



The MPS Foundation Grant Recipient Code of Conduct

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1 Introduction

The MPS Foundation is part of the Medical Protection Society which is a not-for-profit mutual organisation owned by its members. Our behaviours reflect on our members and we therefore strive to act in ways that our members will approve.

The MPS Foundation is committed to carrying out its business in a fair, open and honest manner and wants to be an attractive Grants partner establishing reliable and fair relations with its Grant Recipients for the mutual benefit of The MPS Foundation and its Grant Recipients. The MPS Foundation expects its Grant Recipients to undertake their research to the highest standards of honesty, openness, integrity, inclusion, safety and accountability.

2 Purpose of the Code

The MPS Foundation Grant Recipient Ethical Code of Conduct (“Code”) illustrates the values according to which MPS and The MPS Foundation operates globally. The MPS Foundation expects its Grant Recipients to conform to the requirements of the Code in their dealings with The MPS Foundation, their own employees, associates and suppliers, as well as third parties including government officials and others.

3 Reciprocity with contracts

Unless explicitly referenced, nothing in this Code is intended to be incorporated into, to vary or to supplement contractual terms that have been separately agreed by The MPS Foundation and its Grant Recipients. The Code sets out The MPS Foundation’s high-level expectations for the minimum standards of Grant Recipient conduct and should be regarded as a framework in which Grant Recipients must endeavour to operate, above and beyond specific contractual provisions.

4 Legal Compliance

The Code is not a substitute for, nor should it be considered to override, applicable laws and regulations but sets the minimum standards of behaviour that is expected to be followed. To the extent the Grant Recipient is unable to comply with the Code due to laws and regulations, the Grant Recipient shall, to the extent reasonably possible, adhere to the spirit of the Code. If local customs or practices are in contradiction with the Code, the Grant Recipient shall inform The MPS Foundation and again comply with spirit of the Code.

5. Research Integrity

5.1 Introduction

Research Integrity is central to the work of The MPS Foundation. The MPS Foundation expects all Grant Recipients and those working on Grant Projects to comply with the ‘Concordat to Support Research Integrity’¹ which in itself draws on the ‘Montreal Statement on Research Integrity in Cross-Boundary Research’ 2013 and ‘Singapore Statement on Research Integrity (2010).

¹ [Updated FINAL-the-concordat-to-support-research-integrity.pdf \(universitiesuk.ac.uk\)](#); Universities UK, October 2019

5.2 Research Principles

Grant Recipients and those working on Research Projects funded by The MPS Foundation shall agree to:

1. uphold the highest standards of rigour and integrity in all aspects of research
2. ensure that research is conducted according to appropriate ethical, legal and professional frameworks, obligations and standards
3. support a research environment that is underpinned by a culture of integrity and based on good governance, best practice, and support for the development of researchers
4. use transparent, timely, robust and fair processes to handle allegations of research misconduct when they arise
5. work together to strengthen the integrity of research

5.3 Research Integrity

We expect Grant Recipients and those working on projects to demonstrate integrity throughout the process from the submission of their application and proposals to completion of the research and the publication of findings.

The MPS Foundation requires all Grant Recipients and those working on projects to:

- Demonstrate honesty at all times – This is expected at all stages of the process and includes acknowledging the work of all those involved in the project and the work of other researchers that the project draws upon. Grant Recipients are expected to be honest in their interpretation of their research and ensure that claims made are made on the basis of research findings and are justifiable.
- Undertake their research with rigour – Grant Recipients and those working on the project are expected to undertake research in line with prevailing disciplinary norms and standards and use appropriate methods to undertake the project. Rigour is also expected of Grant Recipients when drawing together interpretations and conclusions from the research and communicating the results.
- Be transparent and open – Grant Recipients are expected to be transparent in declaring how they have collected data and how they have interpreted that data. Grant Recipients will be expected to share negative or null results and The MPS Foundation recognises that such findings are a valuable part of the research process.
- Demonstrate care and respect for all participants in research, and for the subjects, users and beneficiaries of research, including the environment and cultural objects. Those engaged with research must also show care and respect for the integrity of the research record.
- Ensure that individuals and organisations are held to account when behaviour falls short of the standards set by this Code.

The MPS Foundation will endeavour to create a funding environment in which individuals and organisations are empowered and enabled to own the research process and have the freedom to exercise their own academic choices. Grant recipients and those involved in the projects must accept responsibility for the decisions that they make.

5.4 Research Standards and Compliance

The MPS Foundation is committed to ensuring that research is conducted according to appropriate ethical, legal and professional frameworks, obligations and standards and expects Grant Recipients to do the same.

Ethical considerations are extremely important to The MPS Foundation and we have created a Research Ethics Policy which should be read with this Code of Conduct. All Grant Recipients and those working on the project are expected to consider and comply with the ethical requirements within their own jurisdiction as well as The MPS Foundation's Research Ethics Policy.

5.5 Research Environment

As stated in the introduction The MPS Foundation is committed to high quality research, research integrity and encouraging best practice. We expect Grant Recipients to:

- take responsibility for keeping their knowledge up to date on the frameworks, standards and obligations that apply to their work
- collaborate to maintain a research environment that encourages research integrity
- design, conduct and report research in ways that embed integrity and ethical practice throughout
- Wherever possible reflect recognised best practice in their own systems, processes and practices
- Where relevant promote training and development opportunities to those working on the project and encourage their uptake

5.6 Research Misconduct²

The MPS Foundation takes research misconduct extremely seriously, to avoid any doubt or misinterpretation the following section is drawn directly from the 'Concordat to Support Research Integrity' (2019). The MPS Foundation is committed to using transparent, timely, robust and fair processes to deal with allegations of research misconduct when they arise.

Research misconduct is characterised as behaviours or actions that fall short of the standards of ethics, research and scholarship required to ensure that the integrity of research is upheld. It can cause harm to people and the environment, wastes resources, undermines the research record and damages the credibility of research. The Code recognises that academic freedom is fundamental to the production of excellent research. This means that responsibility for ensuring that no misconduct occurs rests primarily with individual researchers.

Research misconduct can take many forms, including:

- *fabrication: making up results, other outputs (for example, artefacts) or aspects of research, including documentation and participant consent, and presenting and/or recording them as if they were real*
- *falsification: inappropriately manipulating and/or selecting research processes, materials, equipment, data, imagery and/or consents*
- *plagiarism: using other people's ideas, intellectual property or work (written or otherwise) without acknowledgement or permission*
- *failure to meet legal, ethical and professional obligations, for example:*

- *not observing legal, ethical and other requirements for human research participants, animal subjects, or human organs or tissue used in research, or for the protection of the environment*
- *breach of duty of care for humans involved in research whether deliberately, recklessly or by gross negligence, including failure to obtain appropriate informed consent*
- *misuse of personal data, including inappropriate disclosures of the identity of research participants and other breaches of confidentiality*
- *improper conduct in peer review of research proposals, results or manuscripts submitted for publication. This includes failure to disclose conflicts of interest; inadequate disclosure of clearly limited competence; misappropriation of the content of material; and breach of confidentiality or abuse of material provided in confidence for the purposes of peer review.*
- *misrepresentation of:*
 - *data, including suppression of relevant results/data or knowingly, recklessly or by gross negligence presenting a flawed interpretation of data or involvement, including inappropriate claims to authorship or attribution of work and denial of authorship/attribution to persons who have made an appropriate contribution*
 - *interests, including failure to declare competing interests of researchers or funders of a study*
 - *qualifications, experience and/or credentials*
 - *publication history, through undisclosed duplication of publication, including undisclosed duplicate submission of manuscripts for publication.*
- *improper dealing with allegations of misconduct: failing to address possible infringements, such as attempts to cover up misconduct and reprisals against whistle-blowers, or failing to adhere appropriately to agreed procedures in the investigation of alleged research misconduct accepted as a condition of funding. Improper dealing with allegations of misconduct includes the inappropriate censoring of parties through the use of legal instruments, such as non-disclosure agreements.*

The MPS Foundation expects Grant Recipients to report any allegations of misconduct as soon as they become aware of them. In the first instance, after notification, the Grant Recipient will undertake an investigation of the allegation and submit their findings to The MPS Foundation along with an action plan as how the situation shall be rectified. As a minimum any investigation should be in line with UK Research Integrity Office's Misconduct Investigation Procedure [UKRIO » Misconduct Investigation Procedure](#).

In the event of The MPS Foundation being informed directly of potential Research Misconduct by the Grant Recipient, or by someone working on the project, The MPS Foundation will contact the Grant Recipient with details of the allegation whilst preserving the confidentiality and privacy of its source. The MPS Foundation will request that the Grant Recipient provides evidence that refutes the allegation within agreed timescales. The MPS Foundation expects Grant Recipients to fully co-operate and comply to timescales that are imposed.

The MPS Foundation values the integrity of research and if in, its opinion, the research misconduct or proposed mitigation or solution damages the integrity of the research, The MPS Foundation's Grant Programme or brings The MPS Foundation, MPS or any other partners into disrepute then it will terminate the Grant in line with the Grant Agreement.

5.7 Commitment to Continuous Improvement

In order to maintain research integrity and promote high quality Research, The MPS Foundation will review our policies and grant conditions annually to ensure that they promote rather than hinder best practice. We will seek to engage with and seek feedback from both successful and unsuccessful Grant Applicants in this process and Grant Recipients should participate in this process. The MPS Foundation reserves the right as to what action it will take following the receipt of any feedback.

The MPS Foundation expects all Grant Recipients to continually reflect on their actions and ensure that there is a culture of continuous improvement and research integrity. Following completion of the project Grant Recipients are expected to undertake an evaluation of the project and identify any lessons that have been learned during the project outside of the research findings. These should be shared with The MPS Foundation as part of the final submission.

6 General and Individual Conduct

6.1 Ethical Conduct

The Grant Recipient shall in all their operations be committed to ethical conduct and the respect for human rights in the spirit of internationally recognised standards.

6.2 Prohibition of Corruptive Practices

The MPS Foundation expects its Grant Recipients to have zero tolerance towards fraud, bribery and corruption. The Grant Recipient shall ensure that any persons or third parties acting on their behalf do not offer, promise, give or accept any bribes, or make or accept improper payments. In particular, the Grant Recipient shall not engage in any form of bribery or kickback scheme or otherwise offer any incentive to The MPS Foundation employees or their family or friends in order to obtain or retain any Grants.

Customary and reasonable business courtesies, including gifts and corporate hospitality (e.g. entertainment, business lunches and small gifts) are permitted, provided that they are given in compliance with applicable laws. The MPS Foundation staff will only accept such gifts and hospitality where it is appropriate to do so, in accordance with MPS and The MPS Foundation's own Code of Ethical Conduct. The Grant Recipient should not provide any business courtesies to a MPS Foundation employee or his/her family members in any situation in which it might influence, or appear to influence, an employee's decision in relation to the Grant Recipient. Therefore, the Grant Recipient should use restraint in offering business courtesies to The MPS Foundation employees and his/her family members. Any business courtesies must be reasonable both to their scope, value and frequency, and must reflect ordinary local business customs. Cash or equivalent, such as gift cards, can never be offered. The Grant Recipient shall act fairly, openly and honestly in their dealings with The MPS Foundation.

6.3 Conflicts of Interest

The Grant Recipient should avoid any interaction with The MPS Foundation employees that may conflict, or appear to conflict, with that employee's duty to act in the best interests of The MPS Foundation. The Grant Recipient shall disclose to The MPS Foundation all conflicts of interests or situations giving the appearance of a conflict of interest in their engagement with The MPS Foundation

The Grant Recipient must inform The MPS Foundation if an employee of The MPS Foundation or his/her immediate family member holds a material financial or other interest in

the Grant Recipient's organisation. The Grant Recipient must also inform The MPS Foundation if an employee of The MPS Foundation his/her immediate family member holds a managerial position at the Grant Recipient's organisation or works for the Grant Recipient and such employment creates a conflict of interest or the appearance thereof.

6.4 Fair Competition

The Grant Recipient shall compete in a fair manner in compliance with all applicable competition laws and regulations.

7 Human Rights

7.1 Non-discrimination

The Grant Recipient shall treat any employees, associates or contractors in a fair and equal manner. The Grant Recipient shall not discriminate in the hiring or promoting of people whether based on gender, age, religion, marital status, sexual orientation, political opinion, or national or ethnic origin, or other similar characteristic that does not relate to the individual's qualifications or the inherent requirements for the job.

7.2 Modern slavery, child or forced labour

Grant Recipients are expected to demonstrate a zero-tolerance approach to modern slavery and human trafficking, and to comply with relevant laws including the UK Modern Slavery Act 2015. In addition, the Grant Recipient, associates or suppliers shall not use child or forced labour under any circumstances, or contract with subcontractors or Grant Recipients using such labour.

7.3 Respect and Dignity

The Grant Recipient shall treat all people with dignity and respect, and shall ensure that any employees, colleagues, associates or contractors have a harassment-free working environment. The Grant Recipient shall not tolerate any type of harassment of any person, whether direct or indirect, physical or verbal.

7.4 Wages and Benefits

The Grant Recipient shall ensure that compensation paid to any employees, associate or contractor complies with all applicable wage laws, including those relating to minimum wages, overtime hours and mandatory benefits.

7.5 Freedom of Association

The Grant Recipient shall respect any persons' right to freely associate and bargain collectively in compliance with all applicable laws and regulations.

8 Health and Safety

The Grant Recipient shall ensure that they, and any person working on the project, have a safe and healthy working environment in compliance with all applicable laws and regulations. The Grant Recipient will ensure that they and any relevant persons have received appropriate health and safety information, training and equipment. The Grant Recipient shall also have effective safety programs in place covering at least human safety, emergency preparedness and exposure to dangerous chemicals and biological substances.

9. Environment

The Grant Recipient shall make all reasonable efforts to protect the environment, and to keep the impact of their activities and products on the environment as low as possible. In particular, the Grant Recipient shall obtain, maintain and comply with all environmental permits, licenses and registrations necessary for their operations. The Grant Recipient shall strive to reduce waste to the extent possible. The Grant Recipient shall adhere to all applicable environmental laws and regulations regarding the prohibition or restriction of specific substances, including labelling for recycling and disposal.

10. Reporting Concerns and Whistle Blowing

All Grant Recipients are expected to have mechanisms whereby issues and concerns can be raised within their Project and Organisation. Where such mechanisms do not exist Grant Recipients are expected to adopt The MPS Foundation process and policy outlined below. All Grant Recipients are expected to comply with any investigation that The MPS Foundation conducts as a result of an individual whistle-blower.

The MPS Foundation takes concerns about misuse of our funds or breaches of our Code extremely seriously. We aim to develop relationships of trust and confidence with our grant recipients and expect them to share our values, abide by our grant conditions and comply with relevant law and regulation. This section outlines how to report a concern and the action we will take.

Anyone can raise a concern about a grant recipient. Whistleblowing is the term used when an individual passes on information concerning wrongdoing. This can be called “making a disclosure” or “blowing the whistle”.

In the first instance, colleagues should discuss any suspected wrongdoing with their line manager, team or organisation. Where an individual feels more comfortable reporting outside of their organisation – for instance if their line manager is the subject of the complaint – they can report their concern directly to The MPS Foundation via email, mailbox or phone number with voicemail mailbox.

The MPS Foundation will treat all disclosures consistently and fairly

The MPS Foundation will take all reasonable steps to maintain the confidentiality of the whistle-blower (unless required by law to override that confidentiality)

Feedback on the outcome will be provided to the whistle-blower where the disclosure is not made anonymously and it is feasible and appropriate to do so.

The MPS Foundation will not allow a whistle-blower to be victimised in any way. Any instances of victimisation will be taken seriously and may result in the removal of all funding

Evidence of wrongdoing does not need to be provided for The MPS Foundation to look into concerns that are raised

The MPS Foundation will only consider concerns related to:

- alleged misuse of our funding or breaches of our grant conditions; and alleged research misconduct

This is not a mechanism for reporting personal disputes or staff grievances against grant recipients or an organisation. These should be resolved through the organisation or

institution's own internal procedures, except where there is a manifest failure of management or governance to address them in line with our values or grant conditions.

Where a concern is received by The MPS Foundation an acknowledgement will be issued within 2 working days of receipt. Investigations will be conducted promptly and where possible will be completed within 4 weeks of the initial report. Where this is not possible the person (providing they are not anonymous) will be updated on the progress of the investigation and given an estimated completion date.

There may be times when it is deemed appropriate and necessary in order to complete a full investigation to utilise external resource or expertise to ensure the right outcome is reached.

11. Monitoring

the Grant Recipient shall regularly monitor their conformance with the Code. The Grant Recipient shall upon request provide The MPS Foundation access to all relevant information and documents needed to verify the Grant Recipient's conformance with the Code. Should The MPS Foundation have a reason to believe that the Grant Recipient may be in breach of the Code (e.g. based on media reports or on receipt of a whistle-blower concern), The MPS Foundation may itself, or through a third-party auditor, review the Grant Recipient systems and processes to validate the Grant Recipient's evidence for conformance with the Code. In addition, The MPS Foundation expects its Grant Recipients to adopt an open attitude to monitoring by The MPS Foundation and to engage with The MPS Foundation to continuously improve compliance, cooperating with any development actions identified. If the Grant Recipient has a serious concern that something is not consistent with this Code, the Grant Recipient shall report the matter to The MPS Foundation by emailing: info@thempsfoundation.org.

12. Applicability

By agreeing to receive a Grant from The MPS Foundation the Grant Recipient confirms that they and any associates or contractors will comply with The MPS Foundation Grant Recipient Code of Ethical Conduct. An "associate" refers in this Code to an organisation or individual that is controlled by the Grant Recipient, controls the Grant Recipient or is under common control with the Grant Recipient. The Grant Recipient shall use best endeavours to ensure that their associates, consultants, subcontractors, and partners also comply with the principles of the Code.

13. Acknowledged & Approved

Compliance with the Code is a mandatory requirement for receiving a grant from The MPS Foundation, and by receiving this Code the Grant Recipient commits to act legally and ethically in accordance with it.