UNIVERSITY OF BIRMINGHAM

CODE OF ETHICS

The University of Birmingham Code of Ethics

Ethics at Birmingham

The University of Birmingham is committed to the highest standards of ethical conduct in all our activities. Each member of the University community — staff (including honorary, emeritus and visiting staff), students, members of Council and other University committees — has a responsibility to act ethically and in accordance with the Nolan Committee's principles for public life: *Selflessness, Integrity, Objectivity, Accountability, Openness, Honesty and Leadership.*

The University has recognised and acted upon the importance of ethical values since our establishment in 1900. The values, which guide our approach to ethics, are embedded within the University's Charter, Statutes, Ordinances, Regulations, Codes of Practice and Policies ("University Legislation").

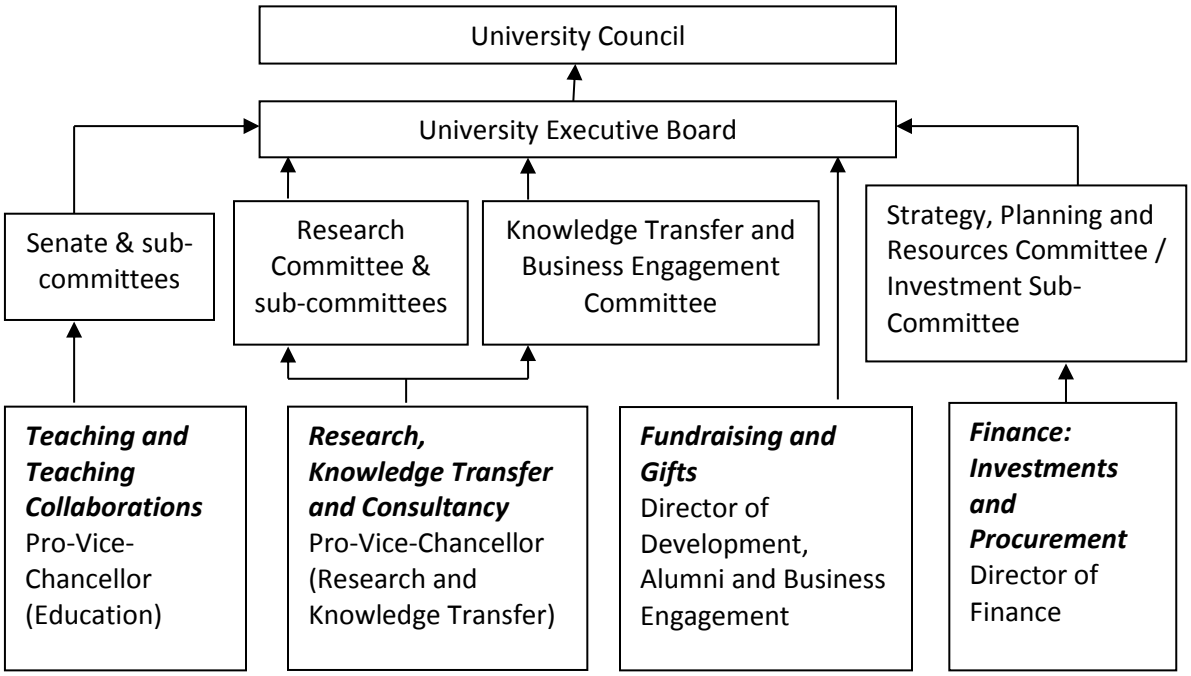
The University Legislation encompasses well-established ethical policies and procedures relating to our core activities of teaching, research, knowledge transfer, fundraising, investments and procurement. These are kept under regular review. In light of the Woolf Report regarding events at the London School of Economics, a review of our overall approach to ethics was undertaken. This review concluded that a Code of Ethics should be produced to draw together the University's existing ethical policies in these core areas of activity in a single overarching document. This document is that Code.

The Code of Ethics structure

This Code of Practice is designed to provide an accessible, overarching guide to ethical conduct which is grounded in four core activities: teaching, research and knowledge transfer, fundraising and gifts, and finance (investments and procurement). This Code outlines the approach for each of these areas and gives links to more detailed information, including: related policies, procedures, guidance documents, and point of contact for initial enquiries.

The University's Executive Board ("UEB") has an over-arching responsibility to Council to keep this Code under review. However, for each of the four areas, detailed ethical matters and processes, including the detailed consideration of ethical cases, rest with the University committees and sub-committees listed below:

Figure 1: Governance structure within this Code of Ethics



A member of the University's senior leadership is responsible for ethical issues in each of the four areas (as per Fig.1). Their responsibilities include:

- Management, implementation and communication of ethical policies and procedures;
- Ensuring due diligence is undertaken on ethical issues;
- Escalating ethical issues within the University through to the relevant committees (including UEB on particularly difficult issues);
- Ensuring appropriate training is undertaken on ethical issues; and
- Keeping the ethical policy and procedures in their area under review and bringing forward any changes for approval.

The University recognises that ethical queries can arise in a variety of circumstances. In most instances, ethical matters can be dealt with through one of the four areas. A contact is given later in the Code for each area, who can be approached for advice on how to deal with a particular issue.

It is the responsibility of all members of the University to act ethically. If in doubt about how to resolve an ethical dilemma, the following guidance for individuals on decision-making will help form the basis for good ethical behaviour.

Approved by Council
26th June 2013

The Code of Ethics in Practice

In addition to the processes outlined in this Code for ethical issues within the core activity areas, every member of the University is expected to act with integrity in their work. Good ethical conduct is not an isolated response to a specific problem but the process of making effective choices from day-to-day.

When dealing with a situation with ethical implications, you should consider the following questions and guidance:

Are you confident that your decision is the correct action?

- Could you happily justify your behaviour to your manager or a colleague or friend if asked?
- What would your actions look like if publicised in the media?
- What could go wrong as a result of your decision for you, your colleagues (staff and students), other stakeholders or the wider University?

Another perspective can often help to determine the way forward. So, if you are concerned, postpone any action until you have obtained further advice. Talk to your Line Manager and discuss the situation.

Is it your decision to make?
It is not feasible for an individual to be an expert in every single field of activity. Please check this Code of Ethics and the University's website to see if there is a specific policy or guidance that relates to your enquiry. It should not be assumed that there is no policy in place.

Where a policy does exist, please direct the enquiry to the appropriate contact specified in the policy document to take forward. If in doubt, please contact the University Officer highlighted in each core activity section in this Code as the first point of enquiry for ethical issues in that area.

Handling complex ethical questions
Individuals with complex ethical questions that cannot be addressed through the guidance and discussion with the relevant contacts should refer to their Line Manager or Supervisor in the first instance. If, due to the nature of the issue, it is still unclear what next steps should be taken then the Registrar's Office should be contacted to provide advice on the appropriate individuals to consult.

If having been through the processes and links to the relevant University documents in this Code, and consulted with the appropriate individuals, the ethical issue is not covered by the University's Legislation, policies or procedures then the Code of Practice on Public Interest Disclosure and Whistleblowing is available.

This University Code of Ethics will be available: on the University's website, to all new employees as part of the induction process, to all students and third parties upon request.

1 Teaching and Teaching Collaborations

The University Senate has a general responsibility to the University Council for regulating teaching, including examining and the award of University qualifications. In practice, detailed ethical aspects of teaching are delegated to other University committees, notably Senate sub-committees, such as the Collaborative Provision Committee. The senior member of University staff responsible for ethical matters in teaching and teaching collaborations is the Pro-Vice-Chancellor (Education).

1.1 Promoting equality

Birmingham is committed to an inclusive learning environment that enables students to reach their full potential, in accordance with the University's Legislation and its Equality Scheme 2011-2015. This accords with the duties under the Equality Act 2010 to treat students, staff and visitors to the University with dignity and respect, not to unlawfully discriminate as set out in the Equality Act, and to promote good campus relations and equal opportunities.

1.2 Fair admissions

Birmingham was England's first civic university where students were accepted on academic merit regardless of religion, race, gender or background. This is enshrined in the University Charter. The Senate has overall responsibility for ensuring fair access to the University and ethical issues relating to admissions are resolved through the Code of Practice on the Admission of Students, which includes a review process.

1.3 Academic quality and progression

The University is committed to excellent scholarship on the basis of academic integrity, honesty and respect for the intellectual activity of others. Our education is supported by the work of the Quality Assurance Committee and the Programme Approval Committee, which report to Senate. The ethical aspects of programmes are considered as part of the Programme approval process.

Students' academic progression is based on academic achievement. Student scholastic work is expected to demonstrate a level of independent thought and the provision of clear referencing to all sources consulted. The University reserves the right to use all legitimate means at its disposal to detect plagiarism wherever it arises and to take the appropriate action in response to the identification of any misconduct (please refer to the Code of Practice on Plagiarism for full details of this process). Guidance, in respect to plagiarism and other forms of academic misconduct, is available through Schools and the Academic Services website.

1.4 Student feedback and representation

The University's system for student representation and feedback encourage students to become responsible partners in their education, providing them with opportunities for active involvement in, and ownership of, their learning. Elected Student Representatives from all subject areas, undergraduate and postgraduate, are given responsibility for reporting on student issues within their subject to University staff and to the Guild of Students. This allows ethical concerns regarding the subject or method of teaching to be raised at an early stage and at the appropriate level. The respective responsibilities and expectations are clarified in the Student Charter.

1.5 Teaching collaboration

The Collaborative Provision Committee carefully scrutinises and, where appropriate, approves academic collaborations with other universities and organisations which support the University's strategic aims and bring benefits to those involved, and are not discriminatory. Due diligence is explicitly carried out with regard to collaboration provision arrangements in order to ensure they are equivalent in quality and standards (student experience as well as academic content) to comparable awards delivered solely by the University, and are compatible with any Quality Assurance Agency (QAA) or other relevant benchmark standards. Ethical issues involving teaching collaborations are considered as part of this process.

For more details on Teaching and Teaching Collaboration, please see

- Academic Services Codes of Practice, Policies and Guidance
- Code of Practice on Admission of Students
- Equality Scheme 2011-2015.
- Code of Practice on Plagiarism
- Code of Practice for Research
- Code of Practice on Freedom of Speech on Campus
- Data Protection Policy
- General Conditions of Use of Computing and Network Facilities
- Student Charter
- Policy on Collaborative Provision
- Fairness and Diversity Policy
- Safeguarding Children and Young People Policy
- Anti-Bribery and Corruption Policy
- Information Security Policy

Please contact the Director of the Registry if there are any questions that cannot be addressed through the policies above.

2 Research, Knowledge Transfer (KT) and Consultancy

The University Research Committee maintains oversight of ethical issues in research, primarily through the Research Governance and Ethics Group (RGEG). In turn, RGEG coordinates and receives reports from specialist subject Ethical Review Committees, BERSC (which covers animal research), the Clinical Trials Oversight Committee, and the Human Tissue Act Coordination Group: bodies which undertaken detailed consideration of ethical cases relating to aspects of research.

'Knowledge Transfer' occurs in many forms throughout the University and University ethical matters in this field are overseen by the Knowledge Transfer and Business Engagement (KT&BE) Committee. Ethical activities relating to development and commercialisation of intellectual property, personal academic consultancy and spin out companies are channelled through the University's wholly owned subsidiary company, Alta Innovations Limited. Alta Innovations Limited's ethical policies and processes are aligned to the University's Legislation.

The senior member of University staff responsible for ethical matters in research, KT and consultancy is the Pro-Vice-Chancellor (Research and Knowledge Transfer), who chairs the Research Committee, Knowledge Transfer and Business Engagement Committee, and also attends the Alta Innovations Board.

2.1 Academic freedom

Academic Freedom is an important consideration in ethical matters relating to research. The institutional commitment to academic freedom is enshrined in the University legislation: "*To ensure that members of Academic Staff have freedom within the law to question and test received wisdom, and to put forward new ideas and controversial or unpopular opinions, without placing themselves in jeopardy of losing their job or privileges.*"

2.2 Original, significant and rigorous research

The conduct of research is covered by the University's Code of Practice for Research. Staff must be honest, accountable and lawful in respect of their own research as well as that of their students and others working with them on research. Responsible ethical conduct is expected in all aspects of research including applying for funding, experimental design, generating and analysing data, using equipment and facilities, publishing results, and acknowledging the direct and indirect contribution of colleagues, collaborators and others.

All research is required to undergo the appropriate research ethics review process. For staff and postgraduate students, this process is managed by the relevant specialist subject Ethical Review committees reporting into RGEG. This approach promotes best research practice, takes account of subject-specific issues, and secures the interests and welfare of research participants, researchers and other stakeholders.

Where research falls within specific regulatory and legislative frameworks (e.g. the Department of Health Research Governance Framework, the Human Tissue Act 2004, the Medicines for Human Use (Clinical Trials) Regulations 2005, or the Animals (Scientific Procedures) Act 1986), staff and students are required to comply with the relevant regulatory requirements and the University's specific ethical processes managed by specialist committees which report into RGEG. Staff and students affected by these requirements should contact the Research Governance and Ethics Team for support in the first instance.

2.3 Legal and financial protection

Staff must ensure that all externally funded research and KT activities are administered through the correct University channels, and locally based College Research Support Offices are positioned to guide and support academic colleagues through these procedures. This critical step ensures that all externally funded activity is safely established with the relevant legal and financial protection for all parties.

The central Research Support Group (including Contracts, Research Finance, and Research Governance and Ethics teams) is responsible for approving all financial and contractual agreements relating to University research and knowledge transfer activities as appropriate. Alta Innovations Ltd supports personal consultancy, IP licensing and spin out activities.

2.4 Personal consultancy and outside activities

Academic staff wishing to engage in outside activities (e.g. personal consultancy) must first obtain authority to do so from their Head of School and provide such information as required to enable a decision on this matter to be made. The details of this process are set out in the University's Outside Activities Policy.

Individuals are expected to consider their integrity and accountability as an employee of the institution before submitting requests to undertake private work. Particular note will be taken of the University's Protocols on Conflicts of Interest.

For more information relating to Research and Knowledge Transfer, please see the following related documents:

- Code of Practice for Research
- Outside Activities Policy
- Research Ethics Review process
- Research Ethics Resources
- Use of Animals in Research Policy
- Use of University Assets for Non-Charitable Purposes
- Alta Innovations Ethical Review Process & Guidelines
- Data Protection Policy
- Environment Policy
- Information Security Policy
- General Conditions of Use of Computing and Network Facilities
- Code of Practice for Staff on Plagiarism
- Safeguarding Children and Young People Policy
- Protocols on Conflicts of Interest
- Code of Practice on Freedom of Speech on Campus
- Standard Operating Procedure for Clinical Trial Management

Please contact the Research Governance and Ethics Manager if there are any questions that cannot be addressed through the policies above.

3 Fundraising and Gifts

The University Executive Board (UEB) has oversight of fundraising and gifts and very difficult ethical cases in this area can be escalated to Council. The senior member of University staff responsible for ethical matters in fundraising and gifts is the Director of Development, Alumni and Business Engagement.

3.1 All gifts to the University of Birmingham should be directed and processed by the Development, Alumni and Business Engagement team

All potential donors and donations — regardless of the potential gift amount — should be discussed with the Director of Development, Alumni and Business Engagement or their nominee at the earliest possible stage and before any donation is accepted.

Due diligence will be undertaken in respect of all single gifts greater than £99,999 and/or where the total value of donations amounts to more than £500,000. Potential reputational risks that result from negative public perception will be considered.

3.2 All donations will be used to support the educational mission of the University

The University of Birmingham is an 'exempt' educational charity (essentially this means exempt from registration with the Charity Commission), whose principal charity regulator is the Higher Education Funding Council for England (HEFCE). The University is required to comply with general charitable law, and to act within its objects for the advancement of education (which includes matters such as research, knowledge advancement and dissemination, and scholarships).

3.3 Transparent and responsible fundraising

The Donor Charter & Ethical Guidelines for Fundraising are publically available on the University website. This policy ensures that all gifts are in accordance with the University's mission and standards.

Every effort will be made to respond to donor's requests in terms of the mode, frequency and availability of information from the University. Any donor records maintained by the University are kept confidential to the greatest extent possible. Donors have the right to see their own donor record, and to challenge its accuracy. The University will not sell either its donor or alumni lists.

3.4 Management of the gift

Donors accept that the management, and governance of programme and/or activities funded through philanthropy, rests solely with the University.

For more details on Fundraising and Gifts, please see the following related documents:

- Donor Charter & Ethical Guidelines for Fundraising
- Key Charitable Information on the University of Birmingham
- Register of Gifts and Hospitality
- Protocols on Conflicts of Interest
- Anti-Bribery and Corruption Policy
- Use of University Assets for Non-Charitable Purposes
- Data Protection Policy
- Information Security Policy

Please contact the Development, Alumni and Business Engagement team's Head of Data and Business Intelligence if there are any questions that cannot be addressed through the policies above.

4 Finance: Investments and Procurement

General oversight of ethical issues in University finance is the responsibility of the Strategy, Planning and Resources Committee of Council. It is supported by an Investment Sub-Committee, which is responsible for detailed matters of investment and considers the ethical implications of such choices. The senior member of University staff responsible for ethical issues in finance is the Director of Finance.

The University of Birmingham uses our funds in alignment with our charitable status and ethical principles.

4.1 Honest and transparent business operations

It is University policy that all staff, students and agents working on behalf of the University conduct business without the use of corrupt practices or acts of bribery to obtain an unfair advantage.

All staff, members of Council and University committees are required to recognise and declare activities or circumstances that might give rise to conflicts of interest or the perception of conflicts as it first arises (these declarations are retained on the University's Register of Interests), and to ensure that such conflicts are seen to be properly managed. Discussions should be held with the individual's Line Manager or Supervisor where questions exist.

It is an offence under the Bribery Act 2010 for members of staff, student or University committees to accept, offer or give corruptly any gift or consideration (including hospitality) as an inducement or reward. Giving or receiving gifts, entertainment or hospitality in matters connected with University business is acceptable provided they fall within reasonable bounds of value and occurrence and are registered in accordance with the Gifts and Hospitality Policy. All members of the University community must risk assess the vulnerability of their activities to accusations of bribery and corruption, particularly overseas activities, on a continuous basis. Concerns should be raised in accordance with the University's Anti-Bribery and Corruption Policy.

4.2 Socially Responsible Investment.

The University's Investment Sub-Committee reviews the institutional financial investment policy and underlying strategy on an annual basis and takes ethical considerations into account in making investment decisions.

As an educational charity, the University must be mindful of securing the effective use of its funds to ensure its financial sustainability. The University's investment policy excludes direct investment by/in the tobacco industry.

4.3 Procurement

Expenditure of University funds must be administered with the highest levels of probity and transparency with all parties responsible for securing the best value for money in purchases. To our best endeavours, the University ensures that our chosen suppliers also abide by standards of ethical conduct that satisfy our requirements and are in line with our Sustainable Procurement Policy.

The Procurement Office undertakes due diligence, which includes consideration of reputational and ethical considerations as part of the contracting process, raising issues with the Director of Finance as necessary.

For more details on Finance: Investments and Procurement, please see the following related documents:

- Manual of Financial Rules
- Sustainable Procurement Policy
- Code of Practice on Corporate Governance
- Anti-Bribery and Corruption Policy
- Gifts and Hospitality Policy, including the Register of Gifts
- Guidance on use of University assets for non-charitable purposes
- Alta Innovations due diligence on investors/associates processes

Please contact the Deputy Director of Finance (Accounting Division) if there are any questions that cannot be addressed through the policies above.