



Sheffield Hospitals
Charitable Trust
and related charities

Terms and Conditions for Grant Awards

Sheffield Hospitals Charitable Trust (SHCT) is an independent NHS charity which raises, manages and distributes funds to all the NHS organisations in Sheffield.

SHCT has a legal obligation to ensure that its grants are used for charitable purposes that have public benefit. We also have a moral obligation to ensure that money donated to the charity is used as effectively as possible.

These Terms and Conditions apply to all general grants over £5,000 made by the charity. Alternative administrative arrangements apply to the annual medical research funding round, study leave grants, and general grants under £5,000.

SHCT recognise that NHS staff have many demands on their time. We aim to make our terms and conditions simple and reasonable, whilst ensuring that minimum requirements are met.

If grants are spent effectively, this will help enhance both the reputation of SHCT and the NHS in Sheffield, encouraging further giving for the ultimate benefit of patients and staff.

Please read these terms and conditions carefully, and then sign and return the Grant Acceptance form. Please keep these terms and conditions for reference.

Terms and Conditions

1. General

- All funds held by Sheffield Hospital Charitable Trust (which includes ward and departmental charitable funds) and all grants and expenditure by the charity, must be used for charitable purposes. In general terms this means that all expenditure:
 - must further the objects of the charity
 - must be in the public benefit, and any private benefit must be incidental
- The **purpose**, **amount** and **duration** of the grant are set out in the offer letter and the Grant Acceptance form.
- The grant is given for the stated charitable **purpose** only. Unless otherwise specified, this will be for the project as detailed in the application for funding. The grant should be used solely for this project.
- The **amount** stated in the offer letter and Grant Acceptance form is a maximum figure for all costs incurred in connection with the project. There shall be no expectation that further funds will be provided to complete the project in the event of any shortfall.
- The **duration**, and anticipated start and completion dates for the project are stated on the Grant Acceptance form. SHCT recognises that it can take time for a project to be launched, for example if new staff have to be recruited. If there are likely to be significant delays to a project, or changes to the duration, SHCT should be informed promptly.
- The **lead contact** should be the individual with overall responsibility for the project which the grant is funding; in the case of research, this should be the Chief Investigator.
- Before the grant can be paid, the lead contact must sign and return the Grant Acceptance form, confirming acceptance of these terms and conditions.
- Any proposed changes to the lead contact, for whatever reason, must be communicated to SHCT immediately; SHCT reserves the right to review or withdraw a grant if a suitable replacement lead contact has not been identified.

2. Employment of staff

- Where funding relates to part or all of a salary cost, SHCT does not act as employer of the individual and will not be liable as such. The lead contact will be responsible for ensuring that all employment legislation is complied with. Your HR department should be able to advise on this.
- Where the grant is a contribution towards part or all of the cost of new staff, SHCT requires confirmation that the post has been filled, including the name of post holder, annual salary and start date, before any payment is made.

- SHCT will not normally be willing to consider requests for additional funds for salary purposes that are not identified in the original application. Any increments or other salary increases not identified in the original application will be the responsibility of the host NHS Trust.
- SHCT should be informed immediately if staff supported by charitable funds give notice, leave, or are redeployed.

3. Grants for research

- The lead contact must ensure that prior to the research commencing and throughout the research period, all the necessary legal and regulatory requirements in order to conduct the research are met and all the necessary licences and approvals have been obtained. Your Trust's Research department may be able to assist. SHCT does not accept any liability arising from research projects that it funds.
- The lead contact is responsible for ensuring that the whole project is conducted in accordance with the host NHS Trust's systems for the management, monitoring and control of research work, including the requirements of all regulatory authorities governing the use of investigational medicinal products and devices, radioactive isotopes, animals, pathogenic organisms, genetically manipulated organisms (GMOs), toxic and hazardous substances, and research on human subjects and human embryos, and the regulations set down under the Control of Substances Hazardous to Health (COSHH), Advisory Committee on Dangerous Pathogens (ACDP) and Advisory Committee on Genetic Manipulation (ACGM) guidelines, the Health and Safety at Work regulations and any other regulatory requirements as may apply from time to time.
- The lead contact is responsible for ensuring that the study is conducted in accordance with the Department of Health Research Governance Framework, including the Regulations relating to CTIMPS, the Mental Capacity Act and the Data Protection Act and any further legislation in future encompassed in the Framework.

4. Grants for capital

- Any equipment funded by a grant from SHCT will, immediately it is received, transfer to the ownership of the host NHS Trust. All responsibility for such equipment, including matters of security, maintenance, infection control, training and issues relating to Health and Safety will be vested in the NHS Trust who must ensure that the equipment is appropriately insured and maintained throughout its useful life.
- Any losses or claims relating to the equipment will be met by the recipient organisation and SHCT will accept no liability in this respect.
- For grants relating to building work, any significant variations to the start date, project costs or estimated completion date should be communicated promptly to SHCT.

5. Intellectual property

- The Charitable Trust as a charity is under obligation to ensure that the results of research that it funds in part or in whole are published 'for the public good'. The Charitable Trust also attaches importance to commercial exploitation and recognises that the specific nature of the opportunity for exploitation may only become apparent during the course of research.
- Ownership of the intellectual property arising from any work funded by the Charitable Trust will vest in the NHS Trust. The NHS has set up Innovation Hubs to advise NHS Trusts on whether or not the intellectual property has commercial potential and how best to take it forward. Medipex Ltd is the NHS Innovation Hub for the Yorkshire and Humber region.
- All results of research in relation to which the Charitable Trust has made a grant, must be considered for appropriate intellectual property protection and potential commercial exploitation by Medipex Ltd on behalf of the NHS Trust. Any publication of the research findings (including communications such as verbal statements, posters, abstracts and letters to specific journals) must be delayed until such consideration has been carried out. However, no unreasonable delay should be allowed to occur before information is placed in the public domain. A delay beyond 6 (six) months will be deemed unreasonable.
- The research and the results of the research may not be commercially exploited in any way without the prior written agreement of the Charitable Trust. Such agreement may be refused at the Charitable Trust's absolute discretion or granted subject to such conditions as the Charitable Trust may decide (and may well require prior agreement as to the sharing of the financial benefits arising from the exploitation). Decisions regarding exploitation will be made on a case by case basis.
- Where multiple funding sources are present or multiple inventors are involved, royalties and other income arising from the research should be shared in proportion to the investment made by funders, less any legal, patenting and associated costs incurred.

6. Payment of grants

- There is space on the Grant Acceptance form to indicate the likely schedule of payments. Please complete this to help us plan our cash flow requirements.
- Grant payment will be made as follows on production of authorised documentation in line with the Standing Financial Instructions and Scheme of Delegation of SHCT.
- Payment requests for grants covering capital items or medical research should usually be in the form of original invoices, claim forms, receipts or memoranda. These should be authorised with the signature of two Fund Advisers registered for the relevant fund, and forwarded to SHCT. SHCT will make the payment, normally within two weeks of receipt.

- Recharges of salaries of Trust employees funded from an SHCT grant will be charged to a designated control code. No further authorisation will be required. Recharges will continue until the accrual is exhausted, the agreed period of funding expires or notification is received that the recharge should cease (authorised with the signature of two Fund Advisers registered for the relevant fund).
- SHCT reserves the right to withdraw grants, in whole or in part, in the following circumstances:
 - (i) Where grants are not taken up within 2 years of the approval date. SHCT will require a report detailing the reasons and a request to renew the commitment for a further period, if applicable. SHCT reserves the right to cancel any grant approvals where an extension has not been sought.
 - (ii) Where projects are notified as completed. Any unspent balance of grant remaining will be cancelled.
 - (iii) Where a balance of grant has remained static for 2 years with no explanation from the lead contact. Any unspent balance of grant remaining will be cancelled
 - (iv) If the lead contact leaves the host Trust, or otherwise is not able to continue to act as the responsible individual for the grant, and a suitable replacement cannot be identified.

7. Grant evaluation

- In all cases where a grant has been agreed, SHCT will require a report from the lead contact within 12 months from the date of this approval and, if appropriate, annually thereafter. A final report should be submitted no later than three months after the completion of the project. A reminder will be sent to the lead contact at the relevant time.
- Failure to comply with these reporting requirements may affect payments under the current grant and future requests from the applicant.

8. Publicity

- It is a condition of the grant that recipients make reasonable efforts to ensure appropriate acknowledgement of SHCT support, and co-operate with SHCT in publicising the grant if requested.
- Subject to section 5 above, the lead contact must ensure that all useful knowledge acquired from research funded by the Charitable Trust is disseminated to the public and others able to utilise or benefit from it. Where the research is highly technical, restricted access through medical publications, universities, and other medical and educational establishments to persons who have a sufficient reason to study the material will be acceptable.
- In all cases, to avoid any possible confusion, the charity should be referred to as "Sheffield Hospitals Charitable Trust". In formal settings, the charity's registered number 1059043 should also be added. The charity can provide copies of its logo, in a variety of formats, on request.

- In general, the charity's support should be acknowledged on all materials produced in connection with the project, such as leaflets, posters, displays, job adverts, newsletters, reports and published articles. The regularity and prominence of the acknowledgement should be proportionate to the degree of support.
- Where a grant has supported physical or environmental improvements, the charity will contact the recipient to arrange the installation of a Sheffield Hospitals Charitable Trust plaque, if appropriate.
- SHCT should be invited to any launch or opening events, and our support acknowledged at such events. We will do our best to send a staff or Trustees representative, although this is not always possible.
- SHCT fundraising staff may also contact recipients for quotations or images to be used in internal and external publicity material, or press releases.
- SHCT is committed to following good practice in fundraising, and will act professionally and sensitively at all times when arranging publicity in connection with grants.

Sheffield Hospitals Charitable Trust

April 2009