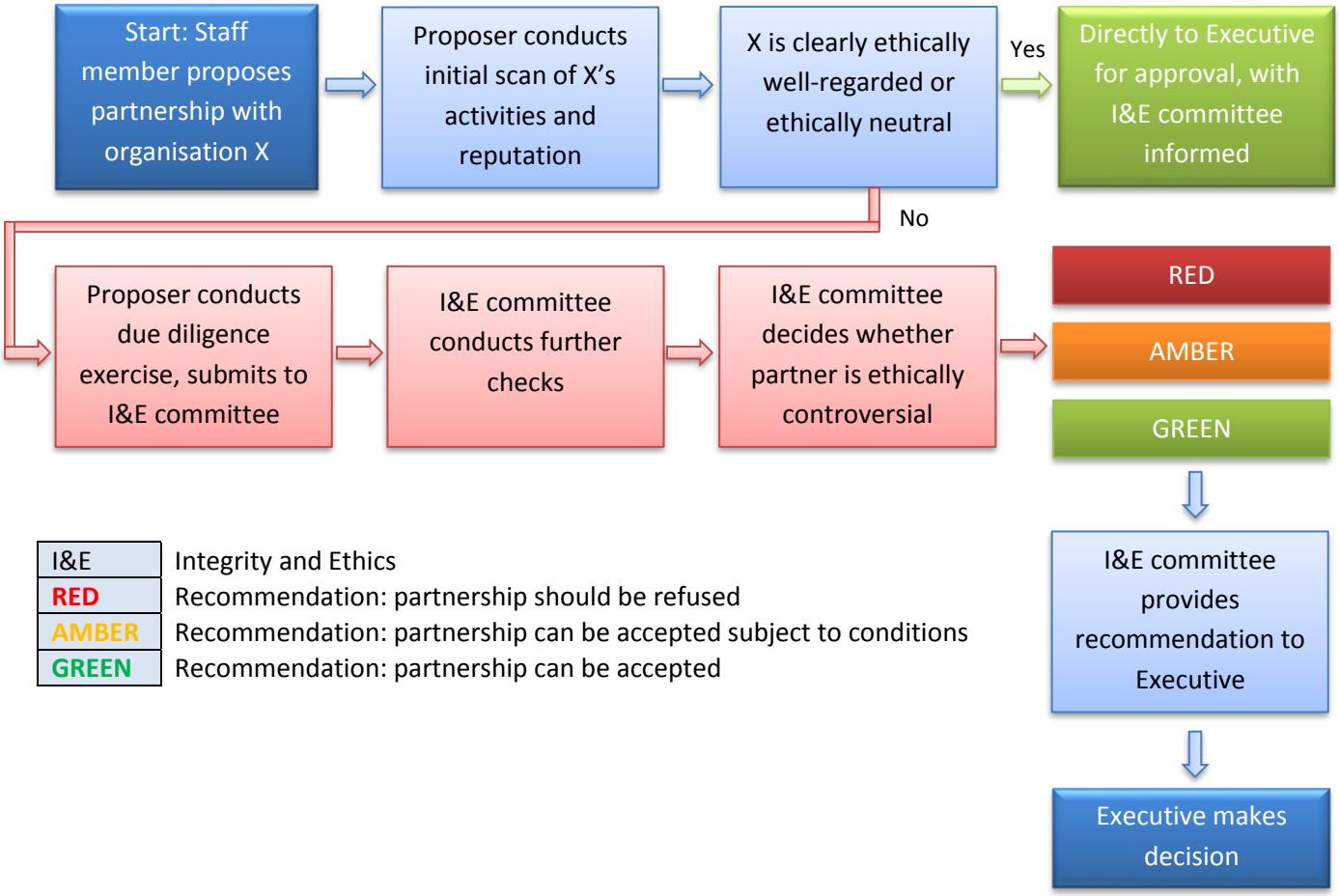
University of Gloucestershire ethical approval process for partnerships

Diagrammatic Overview



I&E	Integrity and Ethics
RED	Recommendation: partnership should be refused
AMBER	Recommendation: partnership can be accepted subject to conditions
GREEN	Recommendation: partnership can be accepted

1. Rationale for an ethical approval process

1.1. The University is ethically well-regarded because of its commitment to sustainability, its policies on ethical procurement and investment[1], and its past and present teaching strategies which emphasise sustainability, social justice, diversity, empathy and ethics.

1.2. This has great benefits for the University in terms of staff motivation and passion for teaching, and in making the University a distinctive and attractive place to work and study in.

1.3. If the University partners with ethically controversial organisations there is a danger that this increases the standing of those organisations, while diminishing the standing of the University itself.

[1] Ethical Investment Strategy and Ethical Procurement Policy

1.4. In addition, with the University's emphasis on employer engagement, it is essential that ethically controversial organisations are not seen as having an influence on the curriculum.
1.5. These guidelines therefore describe a process for deciding whether a partnership is suitable from an ethical perspective.
1.6. The guidelines apply to the situation where the University signs a memorandum of understanding/agreement with an external organisation.
1.7. It is recognised that conducting due diligence on a potential partner could be significantly resource intensive. On the other hand, the resource issue could also be used as an excuse for a "light touch". These guidelines are intended to develop a culture of proportionate enquiry to raise colleagues' awareness of the steps to be taken, and the types of information to be considered when establishing a potential partnership.

2. Principles for evaluating potential partners

2.1. No organisation is perfectly ethical or unethical, and objective classifications are not possible. However, it is possible to recognise three broad classes of organisation:

• **Ethically well-regarded organisations** are organisations that are generally perceived as benefiting society, such as publicly funded bodies (e.g., the NHS or museums), charities (e.g., Oxfam), social enterprises (e.g. Lush), and commercial organisations which have an ethical policy and track record of putting it into practice (e.g., Triodos Bank).
• **Ethically neutral organisations** provide goods and services that are useful for consumers, without excessive or noteworthy harm to people, animals or the environment.
• **Ethically controversial organisations** engage in activities which a significant segment of the population considers unethical, as demonstrated by public criticism, consumer boycotts, lawsuits or adverse publicity in the media. Concerns include harm to customers, staff, the environment or third parties, animal cruelty and tax avoidance.

2.2. In general, partnerships with ethically well-regarded organisations will increase the ethical standing of the University and will be actively sought out. Partnerships with ethically neutral organisations will be approved if there are clear benefits from the partnerships.
2.3. Partnerships with ethically controversial organisations will need fuller consideration by the University, and specifically through the mechanism of discussion at the Integrity and Ethics Committee. In reaching a view on individual cases, and putting recommendations to the Executive, the Committee will need to have regard to:

2.3.1. Evidence on the balance of public opinion. There may well be issues on which people feel strongly both for and against. GM foods, nuclear weapons, and animal testing would all be examples. So the existence of a group making active and vocal criticism of an organisation is not itself determinative that that organisation is therefore unethical. Merely being accused of something by an interest group does not demonstrate that an organisation is unethical. The balance of opinion needs to be considered.

2.3.2. The nature of any controversy that a proposed partnership may attract, and the likely consequent damage to the University's reputation. The mere fact that something is controversial is not determinative that the University should therefore not do it. The University will need to record its justification for a partnership.

2.3.3. The net benefit for the University. There may be cases where the Executive needs to form a balanced view of likely risks and benefits, and judge the net effect. If there are significant benefits for students and staff that will support achievement of the University's goals and mission, those should properly be taken into account in determining whether to proceed with a proposed partnership.

2.3.4. Assessment of the *partner organisation* as a whole, including all branches of the organisation and any parent organisation, not just the division that the partnership is with. For example, a partnership with a tobacco corporation may be with the electronic cigarette division of the company. If a proposed partnership is with a subset of a larger organisation, the Committee will need to look at how far the partnership is in reality a partnership with the entire corporation or in reality a partnership only with one part of that corporation (or even with one or more individuals within it) operating with a degree of autonomy within that corporation.

2.3.5. Assessment of how the proposed partnership would actually operate, and the ability of a partner therefore to influence or determine University actions in pursuit of controversial policies or programmes. For example, if a partner is offering funding to be spent entirely at the University's discretion that creates a lesser capacity for inappropriate leverage than if the partner is seeking to become directly involved in curriculum design or research.

2.4. An internet search can reveal whether organisations are generally ethically well-regarded, ethically neutral, or ethically controversial. See 6 below for a selection of relevant sources to check the ethical standing of organisations. This is not an exhaustive list and nor is it implied that all of these sources should be consulted.

3. The approval process

3.1. **FIRST STAGE:** The first stage in the approval process is for the partnership proposer (i.e., the member of staff who is initiating the partnership) to conduct a basic internet search to get an initial impression of the category that the potential partner falls into.

3.2. For potential partners which clearly fall into the ethically well-regarded or ethically neutral category, the partnership can continue on to the Executive, with no ethical concerns flagged. The I&E committee will be informed, but is not required to take action unless any member wishes to challenge the recommendation. The Executive will then consider other factors such as financial costs and benefits and come to a decision about whether the partnership can go ahead.

3.3. If there are any potential doubts about the partner, then a proportionate due diligence exercise will be carried out by the partnership proposer. At this point the proposer will determine whether to suggest approval to UEC or refer to the Integrity and Ethics Committee for consideration.

Due Diligence Exercise

This exercise is carried out when proposing a partnership with an organisation that is potentially ethically controversial. Answer relevant questions from the list below. Include information which may mitigate any negative responses, such as attempts by the organisation to address issues or evidence that allegations are false. The questions apply to all divisions of the organisation and any parent organisation.

- Does the organisation derive a significant income from tobacco, pornography, gambling, or fossil fuel extraction?
- Does the organisation trade or manufacture arms, or devices that are used in armaments? If so, does it sell these products to oppressive regimes?
- Does the organisation have links with the armed forces of regimes accused of aggression or genocide?
- Has the organisation faced lawsuits or been accused of corporate crime?
- Does the organisation manufacture devices which could potentially be used for torture?
- Has the organisation been publicly criticised for exploitative labour practices, including child labour, disregard for health and safety of workers, unfair treatment of immigrants, or unfair wages?
- Has the organisation been accused of significant tax avoidance, e.g., through subsidiaries in tax havens?
- Is the organisation subject to NGO campaigns or boycotts, or has it been in the past?
- Has the organisation been accused of civil liberty violations, e.g., mining of social media information for the purpose of espionage?
- Does the organisation produce software that can be used for cyber-attacks? If so, does it sell this software to oppressive regimes?

- Has the organisation received public criticism of its environmental practices (e.g., chemical use, deforestation, pollution, harm to wildlife), or biotechnology practices (e.g., genetic engineering, cloning, or the creation of chimeras?).
- Has the organisation been publicly accused of practices which harm animals (e.g., animal testing, destruction of habitats, factory farming, aiding poaching or fur farming)?

3.4. **SECOND STAGE:** Members of the Integrity and Ethics Committee will check that the due diligence exercise has been carried out correctly, and conduct their own internet searches to discover if any accusations of ethically controversial activities have been properly highlighted.

3.5. **DECISION**: The Integrity and Ethics Committee will make a decision on the suitability of the partner, and can recommend that the Executive refuses the partnership. The decision will depend on the number of issues and the seriousness of the issues. A balance of evidence principle will be applied which does not require full philosophical analysis of the ethical arguments or a beyond-reasonable-doubt assessment of all available evidence, but is based on the overall assessment of risk and benefit.

3.6. **GREEN LIGHT:** The Integrity and Ethics committee can give a green light if there are no significant ethical concerns about the potential partner.

3.7. **AMBER LIGHT:** If there are some mild ethical concerns about the potential partner, then the Integrity and Ethics committee can consider the specific goals that the partnership is set up to achieve, and the degree to which these goals contribute to, or harm, the common good. If the goals are unambiguously positive and can be clearly communicated to the public as the sole point of engagement with the partner organisation, then the committee will give an amber light. An amber light recommends that the partnership can be accepted with conditions attached such as a regular review, a clear restriction to one area of activity only, and carefully managed publicity.

3.8. **RED LIGHT:** For partnership proposals where the balance of evidence and the balance of risk/benefit is clearly adverse, the Integrity and Ethics committee will give a red light, which is a recommendation that Executive refuses any kind of partnership with the organisation, no matter what the specific benefits of the project are.

3.9. The Integrity and Ethics committee will give a recommendation to Executive of **red**, **amber** or **green**, along with reasons for the decision. The Executive will then take this advice into consideration, along with other factors such as financial costs and benefits, and make a decision on whether to proceed.

4. External funding of PGR students

4.1. As part of the pre-enrolment dialogue between the University and the potential student, the source(s) of funding will be explored by the potential supervisor. Where the source(s) are indicated to include sponsorship, students will be invited to consider their own ethical position on working with the particular sponsor(s) (possibly through their own due diligence exercise).

4.2. Ethically well-regarded or ethically neutral organisations can sponsor research students.

4.3. We recognise that organisations which might raise ethical concerns can still sponsor students by supplying the funding directly to the student and the student choosing not to inform the University. This includes students sponsored by oppressive regimes. In such cases, we would rely on the Research Ethics Committee working with the supervisory team to determine whether the research raises ethical questions on a case-by-case basis.

5. Educational partnerships with other countries

5.1. Certain governments are ethically controversial in terms of their human rights records, military aggression towards other countries, or generally being considered oppressive regimes.

5.2. Engagement with organisations in, and governments of, ethically controversial countries is acceptable only if there is a strict understanding that the organisation or government does not unduly influence the curriculum, either directly or indirectly. This will be monitored throughout the relationship.

5.3. In exceptional circumstances, where a particular government is subject to widespread academic boycotts or international sanctions because of acts of aggression or human rights abuses, partnership with universities in that country may be inappropriate. Such partnerships could lend legitimacy to the government and damage the University's reputation. The Integrity and Ethics committee will consider this on a case-by-case basis and inform the Executive if there are serious concerns about partnership with a particular country.

5.4. However, providing education in countries run by ethically controversial governments has the potential to contribute to social justice and help develop critically reflective citizens and future ethical leaders. The Integrity and Ethics Committee will hear such rationales on a case-by-case basis that demonstrate how the University’s engagement in that country will contribute to social justice and support the University’s own mission, vision, and values, and will provide recommendations to the Executive accordingly.

6. A selection of sources to investigate the ethical status of organisations

http://www.bitc.org.uk/cr_index/index.html	Business in the Community: corporate responsibility index
https://www.gov.uk/government/publications/proscribed-terror-groups-or-organisations--2	UK Government's proscribed terrorist organisations list
www.accountabilityrating.com	publishes top-100 companies rated by accountability based on published documents.
www.business-humanrights.org/Home	website covering over 4000 companies, in 180 countries. Topics include discrimination, environment, poverty and development, labour, access to medicines, health and safety, security, and trade
https://www.caat.org.uk/resources/companies	details of arms manufacturers currently being targeted for campaigns due to alleged unethical or illegal activity
www.corporateeurope.org	articles on European big-business lobbying activities
www.corporatewatch.org	free searchable database of press articles and comment on social responsibility issues and industry sector profiles
www.corpwatch.org	free searchable database of press articles and comment on social responsibility issues
www.ethicalconsumer.org	free consumer-based research on ethical issues. Low cost database of the ethical and environmental records of over 50,000 companies worldwide.
www.google.com	word search could include terms such as *scandal, weapons, criticism, bribery, sued, lawsuit, fined, discriminate, illegal, controversy, child labour, human rights violations*)
www.mcspotlight.org/beyond/index.html	campaigning group free in-depth studies on a small number of high-profile global businesses
http://features.peta.org/cruelty-free-company-search/index.aspx	lists companies which test cosmetics on animals
www.moles.org	reports available from campaigning organization 'supporting the human rights of communities resisting mining and oil exploitation'

www.transnationale.org	subscriber-based information on businesses, with free-to-view index showing alleged human rights and other violations

(With thanks to *The Partnering Initiative* (*www*.thepartneringinitiative.org) for providing general advice and some of the specific information used in the above table.)

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