

## HR arrangements for Researchers Not Substantively Employed by the Trust

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| <b>CATEGORY:</b>                                                                                                     | SOP                                                                                                                                                                                                             |
| <b>CLASSIFICATION:</b>                                                                                               | Governance                                                                                                                                                                                                      |
| <b>PURPOSE</b>                                                                                                       | This document is to describe process for handling HR arrangements for researchers, and provides a streamlined approach for confirming details of the pre-engagement checks they have undergone with the NHS/HSC |
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| <b>Review Date:</b>                                                                                                  | July 2023                                                                                                                                                                                                       |
| <b>Distribution:</b>                                                                                                 | All Research staff and Researchers not substantively employed by the Trust                                                                                                                                      |
| <ul style="list-style-type: none"> <li>• <b>Essential Reading for:</b></li> <li>• <b>Information for:</b></li> </ul> |                                                                                                                                                                                                                 |

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## 1. Procedure Statement

- 1.1 The purpose of this procedure and its associated documents is to ensure the Trust issues appropriate agreements for incoming researchers substantively employed by external entities including but not limited to Universities or other NHS bodies to gain access to Trust premises and conduct research appropriately.
- 1.2 The procedure will facilitate the delivery of research projects involving visiting members of staff whose sole reason to be on site is for research activity as defined by the UK Policy Framework for Health and Social Care Research.
- 1.3 This procedure supports but does not replace Trust policies and procedures which cover staff who hold honorary contracts for any other purpose apart from research. Where a member of staff has any non-research activity as part of their duties (including but not limited to routine clinical activities) those policies and procedures should be followed.

## 2. Scope

This procedure/ SOP applies to all areas and activities of the Trust and to all individuals employed by the Trust who will supervise/line manage staff who are substantively employed by other organisations.

This procedure pays due regard to the NIHR's HR Good Practice Resource Pack (<https://www.myresearchproject.org.uk/help/hlphrgoodpractice.aspx#HR-Good-Practice-Resource-Pack>) and is intended to be read in conjunction with that resource.

## 3. Definitions Table

| Term                               | Definition                                                                                                                                                                                                                                                                                                                                                                     |
|------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| UK Local Information Pack' (UKLIP) | The UK Local Information Pack is submitted to NHS Bodies in England and Wales and is made up of: <ul style="list-style-type: none"><li>• A covering email using standard template format.</li><li>• Localised Organisation Information Document</li><li>• UK Statement of Events/Schedule of Events</li><li>• Delegation Log</li><li>• Relevant Supporting Documents</li></ul> |
| Incoming Staff                     | Any externally employed individual who seeks access to UHB premises to conduct research activity as their sole duty in the Trust.                                                                                                                                                                                                                                              |
| Research Passport                  | The Research Passport forms part of the HR Good Practice Resource Pack which contains information and documentation to support the process for handling HR arrangements for researchers, and provides a streamlined approach for confirming details of the pre-engagement checks they have undergone with the NHS/HSC.                                                         |

## 4. Framework

## 4.1 Identification of activities

4.1.1 The incoming staff member should liaise with the Project Investigator and research study team(s) at site to identify a supervisor, usually the Senior Research Nurse for the primary specialty they will be conducting research within.

4.1.2 The supervisor should discuss activities with the incoming staff member and identify what will be conducted at site. Activities should be described as one or more of the following:

- Researcher is a health care professional<sup>1</sup> providing health care<sup>2</sup> to an adult and/or child
- Researcher provides health care to an adult and/or child under the direction or supervision of a health care professional
- Researcher provides personal care to an adult or child Or Researcher is a social care worker providing social work which is required in connection with any health care or social services to an adults who is a client or potential client
- Researcher undertakes the following activities unsupervised: teach, train, instruct, care for or supervise children, or provide advice/guidance on well-being, or drive a vehicle only for children; with likely direct bearing on the quality of care<sup>3</sup>.
- Researcher has opportunity for any form of contact with children in the same Children's Hospital (formerly a specified place) but is not providing healthcare or other types of regulated activity and has no direct bearing on the quality of care.
- Researcher has access to persons in receipt of healthcare services in the course of their normal duties but is not providing health care or other types of regulated activity and has no direct bearing on the quality of care ('Access' relates to where individuals will have physical, direct contact with patients e.g. observation, qualitative interviews, focus groups).
- Researcher has indirect contact with patients or service users but is not providing healthcare or other types of regulated activity and has no direct bearing on the quality of care (e.g some types of telephone interview).
- Researcher requires access to identifiable patient data derived from health records, tissues or organs with a likely direct bearing on the quality of care
- Researcher requires access to identifiable patient data derived from health records, tissues or organs with no direct bearing on the quality of care
- Researcher requires access to anonymised patient data derived from health records, tissues or organs only (including by research staff analysing data)
- Researcher is working on NHS premises (e.g. laboratory) only (no access to identifiable data)
- Researcher requires direct contact with staff only but no access to patients (e.g. staff interviews)
- Researcher requires access to identifiable staff data only

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<sup>1</sup> "Health care professional" means a person who is a member of a profession regulated by a body mentioned in section 25(3) of the National Health Service Reform and Health Care Professions Act 2002.

<sup>2</sup> "Health care" includes all forms of health care provided for individuals, whether relating to physical or mental health and also includes palliative care and procedures that are similar to forms of medical or surgical care but are not provided in connection with a medical condition.

<sup>3</sup> A "direct bearing on the quality of care" suggests that the actions of researchers could foreseeably directly affect the type, quality or extent of prevention, diagnosis or treatment of illness or foreseeably cause injury or loss to an individual to whom the organisation has a duty of care.

- Researcher requires access to anonymised staff data only
- 4.1.3 Further description of specific activities delegated to incoming staff should be documented in a delegation log and retained in the Investigators Site File.
- 4.1.4 If the incoming staff is employed by or has Honorary Clinical NHS Contract with another NHS Body then follow 4.2.
- 4.1.5 If the incoming staff is employed by a University or is a student of higher education NOT on a formal healthcare placement at UHB then follow 4.3.

#### 4.2 Issuing NHS to NHS letter of access

4.2.1 NHS researchers (not employed by or holding honorary clinical contracts with UHB) email [R&D@uhb.nhs.uk](mailto:R&D@uhb.nhs.uk) with:

- A copy of their CV
- A signed NHS to NHS: proforma confirmation of pre-engagement checks<sup>4</sup>

4.2.2 The Research Governance Manager reviews the project and the submitted documents. If valid then the Research Governance Manager populates and sends a copy of the NHS to NHS Letter of Access to the researcher, the supervisor, the contact on the proforma and the Principal Investigator(s) at UHB.

4.2.3 Where there is doubt with regard to the substantive employer's compliance with the recommendations of the HR Good Practice Resource Pack the Research Governance Manager will also issue the Template Letter of Agreement between NHS Organisations.

4.2.4 The Research Governance Manager records the member of staff on Edge and ensuring the person attribute set is accurate.

4.2.5 The UHB Supervisor initiates the Training requirements for Research Personnel SOP (RDSOP-27).

#### 4.3 Research Passport System

4.3.1 The incoming staff submits the research passport form and original copies of CV, CRB disclosure certificate and evidence of OH clearance as necessary to [R&D@uhb.nhs.uk](mailto:R&D@uhb.nhs.uk) with the subject "Research Passport".

4.3.2 The Research Governance Manager assesses RP form and supporting documents. If not yet validated the Research Governance Manager validates the Research Passport.

4.3.3 The Research Governance Manager identifies if new or additional checks are required and notifies the incoming staff member if additional evidence is necessary.

4.3.4 Once all necessary checks are completed the Research Governance Manager issues Honorary Research Contract or Letter of Access (LoA) as appropriate.

4.3.5 The Research Governance Manager records the member of staff on Edge and

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<sup>4</sup> <https://www.myresearchproject.org.uk/help/help%20documents/NHS-to-NHS-confirmation-of-pre-engagement-checks.doc>

ensuring the person attribute set is accurate.

4.3.6 The Research Governance Manager sends a copy of the HRC/LoA to the incoming staff, their HR contact, UHB Supervisor and the Principal Investigator(s) at UHB.

4.3.7 The UHB Supervisor initiates the [R&D Induction SOP].

#### 4.4 Withdrawing Honorary Research Contracts or Letters of Access

All Honorary Research Contracts and Letters of Access will be time limited. At which point UHB supervisor should follow the relevant aspects of the Trusts Exit Procedure.

### 5. **Oversight**

5.1.1 The information obtained from this procedure will be file in RD&I staff folders and input into Edge.

5.1.2 Information on staff incoming will be kept for 5 years and then destroyed.

5.1.3 The information gathered will assist in supervision and management of incoming staff. Supervisors should regularly, minimum of quarterly, review their records of incoming staff and the portfolio of research they support.

5.1.4 Annual reports will be produced from data gathered, providing breakdowns of incoming staff to named supervisors. This information will be reported as part of the RD&I workforce report.

5.1.5 This procedure will be monitored through RD&I audits of staff training. Where any areas of concern are identified there will be an investigation and corrective and preventative actions developed in response to these issues.

### 6. **Implementation**

This procedure will be communicated to all existing staff operating under research

### 7. **References**

<https://www.myresearchproject.org.uk/help/hlphrgoodpractice.aspx>

### 8. **Associated Policy and Procedural Documentation**

Template Honorary Research Contract and Letter for University Researchers

Template Letter of Access for University Researchers

Template NHS to NHS Letter of Access

Template Letter of Agreement between NHS Organisations

Standard Operating Procedure for Training requirements for Research Personnel

Exit Procedure: Controlled Document Number 623.

