



**Research Ethics and Research Agreements- Guidance**

<b>What is an External Partner?</b>	Any partner that will be working with you on a research study, specifically aiding with data collection, that is not affiliated with and outside of the University of Calgary. This can be an organization, research group, colleague or an entity that a study team will be working with.
<b>What is a Research agreement?</b>	<p>A research agreement officially binds your external partners/collaborators to perform certain actions required for the success of a research program. This can be anything that is required for a research team to conduct a research project, without which a project may not occur.</p> <p>These actions may include:</p> <ul style="list-style-type: none"> <li>• contributing resources,</li> <li>• sharing of data,</li> <li>• complying with ethics and/or confidentiality requirements.</li> </ul> <p>An agreement may also define terms related to the ownership and use of research results/intellectual property, publication process and liability coverage. Types of agreements include confidentiality agreements, data-sharing agreements, collaboration agreements, subgrants/subcontracts, etc. These agreements capture the flow of research responsibilities, data, funding and information relevant to a research project.</p>
<b>When do I need a Research agreement?</b>	<p>An agreement is required whenever you need an external party to comply with or perform certain functions. Examples of scenarios include:</p> <ul style="list-style-type: none"> <li>(i) binding a partner to ensure they contribute the resources (either cash or in-kind) required for the success of the project,</li> <li>(ii) ensure a partner receives/shares research data and limits how such data is used,</li> <li>(iii) ensure a partner are aware of their rights and limitations on the use of any research results, and</li> <li>(iv) ensures a partner is in agreement with the objectives and anticipated outcomes of a project.</li> </ul> <p>It is the responsibility of the researcher to reach out to the appropriate Legal Team in determining whether a research agreement will be needed for their research project. A research agreement should be in place before the start of any research activities or conducting research with an External Partner.</p>
<b>Who do I contact to start the Research agreement process?</b>	<p>Two UCalgary legal teams support legal agreements to facilitate research. Please connect with the following teams as needed:</p> <ul style="list-style-type: none"> <li>(i) Research Services Legal &amp; IP – supports all faculties <b>with the exception of</b> (i) Cummings School of Medicine faculty members and (ii) any clinical trial matters – <a href="mailto:legaladm@ucalgary.ca">legaladm@ucalgary.ca</a></li> <li>(ii) Cumming School of Medicine Legal – supports all Cumming School of Medicine faculty members and any clinical trial matters – <a href="mailto:csmlegal@ucalgary.ca">csmlegal@ucalgary.ca</a></li> </ul>

<b>Does a Research agreement replace ethics?</b>	No, a research agreement does not replace ethics. Depending on the research program and external partners involved, you may need one or both. It is also not a requirement to have ethics approval in order to obtain a research agreement, these processes can happen concurrently. Please connect with the CFREB and the appropriate legal team to confirm if ethics and a research agreement would apply to your research project.
<b>Do I need an agreement when using secondary data?</b>	When conducting secondary data use from a source that is not public (ex. Data collected by your colleague or another research team) and will be used to answer a research question that differs from the initial research question, a Data Sharing Agreement between yourself and the data steward of the collected data, is required.
<b>I am working with a school, do I need an agreement?</b>	Any individual working with a school, their data, part of data collection and sharing results back with the school board will require an agreement. If you have an ongoing relationship with a school or school board or would like to work with a school, please reach out to the Legal Team on how this can be translated into an agreement.
<b>What should I mention in my ethics application if I am working with an External Partner?</b>	In the ethics application, you can note how you will be working with your external partner, the level of involvement both teams will have with the study design, recruitment, data collection, data analysis and result dissemination. If you have a research agreement between yourself and your External Partner, please upload this into the application. If you will also be sharing data, you can also upload a data-sharing agreement. If you will be working with specific individuals as External Partners, they can be noted in the ethics application on the 'Study Identification' page, under 7.0 External Collaborators.

A research agreement between yourself and your external partner can help bind support and outline the agreed-upon contributions of each partner. If you are unsure whether a Research agreement will apply to your work with an External Partner outside UCalgary, consult with the Legal department as to whether one will be needed. The following conditions, either individually or in combination may be indicative of whether a research agreement can be considered, but RSO Legal will make this final determination:

- When research is conducted with an external partner outside of UCalgary.
- This external partner is assisting with data collection.
- If data will be flowing through this external partner or institution.
- If funding is involved for the combined efforts of the external partner and your research team.
- A lead institution is responsible for the data collection and their data security and access measures.
- Data is flowing between your research team and an external partner.