

THE GLASGOW SCHOOL OF ART

COLLABORATIVE PROVISION: DUE DILIGENCE

POLICY DETAILS:

Date of approval	March 2014
Approving body	Academic Council
Supersedes	
Date of EIA	
Date of next review	<i>See departmental schedule</i>
Author	Policy and Governance
Responsible Executive Group area	Policy and Governance
Related policies and documents	<ul style="list-style-type: none">• Collaborative Provision Policy• Collaborative Provision: The Student and Staff Experience• Collaborative Provision: Risk Assessment• Collaborative Provision: Formal Agreements• Collaborative Provision: Monitoring and Review• Collaborative Provision: International Articulation• Collaborative Provision: UK Articulation• Collaborative Provision: Policy on Student Exchange Arrangements• Collaborative Provision: Guidance on Conflicts of Interest• Collaborative Provision: Anti-Bribery and Corruption Policy
Benchmarking	UK Quality Code for Higher Education University of Glasgow

DUE DILIGENCE

In advancing proposals for entering into collaborative provision with others, GSA requires that due diligence is undertaken. The due diligence exercise ensures the appropriate checks have been carried out and evaluates the information that is required so that GSA can enter into a legally binding agreement. Due diligence is managed by the proposing School, who is also responsible for reviewing due diligence issues on a periodic basis.

The initial business plan for the collaboration is submitted to the Executive Group for approval. As soon as GSA Executive has approved the business case, a risk assessment is undertaken and the Executive will instruct that the proposal is subject to a due diligence exercise.

The risk assessment, together with the nature of the proposed arrangement, will inform the extent of what due diligence is necessary. However, it may be that the risk assessment and due diligence exercise run in parallel given the nature of the information gathering procedure. Due diligence is undertaken at this stage as it may inform the nature of the negotiations that are ongoing with the partner institution.

Due diligence is undertaken for all arrangements and covers four main areas: financial, legal, academic and strategic. More thorough investigations and detailed checks are required for overseas partnerships and arrangements with partners who are not Higher Education Institutions in the UK rated "confidence" by the QAA.

Advice is available on all aspects of the policy by contacting Policy and Governance, Finance, Human Resources, Marketing and Communications and Student Support, as appropriate. Initial enquiries should be directed to Policy and Governance.

1. Financial

1.1 GSA requires assurance on the financial viability of the partnership. The proposal will reference the risks identified in the financial risk assessment as a basis for undertaking due diligence checks.

1.2 A proposal will provide evidence relating to:

- the financial risk assessment
- the partner institution's audited accounts for the last three to five financial years
- the partner institution's directors'/governors' reports for the last three to five financial years
- a review of other major financial commitments of the partner (as appropriate)

2. Legal

2.1 GSA requires assurance that the proposal will comply with legislative requirements and regulatory frameworks. To this extent, the proposal will undertake legal due diligence so that there is compliance with national and international legal requirements.

2.2 A proposal will provide evidential information on:

- the legal risk assessment
- the legal and regulatory framework of the partner (particularly in overseas partnerships and including any required in-country governmental approval)
- the accredited and legal status of the partner institution, including its ability to enter into legally binding agreements

3. Academic

3.1 GSA requires assurance that the proposal will not compromise GSA's reputation. To this extent, the due diligence measures will examine how academic standards will be maintained during the proposed arrangement.

3.2 A proposal will provide checks on:

- the academic risks identified in the risk assessment
- the proposed partner institution's reputation and academic standing
- the partner's shared understanding and vision of the arrangement
- the partner's structure and governance arrangements
- the ability to deliver learning, teaching and support
- the ability to maintain academic standards and quality assurance
- the recognition of qualifications for academic progression and further employment
- the partner's understanding of the ethos, culture and standards of UK higher education (as applicable)
- the political, ethical and cultural context of the partnership country (as applicable)

4. Strategic

4.1 GSA requires to be satisfied that the proposal will be consistent with its current strategic priorities and international strategic vision. The proposal must assess whether it is appropriate to proceed with the partnership given GSA's existing collaborative arrangements and commitments.

4.2 A proposal will make due diligence enquiries on:

- the compatibility of the proposed arrangement with GSA's strategic priorities
- the support for the proposal at School and institutional level
- the interaction with other programmes and possible developments for the future
- proposals not conflicting with HR recruitment targets and policies
- proposals not compromising GSA services
- the compatibility of the policies and procedures of the proposed partner institution with GSA's, eg
 - equality and diversity
 - data protection

- freedom of information
- health & safety

4.3 The risk and due diligence exercises will be carefully considered by GSA Executive and satisfy Boards of Studies and Academic Council. Approval for the proposal may be confirmed and, thereafter, advanced. However, a decision may be taken that in light of the risk and due diligence exercises that it is more prudent for GSA not to commit to the arrangement than to enter into it. In that event, proposing Schools and GSA should be prepared to walk away from the proposal.