**Nelson Mandela Metropolitan University (NMMU)**

**Access protocol for research equipment**

1. **INTRODUCTION AND UNDERLYING PHILOSOPHY**
   1. The NMMU has limited resources and it is important that research equipment is optimally utilized by those requiring the equipment, so that the research objectives of the NMMU can be achieved. It is thus important to ensure that potential users of research equipment are not discriminated against. In this regard, external funders such as NRF also expect equipment they have funded to be used as effectively as possible. It is thus important that research equipment is to be made available to other staff members and students for their research when not in use by the staff member(s) designated within a grant or contract. Balanced with this philosophy, is the recognition that many items of equipment in the University have great monetary and strategic value, and are therefore great assets to the institution. Consequently, the University has a responsibility to ensure that equipment is used in the correct way by persons who have received the necessary training.
   2. The University will not acquire additional research equipment or apply for grants for such equipment if the maximum use of existing equipment is not taking place or the equipment is already reasonably available and accessible elsewhere on the campus(es).
   3. Most equipment is purchased for both teaching and research purposes and staff wishing to utilise equipment for teaching purposes will not be denied access as a matter of principle.
   4. Access control to research equipment should be regulated to make provision for such matters as safety and operation-training.

# **OWNERSHIP OF EQUIPMENT PURCHASED FROM COUNCIL AND NON-COUNICL FUNDING**

* 1. The relevant Head of Department (HoD)[[1]](#footnote-1) should normally take overall responsibility for the research equipment in his/her department. The HoD may however delegate functions/duties to other staff members including heads of Research Entities. In extraordinary cases the Dean and/or Director of School (DoS) may assign overall responsibility directly to the relevant head of a Research Entity and not the HoD.
  2. It is accepted that all research equipment is owned by the University, and appears on the asset register under a specific Department or Research Entity.
  3. Within each Department or Entity, an academic member of staff is given responsibility for academic oversight of a particular piece of equipment. This is often the same person who championed the acquisition of the equipment in the first place (perhaps through an application to CAPEX, or to the NRF or another funding partner). Furthermore, the technical support staff members in a Department could be allocated oversight from a technical viewpoint.
  4. When an academic member of staff retires or resigns from the institution, the responsibility for the equipment is passed on to another staff member by mutual agreement within the Department or Research Entity.
  5. Equipment purchased for research purposes from grant or contract funding is the property of the NMMU unless otherwise specified by the funder and agreed to by the University. Such equipment is normally under the care and supervision of the staff member designated within the grant or contract or subsequently nominated by the relevant HoD.

# **ACCESS CONTROL**

Access to research equipment is controlled as follows:

## **REGISTRATION AND ACCESS**

3.1.1 Permission to use research equipment must be obtained prior to use - even for staff and students in the same Department as where the equipment is housed.

3.1.2 Use of any research equipment is at the discretion of the HoD.

3.1.3 The person whom requires access to research equipment shall normally be a NMMU staff member, registered student or a visiting scholar and will be acting within the course and scope of their employment. If the person is not a staff member or registered student of the NMMU, a written request must be submitted to the relevant HoD.

3.1.4 In exceptional cases permission may be granted to persons not linked to NMMU to utilize equipment, normally to persons attached to other universities who work on joint projects with NMMU staff members and/or students (also refer to the section dealing with rental to outside agencies and/or parties).

3.1.5 For certain research instruments, an operator will assist the applicant (and in some cases conduct the experiment for the applicant), due to the complexity of the instrument.

## **3.2 SAFETY & HEALTH**

Once NMMU affiliation is confirmed and access to the equipment is confirmed by the HoD, the person shall undergo the necessary safety training. This training is compulsory for all persons who wish to make use of research equipment. The person shall sign a schedule noting his/her attendance of the safety training and acceptance of the safety procedures as provided during the safety training. The person is then bound by the safety procedures of the relevant Department. If the person has undergone the safety training earlier, he/she may be exempt from doing it again.

## **3.3 OPERATIONAL TRAINING**

Once the person has undergone the safety training, training is then provided on the proper use and implementation of the relevant equipment. The training will equip the person with the relevant knowledge and material to use the equipment safely and within the equipment’s specifications and constraints. The person is required to sign a course schedule after completion of the training, noting his/her attendance and acceptance of the course content. Applicable study material will be provided by the relevant department.

## **3.4 LOG SYSTEM**

Access to research equipment will be based on the logbook of that specific equipment, which is to be found at the HoD or a person designated by the relevant HoD. A request may be submitted to this designated person, who will in good time confirm or deny such a request.

## **3.5 OPERATION CHECKLIST**

3.5.1 Before a person may operate equipment, said person is required to ensure that:

* The person has completed the necessary safety training and that the safety register is signed by the person.
* The person has undergone the relevant equipment’s operational training and that the training register for that machine is signed by the person.
* Access to the equipment is granted to that person by the designated person after a request was submitted.

3.5.2 The onus lies on the person who wishes to access the equipment to ensure that the steps in the above Operation Checklist have been followed. In the case that such a person is found not complying, please refer to the section on illegitimate usage.

## **3.6 SUPERVISION**

Any use of the equipment will normally be done under the supervision of a trained member of the relevant department.

1. **ADDITIONAL REQUIREMENTS**

The following should also be taken into consideration when applications for access to research equipment are considered as it may necessitate a usage agreement with financial implications and/ or a NDA.

* The value of the equipment and its replacement cost.
* The running costs.
* Legal considerations (e.g. a boat needs a skipper with the necessary license).
* Time available for an operator to assist and run the equipment.
* Whether scientific input is required for the interpretation of the results obtained (and consequently a possible agreement between the individuals regarding the joint publication of results obtained).
* Whether a non-disclosure agreement (NDA) is required.

# **ILLEGITIMATE USAGE**

Any person, who uses research equipment without permission or without following the protocol as described in section 3, will surrender his/her right to use such equipment. Further disciplinary steps may be taken against such a person. Such a person shall then release the relevant department of any liability in the event of any accident or injury caused in such an instance.

1. **ACCESS EXCLUSION**
   1. The University reserves the right in its sole discretion to refuse use of its research facilities or equipment.
   2. At all times the initiator and/or grant holder of the funds for equipment for a specific research project must be able to meet the relevant obligations without significant increased risk of damage to the equipment or its unavailability due to demands from other projects not initially included in the motivation for the equipment.
   3. In some cases the equipment will have been purchased with an external grant, with certain obligations regarding the purpose, accessibility and use of the equipment. In some cases a grant was made for a specific research project, and it is accepted that such equipment is not to be used for other general purposes.
   4. Research equipment purchased from personal research funds (or from external grants) for use by just one person officially remain the possession of the University. However, it is accepted that such items are not normally shared between different researchers. If such equipment is needed for a project, those researchers (students and staff) will as far as possible be encouraged to acquire their own pieces of equipment.
   5. From time to time there might be equipment in a department that is on short- or long-term loan from a donor such as an industry partner, for a specific purpose. This is usually dedicated equipment, which will fall outside the ambit of this Protocol.
2. **SECURITY OF DATA GENERATED VIA RESEARCH EQUIPMENT**

Users of equipment are strongly advised to manage risk by frequently and fully duplicating all research results obtained and storing them at different locations.

1. **RUNNING AND MAINTENANCE COSTS OF COSTS ASSOCIATED RESEARCH EQUIPMENT** 
   1. Neither departments nor individual staff members may charge secondary internal users for the use of research equipment linked to academic research. However, proportionate to their use of equipment, secondary users may be required to pay/contribute to specific repair/maintenance bills. Similarly, secondary users may need to purchase required supplies and consumables and if necessary cover a technician’s time.
   2. There are two ways in which the costs related to the use of equipment can be recovered.
      1. Direct transfer of funds by the applicant into a cost centre of the Department or Entity.
      2. The applicant shares the results, resulting in co-authored research outputs by the academic staff members responsible for the equipment and the equipment user. Implicit in this arrangement is the assumption that all co-authors make a meaningful scientific contribution to the contents of the scientific paper.
   3. As far as possible, maintenance procedures will be organised during “quiet times” so as to minimise disruptions to users.
   4. The academic staff member and the technical support staff member responsible for the equipment will together ensure that the necessary running expenses are budgeted for. This may include developing a business plan to cover the costs of all or (or part of) the routine maintenance which will be required periodically.
2. **STAFF AND STUDENTS FROM OTHER ACADEMIC INSTITUTIONS**
   1. NMMU welcomes collaborative research conducted in partnership with staff and/or students from other academic institutions. In some cases these institutions may be official partner institutions of the NMMU, while in other cases the persons may be collaborators officially linked to a joint research project that has been approved, as an example, for funding from the NRF.
   2. Normal procedures for granting permission to use equipment must be followed.
   3. The timing of such requests must take into account the needs of the students already in the Department or Entity requiring the equipment.
3. **RENTAL TO OUTSIDE AGENCIES AND PARTIES**
   1. Any extracurricular use of University equipment must be consistent with the purpose, mission and goals of the University.
   2. Rental or lease of research equipment to outside agencies normally shall be approved by the relevant HoD on recommendation of the principle investigator of a research project.
   3. The university will not subsidize any individual or business through the usage of its research equipment and a market related costing model will be applied.
   4. Usage by outside parties may not disrupt regular academic or research programmes and such equipment must not be needed by NMMU staff/ students at the time requested.
   5. Income derived from research equipment rental use will be credited to the relevant department and/or faculty, subject to macro financial policies of the University.
   6. It is expected that the NMMU will be acknowledged for assistance.
   7. Any use of the equipment will be done under the supervision of a trained member of the Department’s staff.
4. **APPEALS WHEN ACCESS TO RESEARCH EQUIPMENT IS DENIED**
   1. If a person (staff member or student) is denied access to research equipment and wishes to appeal against the decision, the Head of Department / Entity will consider the merits of the case.
   2. Should the applicant not be happy with the outcome, he/she may bring it to the attention of the Director of the School by means of a written submission, who will table it at a special meeting of the FMC (chaired by the Executive Dean) for a resolution.
   3. The decision of the appeal, which will normally be considered final, will take into account the request of the applicant as well as the response of the Department / Entity (as presented by the Head).
   4. In exceptional cases a faculty may refer an appeal to the DVC: Research & Engagement for a final ruling.

Acknowledgement: Sections of the relevant Protocols of the Faculty of Science and Department of Mechanical Engineering were incorporated into this institutional Protocol.

P van Breda

*Approved by the NMMU RTI Committee as a guideline document, 17 November 2011 (RTI11.38.7)*

1. All references to the HoD should be read within the context of section 2.1 implying that a HoD may delegate functions to other staff members. [↑](#footnote-ref-1)