|  |
| --- |
| CP2: COLLABORATIVE PROVISION: DUE DILIGENCE CHECKLISTThis checklist is provided to facilitate the due diligence process in relation specifically to legal, financial and reputational aspects of any potential collaboration. The checklist should be edited as appropriate to the potential collaboration under consideration. The completed checklist should then be provided to the potential collaborative partner for their completion and submission of associated supporting documentation. The completed checklist and documents will then be reviewed by the Chief Operating Officer, Director of Finance, Director of Quality & Partnerships and GLAS representatives as part of the process for approving or extending a collaboration. The due diligence process should be re-done at contract renewal, or every five years for longer contracts, or when substantive concerns are raised regarding financial management, performance, ownership or other financial or reputational matters.*Notes for completion:* *(1) where terms/titles of documents do not fit local descriptions, provide the best approximate* *(2) where a question is not relevant (e.g. where there may be no directors of the Company) indicate this in the 'Notes' field.* *SGUL reserves the right to request additional information or evidence at any stage of the approval process**All supporting information and evidence will be kept confidential and not shared beyond the approval team except with the prior agreement of the potential collaborative partner, except that the completed checklist may be provided to approval committees for information and that all documents remain available for audit purposes.* |
| **Category** | **Document Request Item** | **Date****Provided****/notes** |
| **Corporate Organisation** | Name, trade name (if different) and principal address |  |
| Charter documents - articles of incorporation, by-laws (including any amendments) and other relevant instruments which describe the legal basis of the organisation, its predecessors and subsidiaries. |  |
| Details of entities, if any, in which the Company has equity or other ownership interest. |  |
| List of all institution's main stockholders, where relevant |  |
| Names and biographies of all directors and officers of the institution  |  |
| Details about how the Institution is funded |  |
|  |   |  |
| **Governance and structure** | Names and biographies of Board of Trustees |  |
| Organisational chart (including senior officers) and committees responsible for responsible for corporate governance. Membership and terms of reference of these committees. |  |
| Names and biographies of all current senior officers and former officers who served within the last three (3) years. |   |
|  |   |  |
| **National statutory or regulatory conditions** | Details of the organisation of higher education in the country where the collaboration will be based. |  |
| Details of any regulatory or statutory requirements of central or regional authorities in the country, including any authorisations, accreditations or licenses which the Institution and/or SGUL would need to obtain in order to proceed with the collaboration |  |
|  |   |   |
| **Claims & litigation** | Description of the status of each presently threatened or pending claim, litigation or arbitration, and of each claim, litigation or arbitration concluded or settled within the last three years, as to which the Company or any affiliate is or was a party to (whether as plaintiff or defendant, and including specifically claims or proceedings before any governmental commission or agency).  |   |
| Description of any bankruptcy, criminal, or other judicial proceedings pending, expected, or completed within the past five years involving the Company, any of its subsidiaries, or any of the Company's officers, managers, directors, or principal equity holders or any predecessor. |  |
| Description of any claims before any educational authority or any other governmental or quasi-governmental body. |   |
|  |   |   |
| **Insurance and Risk Management** | A schedule of current insurance and reinsurance policies, including comprehensive general liability, professional liability, casualty and Directors and Officers liability, setting forth the following information: policy name, insurance company, name and address of insurance company, effective date of policy and amount of coverage. |  |
| Any reports submitted to Occupational Safety and Health Administration relating to occupational injuries or deaths. |   |
|  |   |   |
| **Financial Information** | 3 years audited annual accounts for the contracting institution |   |
| Business plan for the course including financial arrangements |  |
|  |  |   |
| **Other** | Description of political, ethical and cultural context within the home country of the institution and of any countries of delivery of the course e.g. any exceptions to EU legislation, political stability, human rights rating |   |
| **Mission and strategic plan** | Copy of the institution’s mission statement  |  |
| Copy of the Institution’s strategic plan |  |
| **Educational partnerships**  | Details of partnerships with other Universities/Higher Education (SGUL may contact these institutions) |  |
| **Intellectual property** | Confirmation that the Institution owns all intellectual property rights in work done by its staff under their contracts of employment |  |
| **Bribery Act 2010** | The Institution’s written policy that prohibits bribery (including facilitation payments), and an outline of the disciplinary or other mechanisms the institution would undertake to address suspected cases of bribery or corruption. Where no policy exists, an undertaking that the institution will adopt SGUL’s equivalent policy:<https://www.sgul.ac.uk/about/governance/compliance/anti-corruption> |  |
| **Modern Slavery Act 2015** | The Institution’s assurance that:* It will reasonably assist SGUL with compliance with [The Modern Slavery Act 2015](https://www.sgul.ac.uk/about/governance/compliance/modern-slavery-statement) and will do nothing which might put SGUL in the position of committing an offence under that Act.
* It does not engage in, or condone, the practices of human trafficking, slavery or forced labour in a work environment.
* Where it has UK workers, those workers are in receipt of the minimum wage.
 |  |
| **Safeguarding**  | The Institution’s written policy that outlines its approach to safeguarding Children and Vulnerable Adults. SGUL is required to request this evidence in order to satisfy Government that it is fulfilling its duty to have due regard for the students enrolled on its courses. If no such policy exists, partner institutions may meet this requirement by confirming that they will adopt SGUL’s Safeguarding Policy:<https://www.sgul.ac.uk/about/governance/policies/safeguarding-children-and-vulnerable-adults> |  |
| **Prevent Duty Guidance** | Policies related to the freedom of speech and any external visitor policy:<https://www.sgul.ac.uk/about/governance/policies/prevent> |  |