Purpose

This procedure guides researchers in how to conduct collaborative research responsibly and in accordance with the principles of the *Australian Code for the Responsible Conduct of Research 2018* (the Code).

### Applicable governance instruments

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Definitions and acronyms can be found at: [https://www.utas.edu.au/policy/policy-definitions](https://www.utas.edu.au/policy/policy-definitions)

Related policy and procedures can be found at: [https://www.utas.edu.au/policy](https://www.utas.edu.au/policy)
Procedure

1. Background

1.1. In this procedure, collaborative research refers to collaboration with local, national, and international organisations external to the University. It can include research partners in higher education, and in the private, government, and not-for-profit sectors conducting commercial or non-commercial research.

1.2. This procedure aligns with the following principles outlined in the Australian Code for the Responsible Conduct of Research (the Code):

   - Principle 4, ‘Fairness in the treatment of others’, which requires researchers to treat fellow researchers and others involved in the research fairly and with respect;
   - Principle 6, ‘Recognition of the right of Aboriginal and Torres Strait Islander peoples to be engaged in research that affects or is of particular significance to them’;
   - Principle 7, ‘Accountability for the development, undertaking and reporting of research’; and
   - Principle 8, ‘Promotion of responsible research practices’, which requires researchers to promote and foster a research culture and environment that supports the responsible conduct of research.

2. General Principles

2.1. The General principles should be read in conjunction with the Code and be followed even when conducting research outside Australia.

2.2. While research practices may differ between countries, University researchers will follow this Procedure even when conducting research outside Australia.

2.3. Appropriate due diligence inquiries into the standing of potential international research partners must be made, and must:

   a) consider foreign influence, interference and arrangements risks in accordance with the Legal Compliance Framework;
   b) ensure compliance with Defence Export Controls and Autonomous Sanctions requirements; and
   c) ensure risks related to Modern Slavery are managed in accordance with the Sustainability Policy.

2.4. University researchers will:

   a) Prepare and implement a risk assessment outlining key risks and mitigation plans, in accordance with the Risk Management Procedure;
   b) obtain all required ethics approval/s in accordance with the Research Ethics Procedure, regardless of whether the first named researcher on the collaborative research project is affiliated with the University;
   c) obtain all required safety clearances in accordance with legislation and University policies related to Work Health and Safety;
d) comply with confidentiality requirements in accordance with relevant legislation, agreements, research ethics requirements, and other relevant professional standards;

e) be aware of, understand, and comply with all policies and written agreements affecting the project, particularly those relating to intellectual property (IP), the publication; and dissemination of research, and the management of research data and primary materials; and

f) observe responsible research practices and report any potential breaches of the agreement and the Code in accordance with the procedures that are established or referred to in the project agreement.

2.5. Heads of Academic Unit will:

a) read and understand relevant agreements, including the terms, obligations and advice provided.

b) be aware of all project compliance and/or contract risks and agree to address any risk mitigation actions.

c) be aware of the responsibilities in undertaking the collaboration, including all deliverables, financial and reporting obligations outlined in agreements.

d) comply with the relevant legal and regulatory requirements, research codes and guidelines and University policies fundamental to the responsible conduct of research.

2.6. The proposed collaborative research may be declined by the University in circumstances where:

a) unfavourable terms and conditions to the University are being stipulated in the research agreement;

b) University insurance policies does not fully cover the proposed collaborative project;

c) conducting or performing the collaborative research is outside of the University’s Risk Appetite as described in the Risk Appetite Statements and/or constitutes a reputational risk/crisis; and/or

d) the collaborative research is otherwise not in the University’s or the nation’s best interests.

3. Collaborative Research Agreements

3.1. Collaborative research involves a continuum of activities ranging in scale from simple discussions through to significant long-term partnerships. Formal documents should be used to record all understandings between the collaborating parties. In most cases there will be a need to address matters between the University and a student, adjunct, associate, clinical title holder, and/or third party such as a collaborator, funder, or sponsor.

3.2. Examples of the types of collaborations requiring formal documentation include (but are not limited to) research involving:

a) external funding;

b) use of a party’s existing IP, creation of new IP, and/or use of new IP, including licensing, research, teaching and commercialisation;

c) co-funded higher degree by research (HDR) stipends;

d) material or data transfers;

e) non-funded collaborations; and
f) joint or dual HDR agreements including any industry internship.

3.3. In respect of the type of formal documentation required:

   a) a high level memorandum of understanding or exchange of letters, which is not legally binding, may be appropriate when the parties wish to set out the intention to enter into a collaboration for research purposes. However, the terms and conditions which govern the collaborative research should be set out in a separate written agreement which is legally binding. See clauses 3.4 and 3.5 for the requirements of such collaborative research agreements; and

   b) a written collaborative research agreement is also required where the research meets the threshold for notification in accordance with risk-based assessment. Risks associated with the research collaboration should be evaluated in accordance with the Risk Management Procedure, including application of the Risk Rating Matrix and review of the Risk Appetite Statements. Where the residual risk is moderate or higher, a written collaborative research agreement is required.

3.4. The collaborative research agreement will:

   a) be a legally binding agreement;

   b) be executed by the appropriate University delegate in accordance with the General Delegations Ordinance;

   c) be consistent with the principles of the Code and acknowledge the University’s adherence to the Code, especially in relation to the need for honesty, transparency, fairness, respect, and accountability; and

   d) be consistent with relevant University policies including the Intellectual Property Policy and the People Policy, and any applicable laws, policies and regulations, including any funding body requirements.

3.5. When developing collaborative research agreements, the following should be considered:

   a) the expectations of each party in terms of their respective roles and responsibilities, designating the institutions or individuals that will take the lead in reporting to funders, considering regulatory bodies, and managing potential breaches of the Code;

   b) the involvement of research trainees, including early career researchers, HDR candidates, and undergraduate students;

   c) governance of the project, including managing significant changes such as partners leaving or joining the collaboration;

   d) the use, management, sharing, and ownership of research data, primary materials, and IP (including copyright and pre-existing IP belonging to individual parties that is shared in the course of the collaborative research), including:
      i. where practical, the ongoing ownership, stewardship or control of research data and primary materials in the event a researcher or institution leaves the collaboration during the project; and
      ii. any plans to commercialise research outputs and any entitlements to commercial returns,

   e) access to research data, primary material, IP, other assets or items that are retained at the end of the project, including open access requirements;

   f) the requirements for the disclosure and management of conflicts of interest;
g) the allocation of responsibilities in relation to ethics and governance approval and safety clearances;

h) the management of confidentiality issues;

i) the protocols for the dissemination of research outputs;

j) the protocols for authorship and acknowledgement of research outputs, including data outputs;

k) funding arrangements (with funding sources declared transparently);

l) the designation of which party or parties are entitled to communicate on behalf of the collaboration;

m) dispute resolution procedures to facilitate the just, efficient, timely and cost-effective resolution of any issues in dispute;

n) the procedures for managing and investigating potential breaches of the Code, including provisions for the disclosure, where necessary, of researchers’ personal information to other collaborative institutions and, where relevant, funders, to facilitate the management and investigation of potential breaches of the Code; and

o) the deliverables (e.g., research outputs) and stipulated timelines.

3.6. Where the first named researcher on a collaborative research project is affiliated with the University, the University will normally have primary reporting responsibilities. For any externally administered project/s where the University is a collaborating organisation, but not the primary lead, any associated reporting responsibilities will be negotiated and if applicable factored into contractual agreements.

3.7. Each collaborating institution has responsibility for identifying a person to be involved in the management of research data, primary materials and other items to be retained at the end of the research project. Each collaborating institution will normally be responsible for the management of research data and primary materials within their institution.

3.8. The Research Operations, Funding team will facilitate the collaborative research agreement for both funded and non-funded research, in accordance with the Management of Research Funding Procedure.

3.9. The first named University of Tasmania researcher (Chief, Lead or Principal Investigator) will be engaged in the process of developing and monitoring agreements for their collaborative research projects. They will actively engage in identifying issues relating to the project that should be addressed in the agreement, as well as monitoring the adherence to, and effectiveness of, the agreement throughout the course of the collaborative research project. Other members of the project team should be involved as appropriate.

3.10. Chief investigators will ensure that all members of the project team are made aware of and understand the terms of the agreement and any identified risks.

3.11. Chief investigators should review agreements periodically to ensure that provisions remain current. Where changes to provisions are required, chief investigators should notify the Research Operations, Funding team.

4. Collaborative Research and Breaches of the Code

4.1. The management and investigation of potential breaches of the Code involving multi-institutional collaborations will be considered on a case-by-case basis, in accordance with the Managing Allegations of Research Misconduct Procedure.
Related procedures

Authorship Procedure

Conflicts of Interest Procedure

HDR Admissions, Selection & Enrolment Procedure

Management of Research Data Procedure

Management of Research Funding Procedure

Research Integrity Complaints Procedure Research Ethics Procedure

Risk Management Procedure

Versions

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<td>1</td>
<td>Approved</td>
<td>Deputy Vice-Chancellor (Research)</td>
<td>Executive Director Research</td>
<td>31 August 2022</td>
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<tr>
<td>2</td>
<td>Approved</td>
<td>Deputy Vice-Chancellor (Research)</td>
<td>Executive Director, Research Operations</td>
<td>31 August 2022</td>
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