

MH guidance on completing the MACH Research Collaboration Agreement

General notes:

1. This document should be read in conjunction with associated Policy and requirements including:
 - [MH Research Policy MH18](#)
 - [MH Intellectual Property Policy MH 12](#)
 - [MH Research Integrity Guideline](#)
 - [MH Agreements, Ownership and Intellectual Property Guideline](#)
2. Draft agreements must be submitted to the Office for Research for review.
3. Agreements must not conflict with other proposed or existing agreements.
4. Draft agreements must be approved by collaborating Parties before signing can begin.
5. Signing of agreements at MH is managed by the Office for Research and must be in accordance with the delegation manual.

Note: Investigators and Heads of Departments at Melbourne Health are not authorised to sign agreements.
6. When sending scans of the agreements between the Parties to the agreement the entire agreement (all pages, annexures and other attachments) must be in contained in one document.

Front page and page 2 under "Parties"	Party 1 information: Should be the party (organisation) that instigated the research study.	
Front page and page 2 under "Parties"	Party 2 information: Should be the collaborator.	
Add additional parties as required	<p>If there are only two Parties to the agreement, highlight and delete the "Add additional parties as required" instruction including deleting a line above and below the text (deleting only the yellow highlighted text will not work).</p> <p>If there are more than two Parties involved in the research study AND MH instigated the research, then you have the option to add the other Parties to the same agreement OR enter into separate agreements with each collaborator:</p> <ol style="list-style-type: none"> 1. Add the other Parties to the same agreement: by <ul style="list-style-type: none"> • Front page: Highlight and delete the "Add additional parties as required" instruction. • Second Page: Highlight, copy and paste [PARTY 2] / (ABN INSERT) and insert details for each additional Party • Schedule Items 4, 5 and 6: Add information for additional Parties • Signature panel: Add information for additional Parties 2. Enter into separate agreements with each collaborator <ul style="list-style-type: none"> • Highlight and delete the "Add additional parties as required" instruction. • Complete a draft agreement for each collaborating Party. • Ensure that all agreements are consistent and none of the terms and conditions in any of the agreements are in conflict with the other documents. If there is conflict MH may be in breach of once agreement to comply with another – this is not acceptable. 	
MH legal entity details	Legal entity for RMH, VIDRL & NWMH:	Melbourne Health
	ABN:	73 802 706 972
	Address:	300 Grattan Street, Parkville, VIC 3050

Schedule		
Item 1	Project	Project Reference No. (HREC No: ... [insert] Project Title: [insert] Project Description: [insert] [insert brief description of the project or collaboration – if a long form project description or protocol exists, please annex that description or protocol and insert “As annexed” here]
Item 2	Commencement Date	Date..... OR Date when this Schedule is fully executed [date will usually be the date of commencement of the Project or the day it is executed. Delete which does not apply]
Item 3	Termination Date	Date..... OR Completion of the Project. Conditions for completing the Project: [insert details, eg. When final report is delivered, when final payment is made, etc.] and otherwise in accordance with the Project protocol as annexed.
Item 4	Background Intellectual Property (clause 1.1)	Party 1: Party 2: [OPTIONAL: Insert details of each Party’s BIP here – use this to assist in tracking what IP is pre-existing]

Insert the MH project number and ethics number i.e. the ERM project number.

Insert the full project title listed on the application.

Select “Date when this Schedule is fully executed” as:

1. Agreements often take some time to be reviewed/agreed on by all Parties involved and the date entered may no longer be valid.
2. The project may already have started, i.e. if the agreement is part of an amendment, that’s OK. This date is the start of the agreement.
3. Our legal team advise not to predate the commencement date to the signing date.

It’s generally better to select “Completion of the project” than enter a date. That way you won’t need to amend the agreement termination date if it runs overtime or receives a grant extension etc.

When “Completion of the project” is selected enter events which end the project i.e. “When final report is submitted to the reviewing HREC and RGO” etc.

DO NOT WRITE “N/A” or “Nil” as advice from our Business Intelligence Unit is that inserting these will put the schedule in conflict with the clauses in the main body of the agreement. Either:

1. Leave this section BLANK; or
2. Insert our Business Intelligence Unit suggested wording “For the purpose of this Agreement the definition of Background Intellectual Property in clause 1.1 suffices and no further information is required in this Schedule”.

This wording has been accepted by previous collaborators including MACH partners.

MELBOURNE HEALTH

OFFICE FOR RESEARCH

<p>Item 5 v</p>	<p>Authorised Representatives (<i>clause 1.1</i>Error! Reference source not found.)</p>	<p>[PARTY 1] <i>[name]</i> <i>[position]</i> <i>[faculty]</i> <i>[address]</i> Telephone: <i>[insert]</i> Email: <i>[insert]</i> Facsimile: <i>[insert]</i> (<i>[Party's name]</i> <i>[principal investigator / relevant officer]</i> may sign)</p> <p>[PARTY 2] <i>[name]</i> <i>[position]</i> <i>[faculty]</i> <i>[address]</i> Telephone: <i>[insert]</i> Email: <i>[insert]</i> Facsimile: <i>[insert]</i> (<i>[Party's name]</i> <i>[principal investigator / relevant officer]</i> may sign)</p>
<p>Item 6</p>	<p>Resources / in-kind contributions supplied by Parties including:</p> <ul style="list-style-type: none"> any required personnel and their FTE commitment, if appropriate; and any Background Materials and any stipulated conditions of use <p>(<i>clauses 1.1 4.2</i>)</p>	<p>[PARTY 1]: <i>[Insert details]</i></p> <p>[PARTY 2]: <i>[Insert details]</i> and otherwise in accordance with the Project protocol as annexed. <i>[If a Party is making available Background Materials which that Party has received under a head material transfer / supply agreement, please obtain legal advice about how this should be dealt with in this Research Collaboration Agreement]</i></p>
<p>Item 7</p>	<p>Limit of time a Party may consider request to publish Project IP (<i>clause 8.5</i>Error! Reference source not found.)</p>	<p>30 days unless otherwise stated here: days</p>
<p>Item 8</p>	<p>Reports / Deliverables Frequency of Meetings (<i>clause 5</i>)</p>	<p><i>[Insert times and nature of reports and deliverables, and which Party is responsible for preparation / delivery in each instance]</i></p> <p><i>[Insert desired timing of meetings]</i> and otherwise in accordance with the Research Project protocol as annexed.</p>

Insert Parties in the order they are listed on the front page.
 MH uses this section to identify the person in the organisation who is responsible for managing research agreements NOT the PI.
For MH insert the below text:
 Name: Director Research Governance and Ethics
 Faculty: Office for Research
 Address: Melbourne Health 300 Grattan Street Parkville VIC 3050
 Telephone: 03 9342 8530
 Email: research@mh.org.au

Clearly state roles of each organisation.
 Do not list financial contributions in this section.
 Include elements such as:

- Provision of data (include format i.e. non-identifiable, coded etc.)
- Identification of possible participants to be approached
-

30 days is the standard timeframe for this so do not changes unless there is a specific reason and the reason is provided here.

For collaborative research it would be expected that there would be at least some meetings. Be flexible in the frequency of meetings.
 State when reports/milestones should occur (allow some flexibility where appropriate).
 State which organisation will submit the annual progress reports to the reviewing HREC.
 State that collaborator will provide information required to prepare the annual progress report on request and in a timely manner to the organisation that will submit the annual progress reports to the reviewing.

MELBOURNE HEALTH

OFFICE FOR RESEARCH

<p>Item 9</p>	<p>Funding / cash contributions</p>	<p><i>[Insert details of what cash contributions each Party is making, if any, and the payment dates / trigger events] (excl. GST)</i> <i>[If a Party is making funds available which that Party has received under a head funding agreement, please obtain legal advice about how this should be dealt with in this Project Agreement]</i></p>	<p>ONLY insert details of funding that will be transferred between the Parties named in this agreement. If NO funds will be transferred between the Parties named in this agreement (even if one Party has funding to be used internally at that organisation) leave this section blank.</p>
<p>Item 10</p>	<p>Special Conditions</p>	<p><i>[Insert as applicable]</i></p>	<p>Leave blank or enter any conditions for consideration.</p> <ol style="list-style-type: none"> If data will be transferred between the parties: <ul style="list-style-type: none"> Describe how this will be done (electronic, paper, identifiable, coded etc, encrypted if required.) Use of REDCap (if applicable) i.e. which instance (organisational server), who has access, level of access etc. For research students who complete a thesis the following wording can be added: "The student will own the copyright to their thesis."

Signature Panel

<p>Signature Panel Ensure the MH details entered are: Melbourne Health (ABN 73 802 706 972)</p>	<p>Draft agreements must be approved by all collaborating Parties before signing can begin. Usually the Party who owns the protocol signs last. MH can accept wet ink signatures or scans of wet ink signatures but not cut and paste pdf signatures on the document. Note: when sending scans of the agreement the entire agreement (all pages, annexures and other attachments) must be in contained in one document. MH signature <ul style="list-style-type: none"> The MH sign-off of agreements is managed by the Office for Research and must be in accordance with the delegation manual. Investigators and Heads of Departments at Melbourne Health are not authorised to sign agreements. Collaborator signature <ul style="list-style-type: none"> It is the responsibility of the collaborating organisation to obtain the signature of their appropriately delegated person, MH cannot advise who this is. </p>
---	--

Annexure A to the Research Collaboration Agreement

<p>As per Schedule Item 1 "Project"</p>	<p>Attach the study protocol OR Insert "As described in the HREC approved protocol and associated documentation for project _____ and any subsequently approved amendments."</p>
---	--