



POLICY AND PROCEDURE FOR DUE DILIGENCE WHEN DELIVERING LEARNING OPPORTUNITIES WITH OTHERS OR SETTING UP PARTNERSHIPS FOR MARKETING AND PROMOTIONAL ACTIVITIES

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1. DEFINITION

It is the University's duty to reduce the risk of failure and avoid involvement with stakeholders, partners or staff not aligned with USJ's Vision, Mission, and Strategic Objectives. Rather, USJ seeks to prioritize its engagement with people, associations and venues that strengthen its identity, increase support to and from the community, develop recruitment and research networking, and enhance the University's academic and financial standing.

By *DUE DILIGENCE* is meant the process whereby the general background, financial, legal and resource-underpinning of a potential partner organisation are scrutinized for potential risks, the background and conditions of a gift or donation are clarified, and prospective venues are assessed for the standards of sound and lighting, health and safety, and the provision for general wellbeing of staff and students required of any university activity. It is a planned process by which the University evaluates the costs, benefit and risk of a new venue, dona-



tion, investment, or collaborative initiative, and it is undertaken by means of timely, sufficient and accurate discovery of relevant background data and material statements that will allow governing bodies and senior management to come to informed decisions.

The present policy document deals only with *Due diligence* when delivering learning opportunities with others or setting up partnerships for marketing and promotional activities. For *Due diligence* in the reception of fees, fellowships, scholarships, gifts and donations see the relevant document.

2. GUIDING INDICATORS¹

Indicator 1 - *When a strategic approach to delivering learning opportunities with others is adopted, appropriate levels of resources (including staff) are committed to the activities to ensure that the necessary oversight is sustained.*

Indicator 2 - *Policies and procedures provide adequate safeguards against inadequate facilities, financial impropriety or conflicts of interest that might compromise academic standards or the quality of learning opportunities.*

Indicator 3 - *Consideration of the business case is conducted separately from that of the academic proposal.*

Indicator 4 - *The risks of each proposed arrangement are assessed at the outset and reviewed subsequently on a periodic basis. Appropriate and proportionate safeguards to manage the risks are determined and put in place.*

Indicator 5 - *Due diligence procedures are determined for each proposed arrangement, and conducted periodically to assess the capacity of the partner organisations to fulfil their respective roles in the arrangement.*

3. DUE DILIGENCE PROCESS

Due diligence ensures that a satisfactory and sustainable relationship can be established with a reliable and effective associate or partner. These include disclosure of:

- the public and legal standing of a prospective partner or associate organisation;
- the standing of a prospective partner organisation or agent, determined in the light of experience of other institutions, available from public documents such as published reports;
- the financial stability of a prospective partner or associate organisation;
- the ability of the prospective partner or associate organisation to provide the human and material resources to operate the proposed project, programme or arrangement successfully;
- the ability of the prospective partner or associate organisation to provide an appropriate and safe working environment for staff and students on the programme, or appropriate conditions for alternative joint activities.

¹ These indicators follow closely the *UK Quality Code*, chapter B10 (*Management of collaborative arrangements*).



4. REQUIREMENTS FOR DUE DILIGENCE

USJ's Executive Council will ensure due diligence on and with proposed partners or associates, whether their relation is to be with the University or with one of its academic or administrative units. All new partners and associates will be subject to due diligence. The initial step will be to contact the proposed partner to request documentation for due diligence. Such documentation should include:

- prospectuses, brochures, website content, etc.;
- a set of the last audited accounts (an annual report is usually sufficient);
- financial forecasts for the institution and for relevant programmes (the institutional business plan);
- information about the institution's main source of funding;
- details of the organisation's management structure;
- legal status or government letters of approval where appropriate.

5. APPROVAL PROCESS FOR COLLABORATIVE PROGRAMMES

Initial discussion should be held with the prospective partner to indicate support in principle for a proposed partnership. These discussions should identify the basic model of partnership and the model of the collaborative programme itself. At this stage, the appropriate member of staff should liaise with finance to cost the proposal.

To facilitate the preparation of financial information, the following aspects should be confirmed where possible:

PROGRAMME AND STUDENT INFORMATION

- number of terms/weeks to be taught respectively by the partner and University per year
- number of modules in the programme per term/year
- mode of assessment for each module
- number of full-time and part-time students anticipated per cohort
- number of cohorts per year

SETTING AND MARKING OF ASSESSMENTS

- the level of involvement of University staff in the setting of assessments or the moderation of assessments
- the level of involvement by the University in double or sample marking, or moderation of marking management of the programme
- amount of time to be spent per year by staff in maintaining overview of academic standards and quality of teaching and learning
- amount of time to be spent per year by finance to review financial due diligence
- any other anticipated costs, e.g. video conferencing.



Finally, the partnership process requires clarification of the resources to be made available for the programme by the partner institutions, duly recorded in the approval documentation.

6. APPROVAL PROCESS FOR ARRANGEMENTS WHICH DO NOT INVOLVE PROGRAMME DELIVERY

Other forms of partnership or association might relate to marketing or promotional initiatives. In these cases, the University will need to obtain the general information listed under 3 above and will also need to address key issues about the proposed project or activity, including:

- the level of involvement of staff
- travel and accommodation costs
- financial estimates of potential benefits to the University
- indications of financial contribution by proposed partner/associate
- forecasts of projected financial outcomes
- estimates of recurring costs
- analysis of business and financial risk to the University

7. SITE VISIT TO A POTENTIAL COLLABORATIVE PARTNER

An agenda for the visit should include:

GENERAL STATUS OF PARTNER/ASSOCIATE INSTITUTION

- history and development of institution
- strategic aims and mission
- financial position
- institutional profile; range of programmes delivered, student numbers, staff numbers
- other partnerships the institution is involved with
- governance and accountability
- structure of institution, including roles and responsibilities of appropriate staff

ACADEMIC EXPERIENCE

- issues relating to the student experience
- appointment and induction of staff
- policy for staff development
- planning and resource allocation
- planning and resource allocation framework, to include policy determination, identification of needs, determination of priorities and subsequent management
- plans and allocation of resources to fulfil proposed partnership



QUALITY ASSURANCE

- structure and operation of quality assurance process within the partner institution.
- There is potentially a wide variation of likely institutions with which the University could develop partnerships. Therefore, the exact details of the visit agenda can vary according to the nature of the proposed partner and prior experience with partners of a similar profile. The approach in risk-based assessment of potential partnership will focus on areas that pose the greatest risk to standards.

8. OUTCOMES OF AN INSTITUTIONAL VISIT

The possible outcomes of an institutional visit might be:

- the proposal can proceed to the next stage of the approval process, with recommendations to the senior management team;
- the proposal should be rejected at this stage and reconsidered at a later date;
- the proposal should be rejected, and contacts discontinued.

The institutional visit should result in a written report that includes key contacts, points of discussion, any conditions and recommendations, and is submitted to USJ's Executive Council.

- If the recommendation is to proceed, the report is forwarded by the EC to the appropriate marketing and finance staff for comments, before a decision is taken.
- If the outcome of the visit is to reject the proposal, either with the possibility of later reconsideration or for discontinuation, the staff who made the visit will still explain their findings at an EC meeting.

Whatever the outcome of the visit, the University will inform the proposed partner of the decision, in writing.

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