

Marsden Fund Council

Terms of Reference (2017)

1. The Marsden Fund Council exists to oversee the Marsden Fund on behalf of the Minister of Science and Innovation. This Terms of Reference details the role and monitoring of the Marsden Fund Council.

Minister's Responsibilities

2. The Minister for Science and Innovation has overall responsibility for the Marsden Fund.
3. The Minister issues a Terms of Reference for the Marsden Fund from time to time, and appoints a Marsden Fund Council to manage the Fund in such a way as to fulfil the objectives as set out in this Terms of Reference and the Marsden Fund Terms of Reference.
4. The Ministry of Business, Innovation and Employment has entered into an agreement with the Royal Society of New Zealand to provide executive support and secretariat services to the Marsden Fund.

Functions

5. The functions of the Marsden Fund Council shall be to:
 - a) oversee the assessment of proposals for funding from the Marsden Fund and recommend to the Royal Society of New Zealand each year those proposals which should be funded and the level of funding to be awarded
 - b) oversee the progress of research funded by the Marsden Fund by considering the results of monitoring and auditing of contracts undertaken by the Royal Society of New Zealand
 - c) develop best practice policies and procedures to implement the Terms of Reference for the Marsden Fund
 - d) provide advice to the Minister of Science and Innovation on the performance and achievement of the Marsden Fund against its objectives
 - e) ensure that the relevance and importance of Marsden-funded research is monitored and communicated to the New Zealand public; and

Funding for research excellence

The Marsden Fund is administered by The Royal Society of New Zealand, PO Box 598, Wellington 6140
Tel: +64 4 470 5799, Email: marsden@royalsociety.org.nz, <http://royalsociety.org.nz/what-we-do/funds-and-opportunities/marsden>

- f) meet its obligations as laid out in the Marsden Fund Terms of Reference, including developing and publishing an Investment Plan, Performance Framework, eligibility criteria, and selection criteria for the Fund.

Scope of Activities

6. In carrying out its functions the Marsden Fund Council shall ensure the following activities are fully addressed, with the support of the secretariat provided by the Royal Society of New Zealand, or other external support as required.

Oversee the Assessment of Proposals for Funding from the Marsden Fund

7. In the funding of proposals the Council undertakes to:
 - a) develop contestable assessment processes whereby proposals will be treated in a fair, equitable and consistent fashion
 - b) undertake a peer review process of international standard for all proposals
 - c) maintain best practice procedures in relation to conflict of interest and confidentiality procedures and
 - d) issue guidance to the Royal Society of New Zealand on appropriate indirect costs to be included in funding contracts with research organisations.

Use the Principles of Best Practice to Develop Operational Policies and Procedures for the Marsden Fund

8. The policies and procedures used by the Marsden Fund Council in carrying out its functions shall be in accordance with the Terms of Reference for the Marsden Fund, as amended by the Minister of Science and Innovation from time to time. However, such policies and procedures shall specifically exclude any direction from the Minister as to the funding or not of individual proposals.
9. The Marsden Fund Council may adopt such additional policies and procedures as it considers necessary to the carrying out of its functions, but those policies and procedures must be consistent with those set down by the Minister.
10. The policies and procedures implemented by the Marsden Fund Council shall be published in a Policy Manual and made widely available to applicants and stakeholders. The Marsden Fund Council shall consistently and fairly implement its policies and procedures until or unless variations are similarly made widely known.
11. The Marsden Fund Council shall adopt a principal of continuous improvement in its funding processes so that its policies and procedures remain fit for purpose. The Marsden Fund Council shall regularly review its policies and procedures and seek feedback from its stakeholders on the extent that its policies and procedures for administering the Marsden Fund are fit for purpose.

Marsden Fund Council Compositions, Membership and Relationship with the Royal Society Te Apārangi

Membership

12. The Marsden Fund Council consists of up to eleven members, comprising a Chair and ten eminent researchers spanning the range of disciplines. The Marsden Fund Council shall meet

as required, but a minimum of twice a year to discuss recommendations by expert panels on preliminary and full proposals.

13. The Chair and members of the Marsden Fund Council shall be appointed by the Minister of Science and Innovation, with individual members appointed for terms and under such conditions as determined by the Minister from time to time. In making appointments and setting terms and conditions of membership, the Minister shall seek the advice of the Royal Society of New Zealand, existing members of the Marsden Fund Council and others in the research community. A Deputy Chair may be appointed from within the Council membership by the Council members.

Liability of Members

14. The Marsden Fund Council members will not be personally liable for acts or defaults done or omitted in good faith in the exercise or intended exercise of their functions under these terms of reference.

Executive Support for the Marsden Fund Council

15. Executive support for the Marsden Fund Council shall be provided by the Royal Society of New Zealand, pursuant to a funding agreement negotiated between the Ministry of Business, Innovation and Employment and the Royal Society of New Zealand. The output agreement will specify both the range of services to be provided and the price for those services. Of the funding provided for administration, an amount shall be identified as being for the purpose of meeting the expenses of the Council.

Provision of Secretariat Services

16. The Marsden Fund Council shall be entitled to require services from the Royal Society of New Zealand in accordance with a Memorandum of Understanding between the Royal Society of New Zealand and the Marsden Fund Council. The Memorandum of Understanding will outline the roles and responsibilities of the two parties.
17. The Marsden Fund Council shall communicate directly with a nominated employee of the Royal Society of New Zealand whose function is to manage the executive support for the Marsden Fund Council.

Advice to the Minister

18. The Marsden Fund Council is to provide the Minister of Science and Innovation with a biennial progress and achievements report for the Marsden Fund. The report is to be prepared by the Royal Society of New Zealand, under the direction of the Marsden Fund Council, according to the requirements outlined in the Memorandum of Understanding and the Performance Framework and agreed with the Minister.

Management and Dispersal of Funds

Funding for Allocation

19. Funds available for allocation each year shall be formally advised to the Royal Society of New Zealand and the Marsden Fund Council by the Minister of Science and Innovation subsequent to the presentation to Parliament of the Estimates of Appropriations for that year and no irrevocable contracted commitments should be made prior to that advice being received. However, guidelines as to the likely level of funding shall be advised to the Royal Society of New Zealand and the Marsden Fund Council by the Minister of Science and Innovation from time to time, to assist the smooth running of the Marsden Fund.

Advice on Marsden Fund Allocations

20. Advice as to how the funding shall be allocated will be sought from the Marsden Fund Council. The advice of the Marsden Fund Council on funding allocations shall normally be accepted by the Royal Society of New Zealand. The Marsden Fund Council must ensure its recommendations appropriately take into account, and do not exceed, the funding the Royal Society of New Zealand has received for the Marsden Fund from the Minister plus any interest on that funding.
21. In the event that advice on any funding allocation is not accepted by the Royal Society of New Zealand, the Royal Society of New Zealand shall immediately notify the Minister, in writing, that a disagreement has occurred and the reasons for non-acceptance of the advice. The Royal Society of New Zealand on behalf of the Minister shall then commission a review panel to review the Marsden Fund Council's advice. Panel representatives shall include Ministerial, Royal Society of New Zealand and Marsden Fund Council nominee(s).
22. The Royal Society of New Zealand shall seek the Minister's approval of the final review panel and its terms of reference. The Minister shall have the final decision as to its acceptance or not of the review panel's decision to accept or reject the recommendation of the Marsden Fund Council. The results of the review shall be made known to all parties.

Monitoring of the Marsden Fund Council

23. The Ministry of Business, Innovation and Employment shall monitor the effectiveness and efficiency of the management of the Marsden Fund. This will include monitoring the effectiveness of the implementation of the Terms of Reference for the Marsden Fund and the suitability of the Memorandum of Understanding between the Royal Society of New Zealand and the Marsden Fund Council to achieve the Fund's objectives.
24. The Royal Society of New Zealand and the Marsden Fund Council will make provision for the collection of financial information and other data in support of performance metrics for the Marsden Fund required by the Ministry of Business, Innovation and Employment in carrying out its monitoring role