliers;Collaborators;Sub-awardee | Various implications for collaborating third parties (not funders) - may need to be named at application stage; may involve Procurement; require due diligence for international collaborators (especially Global Challenges Research Fund) |   |
|  | Off Payroll workers  | Where the research agreement foresees payments to third parties for services provided by individuals a FD3 form must be submitted as early as possible and certainly before contracts are signed. https://www.finance.admin.cam.ac.uk/staff-and-departmental-services/forms |  |
|  | Ethics – human subjects | Approval not received or likely (consider ethics, R&D approval and site approvals)  |   |
|  | Terms & Conditions and Contracts  | Risk of unacceptable restrictions included in standard as well as negotiable contracts  |   |
|  | Equipment  | Equipment sharing, matching funds or business case required, are there sponsor restrictions on use or charging for use of equipment? |   |
|  | Cross Department/Faculty collaborations | Agree resource/overhead and budget split in advance to avoid delays at award stage |   |
|  | Tenders | Potential for unacceptable terms – contact the [ROO Contracts Team](https://www.research-operations.admin.cam.ac.uk/research-contracts/introduction-contracts) at the earliest opportunity. |   |

**NOTE:**

This form has been developed to assist Departments in undertaking risk assessment of grant applications prior to submission to the Research Operations Office (ROO), and can be adapted to suit specific Department use.

Submission of a grant application to the Research Operations Office is taken as confirmation that the Department is aware of and accepts any risks associated with the project, irrespective of a completed form being provided.

However, if a Department chooses to use this form to accompany an application to ROO, please:

1. Complete the form, including any mitigating actions or acceptance of identified risks
2. Expand the form as required, including adding other identified and accepted risks
3. Please retain one copy for the Departmental file
4. Please send one copy of the competed form to your usual contact in the Research Operations Office with the application.
5. **ONLY** send the form and submit an application if the Department approves submission of an application with the known risks – submission of the form with identified risks does not transfer the responsibility for resolving any outstanding issues, which should be discussed and resolved or accepted before submission.

Please contact the [Research Operations Office](https://www.research-operations.admin.cam.ac.uk/about-us/contact-us) to discuss any issues or for clarity on the use of this form.

|  |  |
| --- | --- |
| **Approved by:***Head of Department/Faculty or Delegated Authority* |  |
| **Date:** |  |

# NOTES

## New Sponsor

For new sponsors the ROO requires a new sponsor request form to be completed and submitted to the RSA with any relevant documentation. Guidance notes accompany the form, as full and correct completion enables a quick turn-round.

Please ensure any costings undertaken prior to the full set up of the new sponsor is completed are on the appropriate costing model, maximising full economic cost recovery.

ROO liaise with Research Accounting and International Strategy Office, depending on circumstances of the sponsor, so please allow 5-10 days for a new sponsor to be fully checked.

Terms & Conditions must be understood and accepted prior to the grant application being submitted.

*New Sponsor request form and guidance available from:* <https://www.research-operations.admin.cam.ac.uk/costing-and-pricing-research-proposal/x5/requesting-new-funders-schemes>

**Note**: this form is for internal use only and **NOT** for sending to the sponsor to complete their own details.

## HR

The PI should meet the criteria for the specific sponsor call, e.g. years from PhD. If the PI's current contract should cover the full proposed period of the grant. Where the PI is due to retire during the period of the grant, the University's policy on Employer Justified Retirement Age should be followed. (<http://www.admin.cam.ac.uk/offices/hr/policy/retirement/statement.html>)
Any college employee would require a sub contract or the sponsor contracts directly with the college. Please contact your ROO Contract Manager.

Please note any requirement for visas, work permits, and sponsor requirements for staff and students on the grant. Possible requirement to have a Studentship Agreement or Visitor Agreement – please contact Research Operations Office <http://www.admin.cam.ac.uk/offices/research/contact/default.aspx>

## PI FTE

If the percentage of PI time committed to this project will take the PI over 100% time commitment across their full portfolio of concurrent grants, the PI must not double claim salary contribution or indirect/estate/overhead costs.

**NOTE** this will affect full cost recovery and ability to meet replacement teaching costs from overheads.

## Teaching Buyout

If the amount of time the PI or Co-I is dedicating to the project will prevent them from undertaking their current teaching duties, the Head of Department MUST be made aware and approve the application.

If teaching buy-out is required from the Department's share of the overhead, the value of which, after all direct costs have been met, should be made known to the HoD at the time to inform any decisions about replacement teaching.

## Staff and Students

Staff and Students who work abroad for more than 6 months cumulatively in a single year. More information can be found here as reference for the DAs/RGAs to check for their grant applications: <https://www.hr.admin.cam.ac.uk/policies-procedures/overseas-working>. There is also a checklist.

## Space

Department-specific but must be identified and raised with the Head of Department at application, if not necessarily resolved.

## Buildings **–** as in (5) above

## Other staff

If not eligible on grant but necessary for project, how will this be funded? Project management costs (where appropriate), especially for large, translational awards with complex reporting and governance requirements may be eligible - include where possible and justifiable.

## Cost Recovery

Check the Price / Summary screen in X5 against the University’s Income Allocation Policy to check the appropriate level of cost recovery is being achieved: <http://www.admin.cam.ac.uk/offices/research/Research/Income_Allocation.aspx>

Note that for sponsors paying on an fEC basis but funding less than 100% (e.g. Research Councils funding at 80%) the awarded value could be less than the total direct costs. This is most likely where the Researcher FTE is low and other direct costs high.

ALL direct costs must be met from the award value, or discussed in advance with the HoD to identify how there shortfall will be funded.

Note that for some Research Council schemes overseas collaborators can be justified as exceptional costs and may be funded at 100%; if not there may be a shortfall if only 80% of costs are awarded. It is highly advisable that where non-direct costs are eligible to the sponsor that cost recovery is maximised. Further guidance is available in the Industry Pricing Policy: <http://www.admin.cam.ac.uk/offices/research/Research/Industry_Pricing.aspx>

##  and 11. Third Parties; VAT; procurement

All new collaborators must go through due diligence checks. Please fill in the due diligence form:

<https://www.research-operations.admin.cam.ac.uk/managing-research-projects/due-diligence-new-research-relationships>

Unless particular exceptions apply, payments between research partners are subject to VAT. HMRC accepts that where there is grant-funded research with a number of parties involved and one party is simply receiving cash from the ultimate funder and passing that cash onto other parties then such payments are outside the scope of VAT. There are a number of conditions for research agreements to be accepted as such outside the scope collaboration agreements (the definition of collaboration is more restrictive for VAT purposes).

In order to be accepted as a collaboration agreement for VAT purposes:

* **At least one** of Criteria 1-3; **and**
* Criteria 4; **and**
* Criteria 5;

|  |  |
| --- | --- |
| **Criteria** | **Collaboration Indicators** |
| 1 | All parties named in the research collaboration agreement are **named in the funding application**.A party can be an institution or one of its PIs, but in either case should not be referred to in the funding application as a ‘sub-contractor’.  If the funding application names a PI (instead of an institution):* where UCAM is the lead institution, we need evidence that the named PI now works for the institution being paid;
* where UCAM is a collaborator, we should ask for UCAM to be named in the relevant document but as a minimum we need evidence that the named PI now works for us!
 |
| 2 | All parties named in the research collaboration agreement are **named in the award letter.**A party can be an institution or one of its PIs, but in either case should not be referred to in the award letter as a ‘sub-contractor’.If the award letter names a PI (instead of an institution):* where UCAM is the lead institution, we need evidence that the named PI now works for the institution being paid;
* where UCAM is a collaborator, we should ask for UCAM to be named in the relevant document but as a minimum we need evidence that the named PI now works for us!
 |
| 3 | All parties named in the research collaboration agreement are responsible for their own compliance with the award letter *Example: A lead institution acts as recipient of the funding.  The lead institution forwards the payments allocated to the collaborators (including the University).  The collaborators have to comply with the award letter in so far as it relates to their involvement in the project.  If the funder requires the lead institution to reimburse any of the award, as a result of the acts or omissions of a collaborator, the collaborator has to reimburse the lead institution.* |
|  |  |
| 4 | All parties named in the research collaboration agreement are engaged in the research*Note: HMRC define medical or veterinary research as being original systematic investigations undertaken in order to gain knowledge and understanding of the treatment or palliation of a physical or mental abnormality in humans or animals.  This includes the use of existing knowledge and experimental development to produce new or substantially improved materials, devices, products and processes including design and construction.**HMRC specifically excludes routine testing and analysis of materials, components and processes (e.g. for the maintenance of national standards) as distinct from the development of new analytical techniques.* *If you are not sure whether this criterion is met, please seek greater detail from the PI.* |
| 5 | The research collaboration agreement reserves the right for the University to use the results of the research.  This use may be restricted to academic teaching, publication and academic research. |

If the above conditions are not met, the University tax team should be contacted early in the process to evaluate whether payments between research parties will be subject to VAT and the consequences on the proposed agreements and funding flows.

As a general point, contracts entered into by the University should be on a net of VAT basis i.e. amounts stated should be without VAT but with acceptance from the other party that where VAT applies it will be added on top.

VAT guidance: <http://www.admin.cam.ac.uk/cam-only/offices/finance/procedures/vat>

Procurement guidance: <https://www.admin.cam.ac.uk/offices/purchasing/>

##  Off Payroll workers

If under the research agreements there will be payments to third parties for services provided by individuals then the employment status of those individuals need to be determined. Payments could be made to the individual directly or via an intermediary such as a personal services company (company controlled by the individual) or agency. If such individuals do fall be treated as deemed employees there will be additional costs of around 14% as well as compliance obligations and potentially the need for some form of workers or employment agreement. To assess the employment status the department should submit an online FD3 request. In order to highlight issues and take into account any additional costs the FD3 should be submitted as early as possible in the process.

<https://www.finance.admin.cam.ac.uk/staff-and-departmental-services/tax-team/off-payroll-workers>

## Ethics

Please find guidance, policy and processes with regard to research ethics following this link: <https://www.research-strategy.admin.cam.ac.uk/research-policy/research-integrity-and-ethics>.

## Terms & Conditions

Some terms & conditions can include restrictions on the use of results in future research projects with different sponsors. For Contract related advice please contact the Research Operations Office <http://www.admin.cam.ac.uk/offices/research/contact/default.aspx>

## Equipment sharing web site: <http://www.equipment.admin.cam.ac.uk/>

## Tenders

Tenders can have unacceptable conditions attached, and should NOT be accepted by the PI/Department.

In many cases, submission of a tender includes a pre-acceptance of the contract terms and conditions and therefore requires sign off by a Contract Manager.

Please seek advice from ROO <http://www.admin.cam.ac.uk/offices/research/contact/default.aspx>
or Procurement Services <http://www.admin.cam.ac.uk/offices/purchasing/guides/> as applicable.