

# UCD Funded Research Activity Policy



**Policy owner** UCD Research & Innovation **Approval date and body** UMT, 30<sup>th</sup> April 2019

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## 1. Purpose

University College Dublin is committed to the promotion of an environment which maintains the highest standards of integrity in relation to its educational mission and research activity and fosters excellence in research and innovation for the benefit of society and the Irish economy.

This document provides a statement of policy on Funded Research Activity in UCD having regard to the Ethics in Public Office Acts, 1995, the Standards in Public Office Act, 2001, the Universities Act, 1997, the EU Commission's Framework on State Aid in Research & Development & Innovation 2014/163 (the "RDI Framework") and the Statutes and policies of the University. Researchers must comply with the institutional policies of the University when undertaking research, educational and administrative activity (i.e. HR, Finance, Health & Safety, Procurement, Legal, Ethics and IP policies etc.). In particular, it is not the intention of the University that this policy should undermine academic freedom, as defined in the Universities Act, 1997, under Section 14.

## 2. Definitions

Term / Concept	Definition
Direct Costs	Direct costs are those that can be identified accurately with a specific research project. Examples are the salaries of staff employed specifically to carry out the research work, and the materials and equipment purchased for the project. If the project requires the building or renting of new infrastructure, or if existing infrastructure needs to be modified, this is a direct cost. <sup>1</sup>
Indirect Costs / Overheads	Indirect costs are those incurred in the course of a research project but which cannot be attributed specifically or exclusively to the project. Examples of such indirect costs are space, light, heat, maintenance, library services and computer services. Other examples are the indirect administrative support required to run the project, including recruiting staff, professional indemnity insurance, legal costs of generating and negotiating funding, collaborative and IP agreements, procurement costs of purchasing equipment and materials and financial reporting. Indirect costs are also commonly known as overheads.
Contract / Grant Agreement	An agreement, usually in writing, that is enforceable by law and specifies the rights and responsibilities of the parties involved.
Contract Research	Research undertaken on behalf of a third party where the third party specifies the terms of the research and owns the results of

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<sup>1</sup> HEA / Forfas, Report of the Group on Research Overheads, July 2003

	<p>the research activity and findings. State Aid is not considered to be passed if the University;</p> <p>(i) Charges full market price</p> <p>(ii) If no market price exists, then the University receives the full cost, including a margin, for the activity and work undertaken</p> <p>Price is determined through arms length negotiations</p>
Market Price	The price at which an asset can be bought and sold, or the price at which services can be provided, in an open market.
Effective Collaboration	Collaboration between at least two independent parties to exchange knowledge or technology, or to achieve a common objective based on the division of labour where the parties jointly define the scope of the collaborative project, contribute to its implementation and share its risks, as well as its results. One or several parties may bear the full costs of the project and thus relieve other parties of its financial risks. Contract research and provision of research services are not considered forms of collaboration. For further details, see section 2.2.2 of the RDI Framework.

### 3. Scope

This policy covers UCD faculty, staff and students and all those engaged in UCD research activity and sets out the University's expectations of faculty, staff and students conducting funded research.

### 4. Principles

The University funded research activity policy is underpinned by the following principles:

1. The University is accountable for managing the invested funds associated with research activity through its academic units and academic staff. It does this by devolving responsibility of management of these funds to the academic units and the researchers who are charged with managing the programmatic and financial viability of the proposed research activity.
2. The Schools/Units and Institutes play a leadership role in monitoring and supporting funded research activity at local level.
3. The core support units, in partnership with the Colleges, Schools/Units and Institutes, support the research community within the resources available, at all stages of the research process.
4. Any legal, financial or other risk associated with funded research activity will be managed effectively with the support of the core support units and relevant School/Unit and/or Institute.
5. The University will establish clear policies and procedures which cover the principles of good practice in research and will ensure that these policies and procedures complement and are in accordance with existing organisational policies.
6. Researchers must comply with the institutional policies of the University when undertaking research activity (e.g. HR, Finance, Health & Safety, Procurement, Legal, Ethics and IP policies). Further, researchers must adhere to the terms and conditions of the funding agency/sponsor with regard to any award being made for funded research activity.

7. The funding of research can potentially fall within the scope of the European Union's rules on State Aid. This funded research activity policy seeks to follow the guidance set out in the EU Commission's RDI Framework so that research funding received by the University falls outside of the definition of what might be considered to constitute State Aid. Accordingly, all contract research and research services provided by the University should be charged at market price and any research collaborations with industry must meet the conditions of "effective collaboration" as set out in the RDI Framework.

## 5. Roles and responsibilities

### 5a. Role of the Vice-President for Research, Innovation and Impact

1. The Vice-President for Research, Innovation & Impact or nominee, may, where appropriate, give authority for a departure from this Policy.
2. The Vice-President for Research, Innovation & Impact or nominee, may, where appropriate, require confirmation of compliance with this Policy.

### 5b. Research Proposal

1. All proposals must be sent to the Pre-Award Accountant in UCD Research and Innovation for review and compliance check. The researcher must assess the full resource requirements and total costs of fulfilling the research activities being proposed, including the following:
  - Proposal costings (including direct and indirect costs)
  - Tax and legal considerations (including Value Added Tax (VAT))
  - Human Resources (HR) considerations
  - Infrastructure requirements
  - Research Ethics
  - Intellectual Property (IP)
  - Health and Safety

The Pre-Award Accountant in UCD Research and Innovation can support the total costing of proposals.

2. All eligible research costs directly associated with the research activity must be included as **direct costs**. The costing of salaries in a research proposal must take into consideration the *Procedure for costing staff time into research proposals*, the *UCD Salary Policy for Post-doctoral Researchers and Research Assistants*, as well as the terms and conditions of the proposed funding agency/sponsor.
3. The maximum level of contribution towards the **indirect costs (overheads)** must be sought in addition to the direct costs. The Pre-Award Accountant in UCD Research and Innovation can advise on the Indirect Costs inclusion, utilising the guidelines outlined in the *Procedure on Acceptable Overheads (Indirect Costs) on Research Grants*. All proposals must seek a contribution towards indirect costs, unless the funding agency/sponsor specifically excludes same.
4. All staff time must be included in the budget where eligible, in accordance with the *Procedure for costing staff time into research proposals*. This is particularly applicable to work funded by industry, charities and not-for-profit organisations.
5. The Head of School/Unit/Institute Director or nominee must be made aware of the **total costs of delivering the proposed research activities**, including any additional resource requirements, and the proposed level of funding being sought.
6. The research proposal must be approved by the Vice-President for Research, Innovation & Impact or nominee before it is submitted to the funding agency/sponsor.

7. Applicants seeking external funding must be:
  - A member of academic staff, permanent or with a contract that covers the period of the grant), or
  - A researcher on a UCD contract, recognised by UCD as an independent researcher who will have an independent office and research space at the host research body, for which they will be fully responsible, for at least the duration of the grant, or
  - A researcher who will be recognised by UCD upon receipt of the proposed grant as a researcher on a UCD contract as defined above. The applicant does not necessarily need to be employed by UCD at the time of proposal submission.
8. Postgraduate students are eligible to apply for research funding, where permitted by the funding agency/sponsor and where supported by the student's supervisor.
9. Postdoctoral fellows are eligible to apply for research grants where the following criteria are satisfied:
  - The postdoctoral fellow has an employment contract that spans the duration of the award, or the proposed grant will cover the salary of the postdoctoral researcher, who will be issued with an employment contract to last the full duration of the grant, should the proposal be successful, subject to the employment policies of the University with regard to the employment of research staff (*UCD Employment Contract Management Policy Post Doctoral Research Staff (Humanities and Social Sciences)* and *UCD Employment Contract Management Policy Post Doctoral Research Staff (SET)*).
  - If the proposed award does not cover the salary of the proposed grant holder, and the salary of the grant holder is being paid through a separate research grant, the terms and conditions of this grant must allow the grant holder to apply for further funding to carry out new research projects simultaneously.
  - The postdoctoral management policy of the University is adhered to (*UCD Employment Contract Management Policy Post Doctoral Research Staff (Humanities and Social Sciences)* and *UCD Employment Contract Management Policy Post Doctoral Research Staff (SET)*). This includes ensuring that the postdoctoral period in UCD of (normally) 4-6 years (Levels 1 and 2 inclusive) is taken into account before applying for any award.
10. The prevailing institutional policies relating to the employment of research staff will supersede funding agency/sponsor rules and the naming of an individual on a grant application should not be construed as a commitment to employ them (*UCD Recruitment and Selection Policy - Research Funded Staff*)

## 5c. Registering a Research Grant

1. The research contract / grant agreement must be approved (and signed) by the appropriate institutional authority<sup>2</sup> and the authorised officials for all parties, before any research account is set up.
2. Any associated research agreement (e.g. Consortium Agreement (CA), Materials Transfer Agreement (MTA), sub-contract etc.) must be reviewed, approved and signed by all parties.
3. The researcher must read, understand and agree to comply with all terms set out in the contract/ grant agreement documentation associated with their research funding, including any terms and conditions in relation to research integrity, reporting, record keeping, data protection, confidentiality, publishing, intellectual property rights, ethics, anti-corruption and state aid. The researcher must also engage with the relevant University offices in reviewing the contract documentation for approval.

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<sup>2</sup> Awards must be authorised by the Bursar/Chief Financial Officer or nominee.

4. While all researchers and research students are encouraged to apply for research funding, as per the eligibility set out by the individual funding agency/sponsor, only the following are eligible to register and manage research accounts on the UCD financial system:

- Members of the University's staff: Individuals who, at the time of signing the grant, are on the University's Core HR/Payroll System with a contract of employment that spans the duration of the research grant. This includes individuals who fulfil the following roles or their equivalent:
  - Full Professor/ Professor/ Adjunct Professor/ Visiting Professor / Clinical Pathways Professors
  - Associate Professor/ Assistant Professor
  - Research-active retired Faculty
  - Postdoctoral Fellow (PD)/ Research Fellow (RF)<sup>3</sup>
  - Research administrative and technical staff (these will be considered on a case by case basis).

Note: Research grants for postgraduate students will be registered in the name of their supervisor.

#### **5d. Management of the Research Grant**

1. Any change which is not provided for under the terms & conditions of the grant must be approved by the funding agency/sponsor, Head of School/Unit or Institute Director (as appropriate) and central University authority (i.e. Vice President for Research, Innovation & Impact/Bursar's Office or nominee). The following are examples of changes that may require approval:
  - start/end dates
  - budget transfers outside of range permitted under the contract/grant agreement
  - purpose/intention of funding
  - change in named researcher responsible for the grant
2. If there is insufficient funding provided by the funding agency/sponsor to cover any PhD fees, then this will be dealt with according to the *Procedure for Shortfall in Research funded PhD Fees*
3. The research contract / grant agreement provides a written agreement to conduct research activity in return for approved funding and is made between the funding agency/sponsor and the University. This agreement remains in place regardless of the mobility of the named researcher and the approval of both parties must be obtained before any portion of the grant can be transferred from the University with the researcher.
4. If the named researcher's eligibility status changes before completion of the research project, the Head of School/Unit or Institute Director (as appropriate) must agree a path with the funding agency/sponsor to either continue the research, bring the current research activity to a close or move the grant to another institution.
5. The researcher must maintain and provide access to all supporting documentation necessary for compliance with the University's policies on Freedom of Information, Record and Data Management and audit requirements. This includes all records of expense claims, any invoices and project reports.
6. The researcher must ensure that all reporting requirements to funding agencies/sponsors are met within the deadline specified by these agencies. The researcher must ensure that all data, or supporting records related to any information contained in reports, is available to the University

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<sup>3</sup> Where a PD/RF writes the proposal and is awarded the grant, they are entitled to register the award in their own name on the UCD Research Management System (RMS). For operational purposes, where a grant is to be held in a PD/RF name, it may initially be registered in the Mentors name, and then subsequently changed to be registered in the name of the PD/RF. The PD/RF should seek advice from their mentor in relation to grant management issues where they arise.

throughout the course of the award and for a period after the end of the project, in accordance with the terms and conditions of the funding agency/sponsor.

7. Once the end date of the contract has been reached, Research accounts should be closed according to the *Procedure for Closing Research Accounts*.

## 6. Referenced documents

The following UCD Policies and Procedures have been referenced in this document:

- UCD Employment Contract Management Policy Post Doctoral Research Staff (Humanities and Social Sciences)
- UCD Employment Contract Management Policy Post Doctoral Research Staff (SET)
- UCD Recruitment and Selection Policy - Research Funded Staff
- UCD Salary Policy for Post-doctoral Researchers and Research Assistants
- Procedure on Acceptable Overheads (Indirect Costs) on Research Grants
- Procedure for costing staff time into research proposals
- Procedure for Shortfall in Research funded PhD Fees
- Procedure for Closing Research Accounts

## 7. Related documents

This policy is underpinned by legislation, including:

- Universities Act, 1997
- Standards in Public Office Act, 2001
- Freedom of Information Act, 2014
- Data Protection legislation, including the General Data Protection Regulation (GDPR), 2016 and the Data Protection Act, 2018
- EU Commission's Framework on State Aid in Research & Development & Innovation 2014/163.

This policy should adhere to and be cognisant of other relevant University policies and codes. A non-exhaustive list of such policies and codes is listed below.

- UCD Authorship Policy
- UCD Code of Responsible Conduct of Research
- UCD Conflict of Interest Policy
- UCD Consultancy and External Work Policy
- UCD Data Protection Policy
- UCD Intellectual Property Policy
- UCD Procedure for the Investigation of Misconduct in Research
- UCD Research Ethics Policy
- UCD Research Integrity Policy

## 8. Version history

Version	Date	Approving Body	Author
1.0	23 <sup>rd</sup> November 2010	SMT Finance and Operations Group	UCD Research & Innovation
2.0	15 <sup>th</sup> April 2019	Research Innovation and Impact Group (RIIG)	UCD Research & Innovation
2.0	30 <sup>th</sup> April 2019	University Management Team (UMT)	UCD Research & Innovation