

MEMORANDUM OF UNDERSTANDING (MoU)

OPERATIONAL PROCEDURES

1. INTRODUCTION

A Memorandum of Understanding (MoU) is used to confirm the university's willingness to undertake a potential range/series of academic collaborative activity with another institution.

The following outlines the procedures to be adopted for the approval and monitoring of MoUs and applies to MoUs being initiated by the university or proposed by another institution.

2. INITIAL APPROVAL

- A MoU should only be developed when, following initial discussions, there is serious intent and potential to undertake a range of specific collaborative activity(ies).
- The case for developing a MoU should be made based on the following information (**see attached approval form**):
 - Brief information about the collaborating institution.
 - Details of how the contact was initiated.
 - Initial intentions behind the desire to develop a MoU.
 - Relevance to the university's overall strategic intentions.
 - Potential benefits to RGU.
 - An outline of initial planned actions.
 - Details of any agreed delivery timelines, where relevant.
 - An indication of the longer term prospects.
 - An assessment of the financial implications (positive and negative).
- The completed approval form is then submitted to the relevant Dean(s) of Faculty for their consideration and subject to approval forwarded to the Principal's office for consideration and formal approval.

3. MOU PREPARATION AND SIGNING

- Following approval by the Principal in cases where the proposal has been initiated by the university a specific MoU is developed based on a standard template (**see exemplar attached**)
- The MoU should:
 - Indicate the initial intent of the collaboration.
 - Permit further subsequent developments to be considered.

- Confirm and state explicitly that all ensuing activities arising from the MoU will be subject to formal contractual agreement prior to implementation.
- Specify an initial period of duration of the MoU.
- Include a termination mechanism/clause.
- In cases where another institution has provided a draft MoU for signing, subject to the initial approval being confirmed (see section 2) this should be checked, and where necessary modified, to comply with the guidance provided above.
- The Principal will be the signatory of all MoUs.
- The signed MoU will be held by the University Solicitor's office.
- Details of all signed MoUs will be held in a database maintained by the Secretary of the Academic Development Committee (ADC) and will be accessible on the University intranet.

4. ACTIVITIES ARISING FROM THE MOU

- Formal agreements will be drawn up in respect of all subsequent specific activity which is proposed to be undertaken following the formal completion of a MoU. These agreements/contracts will be drawn up in association with the Research and Enterprise Services (RES).

5. MONITORING

- ADC will be responsible for monitoring, on an annual basis, the activities undertaken under each approved MoU. This will in turn inform institutional decisions relating to renewal and/or termination of specific MoUs. If there has been no activity 12 months after implementing the MoU it is likely to be ceased.

**MEMORANDUM OF UNDERSTANDING (MoU)
INITIAL APPROVAL FORM**

A MoU should only be developed when, following initial discussions, there is serious intent and potential to undertake a series/range of specific academic collaborative activity with another institution.

A case for entering into a MoU should be made based on the following information:

PART A: TO BE COMPLETED BY INITIATOR - BACKGROUND DETAILS AND RATIONALE			
Name and Address of collaborating institution:			
Brief information about the collaborating institution:			
Details of how the contact was initiated:			
Initial intentions behind the desire to develop a MoU:			
Relevance to the university's overall strategic intentions:			
Potential benefits to RGU:			
An outline of the initial planned actions:			
Details of any agreed delivery timelines, where relevant:			
An indication of the longer term prospects:			
An assessment of the financial implications (positive and negative):			
Initiator's signature:		Date:	
Initiator's name (print):			

PART B: APPROVAL BY DEAN(S) OF FACULTY/AUTHORISED SIGNATORY			
REQUEST APPROVED <i>(please tick)</i>	<input type="checkbox"/>	<i>(Forward to the Principal's Office)</i>	
REQUEST REFUSED <i>(please tick)</i>	<input type="checkbox"/>	<i>(Return form to School/Department)</i>	
Dean's signature:			Date:
Dean's name (print):			

PART C: APPROVAL BY THE PRINCIPAL			
REQUEST APPROVED <i>(please tick)</i>	<input type="checkbox"/>	<i>(Forward to Project Officer for the University Solicitor)</i>	
REQUEST REFUSED <i>(please tick)</i>	<input type="checkbox"/>	<i>(Return form to Dean with brief explanation)</i>	
Principal's signature:			Date:

On full approval the Project Officer for the University Solicitor will confirm with the initiator that the approval form has been approved and will provide the initiator with a MoU template.



Memorandum of Understanding

between

Robert Gordon University (Scotland, UK)

A charity registered in Scotland under charity number SC013781, having its registered office at Garthdee, Aberdeen, AB10 7QB.

and

[Insert name of party – lower case, initial caps and bold]

[Insert full address, registered office and company/charity number – lower case not bold]

PURPOSE OF THE MEMORANDUM

This 'Memorandum of Understanding' has been drawn up following preliminary discussions held between the [Insert name of other party] and the Robert Gordon University. It reflects the wishes of both parties to collaborate in areas of mutual strategic interest.

Based on initial discussions between the parties, and subject to further in depth exploration, the initial key area(s) of collaboration between the two parties relates to [Insert brief detail].

In the medium term it is anticipated that the collaboration will extend to [insert brief details].

PRINCIPLES

Prior to implementation, all proposed collaborative activity which arises from this Memorandum of Understanding will be developed into a formal written agreement. Once an agreement is finalised it will be signed on behalf of each party by an authorised signatory. Both parties acknowledge that, until such an agreement is signed by their authorised signatory, all the discussions, understandings (including this Memorandum of Understanding) and agreements will not be legally binding.

Both parties agree to keep any discussions, including information and materials disclosed in the course of these discussions, confidential. They further agree not to disclose or use any information, knowledge or materials gained in the course of the discussions, at any time in the future unless it becomes publicly available from another source.

DURATION

This Memorandum of Understanding shall remain in force for an initial period of three (3) years following formal signing by all parties unless terminated in writing at an earlier date in terms with this Memorandum of Understanding.

TERMINATION

Either party may terminate this Memorandum of Understanding by giving to the other party(ies) no less than thirty (30) days prior written notice.

SIGNATORIES

Signed for and on behalf of:

ROBERT GORDON UNIVERSITY

[Insert name of Party – UPPERCASE]

Signature:

Signature:

Name:

Name:

Designation: Principal and Vice-Chancellor

Designation:

Date:

Date: