

Management of Collaborative Contractual Agreements

Types of Contract

1. The following documents represent a 'contract' between the university and partner organisations. Each agreement has a specific use and legal status. They are:
 - **Articulation Agreement.**
 - **Partnership Agreement.**
 - **Student Exchange Agreement.**
 - **Heads of Terms or Other Agreement.**
 - **Memorandum of Understanding**
2. Collaborative contracts must be signed in line with the university's Scheme of Delegation (see [Policy Centre](#) for details).
3. Articulation Agreement – Articulation Agreements are the mechanism for formalising arrangements with organisations whose approved programmes give successful students the opportunity to enter named Liverpool John Moores University (LJMU) progression programmes with entry at an advanced stage in line with the [Advanced Standing Guidance](#).
4. Partnership Agreement – The Partnership Agreement is the legally binding contract between Liverpool John Moores University (LJMU) and the partner organisation. This agreement sets out the main terms and conditions of the relationship between LJMU and the partner organisation for the delivery of the programme(s) detailed within.
5. Student Exchange Partnership – The Student Exchange agreement covers bi-lateral student exchange between LJMU and a partner institution. The agreement is used whereby the home institution recognises the equivalence of the credits, which the student undertakes at a host institution as part of their degree award.
6. Heads of Terms or other Agreement – These may be requested on case-by-case basis and would need to be considered and approved by Legal and Governance Services (LGS).
7. Memorandum of Understanding – these are statements of intent between LJMU and a partner organisation which have no legal status.

Memorandum of Understanding

8. Once Stage 1 of the partner approval process has been signed off by the relevant Faculty Pro-Vice Chancellor(s), a Memorandum of Understanding (MoU) can be signed, where required by the partner. A MoU has no legal status and is a statement of intent between LJMU and partner organisations. They set out the broad areas of collaboration which the two institutions may work towards but commit neither institution. They are generally time-limited.
9. For standard LJMU MoUs, where none of the terms have been changed or added to during discussions with the partner, no further legal approval is required at LJMU. In instances where a partner MoU is being used or additional terms have been added to

the LJMU template, legal advice from Legal and Governance Services (LGS) should be sought.

10. International Relations will co-ordinate the completion and signing of MoUs with international partners, securing appropriate approval from members of the Executive Leadership Team (ELT)

Development of the Agreements

11. Wherever possible LJMU agreements are based on templates developed by LGS.
12. The development of agreements will be managed by International Relations for Student Exchange Partnerships and by Academic Registry for all other agreements. This will involve consultation with the partner and LGS.
13. Academic Quality and Standards Committee (AQSC) maintain oversight of all contracts.
14. The Agreement should be in place before a collaborative partner can advertise a programme and make formal offers to students or start delivery.
15. Academic Registry will monitor the timely completion of agreements, and will maintain ongoing dialogue with Schools/Faculties with regard to progress and next steps.

Approval and Submission for Signature

16. Before an agreement is forwarded for signature, it will be ensured that:
 - Any relevant quality approval activity of the programme(s) and/or arrangement(s) that the agreement refers to have been completed and signed off;
 - Any outstanding actions from the university's partner level approval have been completed and/or taken into account;
 - The financial arrangements align with those approved by the Academic Planning and Fees Panel (APFP). If the financial arrangements are amended as a result of contract negotiations, this may entail re-submission to APFP for approval of the change;
 - The content of the agreement has been approved by the partner institution;
 - The content of the agreement is in line with the expectations of LGS;
17. If hard copies of the contract are required, two copies are prepared for signature. Alternatively, electronic versions can be prepared for electronic signature, where this has been agreed with LGS. The Agreement and a short summary to brief the signatory, are sent to the University Registrar and Chief Operating Officer and Finance Director, who both endorse that the Agreement is ready for signature.
18. Collaborative contracts must be signed in line with the university's Scheme of Delegation (see [Policy Centre](#) for details). For contracts meeting the criteria, set within the Scheme of Delegation, this will involve use of the University Seal, and the timelines for contract development and completion will need to take account of this.
19. Once the Agreement has been signed on behalf of the university, the Agreement (both copies if physical copies are being prepared), are then sent to the partner organisation for signature.
20. Once both organisations have signed the agreement, the programme(s) is/are in a position for new students to be enrolled and for delivery to begin.

Formal Record

21. The signed copies of the contract will then be saved as a formal record, one by the partner and one by the Secretariat. A electronic copy will also be saved as a central university record.

Extension or Re-negotiation of Contractual Agreements

22. As a contract approaches its expiry date, the process of Partnership Review will be instigated, if required (see Guidance for Partnership Review).
23. The re-negotiation of a contractual agreement will include the following stages:
 - Confirmation that the partnership will continue (Partnership Review).
 - Confirmation of the financial arrangements for the new contractual term. When proposed fees are presented to APFP, as part of a contract renewal, the proposal must be cognisant of all programmes encompassed within the contract, regardless of how recently they have been approved.
 - Confirmation of Academic Quality approval.
 - Approval of the agreement by LGS and the partner.
24. Should an extension to the duration of a contract be required, a proposal would be prepared by the Academic Quality and Standards Team Leader (Collaborative Provision) for consideration and approval by AQSC.
25. The proposal prepared by the Academic Quality and Standards Team Leader (Collaborative Provision) would be intended to enable AQSC to make a risk-based decision, and would include an explanation of the contractual arrangement (for example, if the duration is non-standard due to external requirements) and a rationale for any proposals, taking account of any pertinent information relating to the legal identity of the partner, the financial history of the partnership and any other significant points to note, relating to the legal or financial aspects of the partnership that have been raised by stakeholders across the institution.
26. Prior to any proposal being submitted to AQSC, it will normally be discussed with the applicable Director of School in the first instance.