

Supporting excellence in global partnerships

Global Partnerships Policy

SECTION ONE: INTRODUCTION

A key thematic priority for the University's global engagement is supporting sustainable partnerships that augment our international reputation. Edinburgh has an established record of excellence in international engagement with institutions across the world. We recognise the value and benefit of establishing international partnerships in creating innovative international programmes; developing research collaborations; enhancing mobility; capacity building and leveraging new funding streams. The globalisation of higher education is providing an ever-growing range of opportunities for engagement with universities and organisations across the world. As the range and scale of international partnership opportunities increase so has the risk, primarily due to the increasing number of staff engaged and the inevitable complexities and volatility involved in collaborating with less familiar nations or territories. It is therefore very important that we endeavour to both protect and augment the University's reputation for international excellence and maximise the impact of our global partnerships.

The following provides a practical route map to assist staff across the University in the development and management of international partnerships. There is particular reference to the provision of assistance in relation to risk evaluation and due diligence in areas where there is heightened need for a more detailed assessment. In order to ensure that new international partnerships are appropriately strategic, high quality and enhance the reputation of the University, all staff should follow this policy prior to any binding discussions or negotiations with an external partner. The policy aims to provide staff with information about how to establish such partnerships, ensure that risks are managed appropriately and that successful, sustainable international partnerships are delivered.

This policy has been developed by the Global Partnerships Section of the International Office and seeks to assist Colleges, Schools, Research Centres and Support Services considering entering into international partnerships¹ to assess and manage the risks associated with those partnerships.

It should be noted that this Global Partnerships Policy constitutes an integral part of a suite of documents, *Guidance, Policies and Approval Processes for Collaborative Agreements*, approved by Central Management Group in 2015 covering e.g. taught collaborative programmes and jointly awarded PhDs. The Global Partnerships Policy relates to the due diligence/risk analysis required to establish the suitability of a potential new international partner and provides guidance towards establishing a non-legally binding Memorandum of Understanding with that partner. The Global Partnerships Policy does NOT guide the academic processes required to establish subsequent Memoranda of Agreement relating to collaborative provision leading to a University of Edinburgh award - although these are often international in context.

Guidance on the development of academic collaborations, both UK wide and international, is provided at the *Guidance, Policies and Approval Processes for Collaborative Agreements* wiki and by a Virtual Collaborations Group (SECTION 7) with representation across Governance & Strategic Planning, Academic Services and the International Office.

¹ The term 'international partners' means any entity not governed exclusively by the laws of England, Wales, Scotland or Northern Ireland and includes (without limitation) higher education institutions, governmental and non-governmental institutions, charities as well as commercial entities and individuals.

SECTION TWO: GLOBAL PARTNERSHIPS SUPPORT

The Global Partnerships Section of the International Office provides support for the development and management of international partnerships. The unit will review all potential international partnerships before they proceed and staff will determine whether any potential partnership requires to be referred for further discussion. It is fully anticipated that the vast majority of partnerships will be approved without issues being identified.

The International Office has knowledge, expertise and contacts across the globe. We also have access to a wide range of information that can evaluate risk associated with a proposed partnership. This information is derived from a variety of sources including the Foreign and Commonwealth Office; British Council Education Intelligence Service; Transparency International; British Embassy and High Commission Offices; UK Trade and Investment; Universities UK International Unit; Higher Education Global Integrated Advisory Service and the Department for Business, Innovation and Skills.

The International Office also seeks the expert advice of staff in the University's Liaison Offices in China, India and Latin America and North America.

The Global Partnerships section manages a [Global Directory](#) of partnerships and can provide valuable historical and contextual information on proposed partners, nations, existing agreements and previous contact with the University.

The Unit will monitor and update staff regarding political, economic and social issues that may impact on partnerships and convene meetings in emergency situations or situations that may arise with implications for delivering effective partnerships.

SECTION THREE: PARTNERSHIP DEVELOPMENT

The following process will assist the initial establishment of a global partnership and should be followed for all international institutions, agencies and universities;

One

All staff should consult the **checklist** (SECTION 4) which provides an overview of key issues to be considered prior to submitting notification of a proposed partnership to the Global Partnerships Office.

Two

The Edinburgh Global online [partnership notification form](#) should be submitted to the Global Partnerships Office.

Three

Once due diligence has been addressed and the partnership has been assessed without any issues being identified by the Global Partnerships Office, the initiating College or School may proceed to negotiate a preliminary Memorandum of Understanding (MOU) and subsequent Memoranda of Agreement (MOA) if appropriate.

Four

Once an international MOU or MOA draft has been reviewed and approved by all relevant parties, at least two original, hard-copy versions of the document should be routed for signatures. According to the Delegated Authority Schedule, international MOU's and MOA's should be signed by the Principal, University Secretary or Vice-Principal International.

Five

The Global Partnerships section of the International Office maintains a database - [Global Directory](#) of all international partnerships and will ensure that:

- A new agreement is entered into the Directory
- An electronic version of the agreement is saved with expiration dates
- Expiration reminders are logged with the University contact for the agreement

SECTION FOUR: DUE DILIGENCE AND RISK ANALYSIS CHECKLIST

The University is required to undertake, with due diligence, an investigation to satisfy itself about the good standing of a prospective partner and their capacity to fulfil their role in a partnership.

The following checklist provides a basic level of assessment in relation to the degree of risk involved with signing a Memorandum of Understanding with a new partner. This information is intended to inform and assist decision-making while establishing if there are reasonable grounds for exploring the potential of the proposed partnership further.

Q: What previous interaction has there been with the proposed partner?

It is preferable that there has been some previous interaction with the proposed partner or there is evidence that there is partnership experience with other similarly positioned global or UK institutions. With rare exceptions, the University will not sign a formal Memorandum of Understanding if there has been no previous interaction.

Q: What is the potential for reciprocal benefits by entering into the partnership?

There should be strong potential for reciprocal and mutual benefit arising from the partnership. Staff should consider what strengths each institution brings to the partnership and why the partner is an appropriate institution to enter into a partnership with. Staff must be clear on the benefits that the partnership will deliver for the University for both students and staff.

Q: What is the domestic and international reputation of the partner?

What is the reputation and standing of the proposed partner in terms of its global and domestic reputation. Rankings should not inhibit staff from working with an overseas institution that is not highly placed overall when the collaboration is within a subject area of excellence.

Q: Will the partner provide designated contacts and coordinators for the partnership?

It is important that the partner can provide at least two contact coordinators for the partnership to assist with implementation and delivery.

Q: Will the partnership be regularly reviewed and evaluated?

To deliver a successful partnership it is important that both parties consider regular monitoring and review points to evaluate the programme and/or partnership.

Q: What criteria be utilised to measure the success of the partnership?

It is important that clear objectives be set to measure and evaluate the success of the partnership which can be used to inform whether or not the partnership should be renewed.

Q: What are the prevailing social, political and economic conditions in the partner's location?

Staff should consider the political, ethical, economic and social situation within the region and/or nation of a potential partner and should not enter a partnership with, or in any country with which the United Kingdom has severed diplomatic relations and/or is in a state of emergency or conflict.

A partnership must not require action that is illegal, discriminatory, limit freedom of inquiry, suppress or falsify academic research, or create unacceptable conflicts of interest for the University. The Global Partnerships Unit will conduct a full assessment for partners based in regions or nations that may present a high risk.

Q: Is the partner institution officially accredited and recognised?

Staff should clarify whether the partner is officially recognised and accredited. The British Council and Ministry of Education can provide assistance with this and further guidance is available from the International Office. Collaborative partnerships may be initiated or encouraged in the country concerned by an institution which may turn out on close inspection to be a governmental or quasi-governmental body. This may not be immediately apparent from the name of the institution. For example, in those countries which have only recently moved from a communist or other totalitarian regime the concept of a higher education institution with its own legal identity may be virtually unknown. If a partnership is being considered with a newly established university, staff should seek to identify the legal status of the partner. If the partner transpires to be quasi-governmental and the partnership breaks down then the University may have its legal rights negated due to the doctrine of sovereign immunity.

ACADEMIC APPROVAL/DUE DILIGENCE issues surrounding international collaborative provision leading to the award of a University of Edinburgh degree are covered elsewhere in the *Guidance, Policies and Approval Processes for Collaborative Agreements*.

Staff should go through the same School/College academic approval process as for programmes to be taught solely by the University. For non-standard programmes it will be necessary to secure approval from the relevant Senate Committee.

Further information on the academic approval process is available at:

<http://www.ed.ac.uk/academic-services/quality-unit/quality-assurance/programmes-courses/course-approval>

SECTION FIVE: ANTI-BRIBERY ACT AND CORRUPTION

The UK Bribery Act 2010 reformed the criminal law to provide a comprehensive scheme of bribery offences that enables courts and prosecutors to respond more effectively to bribery at home or abroad. It is designed to bring the UK in line with international norms on anti-corruption legislation. The Act makes it a criminal offence to give or receive a bribe and also introduces a corporate offence of failing to prevent bribery. The UK Bribery Act 2010 outlines four corporate offences, three of which also apply to individuals. These offences, whether for commercial organisations or for individuals, apply regardless of where in the world the bribes are offered or received, and regardless of whether the bribery is direct or via a connected party such as an agent or partner. A University that is found to have committed any bribery offence could face unlimited fines and may come under additional scrutiny from funders in the future. Individuals could face a 10 year prison sentence and unlimited fines. This includes senior officers of entities held liable through their consent to or connivance with the University committing the offence. The four corporate offences are:

1. A general offence covering the offering, promising or giving of a bribe
2. A general offence covering the requesting, agreeing to receive, or acceptance of a bribe
3. discrete offence of bribery of a foreign public official
4. new corporate offence of failure by a commercial organisation to prevent bribery by persons associated with it

This legislation impacts on core aspects of University activity. It influences how we purchase goods and services and how we deal with gifts and hospitality, affecting many employees, agents and third-party suppliers. The University has launched an Anti-Bribery and Corruption Policy in line with UK legislation.

http://www.docs.csg.ed.ac.uk/HumanResources/Policies/Bribery-Anti_Bribery_and_Corruption_Policy.pdf

It is recommended that all staff familiarise themselves with this policy. If you have any specific questions then contact HR or the International Office for further guidance.

SECTION SIX: TYPES AND LEVELS OF PARTNERSHIP

The purpose of this Global Partnerships Policy is to provide guidance on the process of establishing a new international partnership, including the due diligence/risk analysis required to protect the reputation of the University and the process towards the establishment of a non-legally binding Memorandum of Understanding (MOU) - an understanding with institution(s) of similar status, normally setting out an expression of intent to collaborate in teaching, research, staff/student exchange or a combination of these and does not involve a commitment of resource.

The University already has MOU's in place with many institutions and a new MOU may not be required. Please check with the Global Partnerships office if you are unsure.

A template international generic MOU is available to [download here](#).

Specific collaborative activities under the umbrella of an MOU may be developed at any time but must normally be negotiated in a separate Memorandum of Agreement (MoA). An MOA may focus on, e.g.:

- research collaborations;
- collaborative taught programmes;
- articulations;
- joint doctoral programmes;
- international networks;
- staff mobility
- student mobility.

It is not essential for an MOU to precede an MOA although this is often the case.

Student/Staff Mobility is managed by the International Office Go Abroad Unit and includes semester or full year undergraduate EU Erasmus exchanges and International Exchanges out with Europe.

Partnerships may also be pitched at different levels: Institutional, College, School and even individual-level.

Institutional Strategic Partnerships should span all three Colleges and include a range of transformational activity including, e.g., research, teaching and student exchange. These partnerships are often developed top down and with a peer institution with which the university is keen to partner. The partner will have an excellent global reputation and standing, a like-minded research ethos and be at least comparable with the University itself or be pre-eminent within its domestic context in the case of institutions in emerging markets. Strategic Partnerships may attract central funding.

College-level Partnerships normally involve two or more Schools or research themes and span more than one area of activity. The ranking of the partner may not be high overall but it will be internationally recognised in the subject area concerned.

School-level Partnerships are often formed when teaching and research interests fit well, e.g. articulation agreements with trusted partners which augment Schools recruitment targets. These partnerships are likely to remain at a School level.

Individual/subject-level Partnerships

As expected and encouraged in a large research-led institution, there are also many global alliances between academic researchers often leading to joint publications. These partnership are not recorded centrally but an overview of co-publications can be derived via bibliometric analysis.

SECTION SEVEN: FURTHER INFORMATION

KEY CONTACTS

VIRTUAL COLLABORATIONS GROUP

Dr Dorothy Watson
Head of Global Partnerships, International Office
T: 651 4537
E: global.directory@ed.ac.uk; dorothy.watson@ed.ac.uk

Jennifer Wallace
Legal Services
T: 651 4010
E: Jennifer.wallace@ed.ac.uk

Jennifer McGregor
Governance & Strategic Planning
T: 651 4405
E: Jennifer.mcgregor@ed.ac.uk

Anne-Marie O'Mullane
Academic Services
T: 651 4979
E: annemarie.omullane@ed.ac.uk

ADDITIONAL UNIVERSITY OF EDINBURGH SOURCES OF ADVICE ON INTERNATIONAL PARTNERSHIPS

- The Vice-Principal International (UoE strategic issues)
- Regional Deans International (regional advice)
- College Deans International (College strategic advice)
- Go Abroad section of International Office (student exchange agreements)
- *Guidance, Policies and Approval Processes for Collaborative Agreements* wiki outlines the process for collaborative agreements and links to template agreements

<https://www.wiki.ed.ac.uk/pages/viewpage.action?title=Guidance%2C+policies+and+approval+process+--+collaborative+agreements&spaceKey=GPAPFCA>