

Guidance on appointing named individuals to research posts

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1. Introduction

This document has been produced in response to queries about naming individuals on grant applications, and is intended to be used as a good practice guide.

We need to ensure we are treating people fairly and consistently and in accordance with the University's commitments to equality and diversity. This is particularly important when naming individuals on grants, as the University's usual recruitment & selection process will not apply.

In practice, there are normally three ways that the University is able to appoint named individuals to research posts, these are set out in the following sections. There may be analogous situations, for example, collaborations with partner institutions who wish to fund a post which is hosted at UEA. In these cases it will normally be possible to appoint a named individual without advertising, however, due to the complexities of the UKVI regulations, advice from HR should be sought before making a commitment.

Naming individuals in grant applications has many benefits. The key driver should be to increase the chances of a successful grant application by demonstrating the high calibre of proposed staffing for research projects.

However, it can also be important as a way of demonstrating the University's commitment to retaining individuals with key skills and experience.

Therefore, when considering naming an individual on a grant application the Principal Investigator (PI) should be in a position to provide clear, demonstrable evidence to substantiate the decision.

In all cases, please note: If a role holder requires a Certificate of Sponsorship to work in the UK, there may be additional steps that need to be undertaken before a transfer can take place, including a requirement to advertise and undertake the full recruitment process. The reason for this is that Certificates of Sponsorship are not transferable between employers therefore current certificates are not be valid for the transferred post at UEA.

2. Appointing named individuals

2.1. A principal researcher moves to the University with a research team

In this case the roles and role-holders already exist elsewhere and they are transferring to the University, rather than new jobs being created, therefore posts will not normally need to be advertised. Sometimes, this will happen under TUPE legislation. It would be advisable to involve HR in discussions at the earliest opportunity to ensure that any legal obligations are fulfilled.

2.2 Independent Research Fellowships awarded to individuals not employed at the University.

In most cases this is a straightforward process as the research fellowship is awarded to the individual and is not transferable. The advertising and communication of the fellowship will have been done by the grant awarding body. It would not normally be necessary for the University to advertise separately.

2.3 Naming individuals in a grant application

This more complex and the outcome depends on the nature of the contract of the named person and others in a similar position.

In all cases, for UKVI purposes, in order to demonstrate that we are not simply trying to circumvent the need to advertise to the resident market, the role must not be transferrable and would not be filled by anyone else if the migrant withdrew from the project. Therefore, please bear in mind that we would not be able to advertise a vacancy if we had already applied for a Sponsorship Certificate for a named researcher and that person subsequently withdrew.

2.3.1 Individuals not employed by the University

Naming people in grants who are not employed at UEA will not normally be possible. By naming someone in a grant application who is not currently

employed, we are creating a new post at the University and it would be difficult to justify why this person is the most appropriate person for the role, without undertaking the standard competitive recruitment process. There could be other people with a greater level of experience or knowledge. In line with the University values, we are committed to providing equality of opportunity.

In addition, we have different legal responsibilities for people who already work here, for example, where people may be coming to the end of a fixed term contract. Staff in this position could claim that they should have had the opportunity to apply for the post as part of a redundancy consultation process, or via the University's redeployment process.

Therefore, in these circumstances the post should be advertised and where research councils require additional information for costing purposes, the following can be added into the grant application:

It has been identified by the University that (PERSON) would be suitable for this research and they are interested in the opportunity. For this reason we have based the costings on their salary. However, as (PERSON) does not currently work for the University, to ensure the University meets its equality obligations, the post will need to be advertised and (PERSON) will be encouraged to apply. For this reason and given the extensive experience of (PERSON) in this field, we are requesting a starting salary of £xxxxxx).

2.3.2 Current fixed term employees at the same grade as the new post

In these circumstances, there is a difference between extending the project on which someone is working and creating a new research project. If the new funding is an extension to the work that a researcher is currently employed to work on they can be named on the grant application. If this is not the case, the post should be treated as a new appointment and advertised accordingly.

There will be exceptions so it would be advisable to discuss with the HR Manager to make sure that this is the most appropriate course of action, and to determine whether there may be UKVI visa/sponsorship implications.

2.3.3 Current fixed term employees at a different grade to the new post

Normally, we should not be naming people in grants who are not currently working at the same grade as the new funding. The post should be advertised and the following standard wording should be used in Research Council grant applications:

It has been identified by the University that (PERSON) would be suitable for this research and they are interested in the opportunity. However, as (PERSON) does not currently work at this grade, to ensure the University meets its obligations as an employer, the post will need to be advertised and (PERSON) will be encouraged to apply.

2.3.4 Current employees who are the main author or have significant input into the authoring of the grant application

Where an individual has written the grant application or, normally in the case of those ineligible to act as PI, where the individual has had a significant input into the authoring of the grant application, that person can be named. This is because the grant application was written primarily because of their work. Supporting the development of all staff is important and the chance to be involved in writing grant applications should not be unnecessarily restricted.

Human Resources
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