

Policy on Use by Non-University Members of School Facilities

- I. This policy relates to the use of facilities primarily intended for teaching and research by persons who are not members of staff or students of the University of Greenwich. "Members of staff" for these purposes includes full-and part-time staff, visiting lecturers and others who have a contract of employment with the University. The policy does not deal with residential accommodation, conferences, contractors' site offices and activities which are within the remit of the University's Facilities Management Office.

- II. The University of Greenwich's Schools require equipment and maintain a variety of facilities necessary to support the teaching and research programs of the School. Such facilities are usually funded by the University and/or by external funding agencies. These facilities may be highly specialised and capable of providing a service not generally available elsewhere within the region. It is recognized that opportunities exist to make excess capacities in such facilities available to external organisations or individuals for a variety of purposes. Some examples are:
 - a. A research collaborator employed by another University or commercial organisation who wishes to be based in a School for all or part of an academic session
 - b. A "science entrepreneur" wishing to use University laboratories whether or not in collaboration with University staff) to develop a commercial operation, possibly leading to the creation of a "spin out" company, with the University receiving an agreed share of the benefits
 - c. Service providers operating within the University using University facilities on a paid-for basis, e.g. physiotherapists using sports science laboratory equipment.

- III. The purpose of this policy is to articulate guidelines for the use of University-based facilities by external organisations or individuals in situations where the proposed use is compatible with the objectives and policies of the University and does not interfere with normal requirements. It is intended that these guidelines permit a degree of flexibility to meet the specific requirements of particular facilities, while at the same time demanding that those involved in formalising agreements exercise responsibility in order to protect the legal, charitable and other interests of the University.

Guidelines

1. A School shall be permitted, where appropriate, to enter into arrangements with external organisations or individuals for the incidental use of its facilities. Charges for the use of facilities will be based on the full economic cost of use. The Head of School will in all cases be required to give his/her approval to the arrangement. Any revenue realised from such use shall, after deduction of central overheads at the

prevailing rate, be credited to the School's general operating funds and shall be accounted for through the University's commercial subsidiary company, Greenwich University Enterprises Limited.

2. All arrangements for the use of School-based facilities by external organisations or individuals shall be covered by an agreement signed both by a representative of the external user and by an official of the University, normally the Pro Vice-Chancellor (Research and Enterprise). While each School shall have responsibility for the establishment and administration of agreements, each agreement must be approved by the Finance Office and the Administrative Secretary's office as is normally required for commercial consultancy and related work. Moreover, to ensure that there is a central record, a copy of each agreement shall be filed with the Administrative Secretary's office.

3. Each agreement shall summarise the terms and conditions for the use of the facilities, and shall state explicitly that such use will have lower priority than use required for teaching and research programmes of the School. A model agreement will be available through the Administrative Secretary's office. The agreement will specify, inter alia:

- i. Details of payments to be made by the user of the facilities;
- ii. Insurance requirements to be met by the user at his/her expense, including professional indemnity and third party liability insurance;
- iii. Times and days when the facilities will be available;
- iv. Any non-permitted use of the facilities (such as internet access via JANET or activities in competition with or detrimental to other University users);
- v. Permitted trading name/s;
- vi. Arrangements for ownership and management of intellectual property arising out of the use of facilities;
- vii. Health and Safety requirements and other obligations arising from the user's activities;
- viii. Ancillary services to be provided (e.g. email facilities, invoicing services, printing services, telephone/fax lines);
- ix. Confidentiality provisions.

4. Agreements for the incidental use of School-based facilities shall not provide for the services of academic or support staff except where required to ensure the proper operation and management of the facilities. Normally, external users shall not be permitted to use facilities without some degree of supervision or control. Access privileges for the user, including any restricted areas of the University and issue of University Resource Cards, will be determined on a case-by-case basis. To avoid creating tenancy rights, external users will not be allowed exclusive access to a defined space without the prior approval of the Head of Estates.

5. Each proposed use of a School-based facility must conform with the safety and ethical standards established and monitored by appropriate Campus User Groups and

University committees, in particular, the Research Ethics Committee and Health & Safety Committee. When applicable, the proposed use shall be vetted by the appropriate Committee. The Head of School will be responsible for ensuring that appropriate Risk Assessments have been carried out before approval of any use of facilities.

6. Equipment purchased through the Procurement Department is chargeable to Value Added Tax but non-recoverable as it is assumed it is intended to be used primarily for teaching (there are some exceptions for specific medical equipment). Research would be judged on a case by case basis as VAT rules are complex in this area. Although the rules regarding VAT should be confirmed through the Finance Office the incidental use of such equipment by external users is probably acceptable .

7. Schools must recognise that supplies purchased by the University for educational purposes are liable for VAT, which is non-recoverable. However, if purchases are made specifically for Greenwich University Enterprises Limited “projects”, we would then charge the external user including VAT.

8. Each School will be required to submit annually in its ARPD details of all active agreements during the preceding year, the amount of revenue derived from each agreement, and the manner in which such revenues have been deployed by the School.

9. Schools will be required to take steps to recognise and address the possibility of conflict of interest. In particular, there shall be an explicit requirement for full disclosure in all cases where students or staff of the University are associated with an outside organisation wishing to enter into an agreement with a School.