
Office of Research and Development

Advice/assistance available from ORD Research Administration Officers:

CBS: ORD-Support-CBS@curtin.edu.au
Health Sciences: ORD-Support-HTH@curtin.edu.au
Humanities: ORD-Support-HUM@curtin.edu.au
Science & Engineering: ORD-Support-SAE@curtin.edu.au



Or ORD-Grants@curtin.edu.au

CONTRACTUAL OBLIGATIONS ASSOCIATED WITH EXITING RESEARCHERS

Curtin holds research and consultancy contracts with delivery obligations, and these obligations are assigned to the Principal Investigator/Lead Consultant (Curtin terminology) who are the responsible officer for ensuring Curtin's compliance with the contract.

Where a staff member is leaving Curtin, particularly if they are the Principal Investigator/Lead Consultant it is imperative that the potential contractual implications are considered and managed. Where the exiting staff member is a 'named investigator' (a member of the team but not the Curtin lead), then advice should be sought from the Principal Investigator/Lead Consultant of that project regarding potential implications.

Some tips for dealing with contractual obligations:

- Projects which have a status of Successful on SCRIPT are, by definition, subject to contractual obligations.
- Depending upon the circumstances, the following necessary actions may include:
 - Ensuring Completion: get confirmation from the staff member that all contractual obligations have been met for that project, and that a copy of the reports, financial acquittals etc are on the local administration file, or have been loaded up on SCRIPT against the project entry. A copy of the final report should be sent to **Research Administration** with a request to progress the project to status=Completed and to close the contract off; or
 - For ongoing ARC/NHMRC grants – get confirmation from the staff member whether they are withdrawing from the grant or transferring their activity to another organisation **Research Administration** needs to be advised as early as possible so that the paperwork (which is highly specific to the funding body and scheme) can be prepared and all necessary signatures arranged. A change associated with an investigator on one of these grants requires (a) a proposed replacement personnel, or (b) notification of withdrawal without replacement, or (c) transfer of the grant/investigator to another eligible organisation, or (d) termination of the grant;
 - For 'Specified Personnel' (terminology used in many industry and government contracts) – need to assess the ability to deliver on the contract without that staff member, either because their part is complete or through replacement personnel. "Specified Personnel" are specifically named in a contract and any change requires negotiation with contracted parties for either the replacement of the personnel or termination of the contract **Research Administration** needs to be advised what action is proposed so that the contract can be checked and then varied or terminated as appropriate;
 - For all other circumstances – review of ability to deliver upon the contractual obligations in light of the terms of the contract, and initiate re-allocation of resources to cover obligations (internally or externally sourced) or termination of contract through **Research Administration**
- All notifications of changed circumstances to a funding body are variations to contract and must be progressed as such through Research Operations, Office of Research & Development.

PLEASE NOTE: The terms of the contract/s around the project will dictate what actions are possible within the agreed framework. In all cases the contracts must be referenced and, if necessary, varied before any changes are made to how the project is actioned. Advice on contractual constraints and flexibilities can be sought from **Research Administration**