



INTELLECTUAL PROPERTY MANAGEMENT POLICY

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Directorate	Clinical
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‘During the COVID19 crisis, please read the policies in conjunction with any updates provided by National Guidance, which we are actively seeking to incorporate into policies through the Clinical Ethics Advisory Group and where necessary other relevant Oversight Groups’

DOCUMENT HISTORY					
Date of Issue	Version No.	Date Approved	Director Responsible for Change	Nature of Change	Ratification / Approval
Apr 2000	1		Dr Andrew Watson		
Aug 2010	2		Executive Medical Director/Lead for R&D		
Nov 2013	3		Executive Medical Director/Lead for R&D		
15 Jan 14	3	15 Jan 14	Executive Medical Director/Lead for R&D		Ratified at Risk Management Committee
21 Jan 14	4	21 Jan 14	Executive Medical Director/Lead for R&D		Approved at Policy Management Committee
25 Jan 17	4.1		Executive Medical Director/Lead for R&D	Ratified at	Trust R&D Committee
9 May 17	5.0	9 th May 2017	Executive Medical Director	Approved at	Corporate Governance & Risk Sub-Committee
13 May 2020	5.0	9 th May 2017	Executive Medical Director	Extension to review date approved with Policy Lead Director and Chairs Action	Policy Management Sub-Committee
21 Sep 2020	5.0	9 th May 2017	Executive Medical Director	Extension to review date approved by Policy Lead Director	Medical Director
29 Jan 2021	5.0	9 th May 2017	Medical Director	12 month blanket policy extension due to covid 19 applied with author review date set 180 days prior to Valid to Date	Quality & Performance Committee
11 May 2021	5.0	9 th May 2017	Medical Director	Extended policy uploaded and linked back with new cover sheet	Corporate Governance

NB This policy relates to the Isle of Wight NHS Trust hereafter referred to as the Trust

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1. EXECUTIVE SUMMARY

1.1 What is IP?

Intellectual Property (IP) can be described as the novel or previously undescribed tangible output of any intellectual activity. It has an owner and can be bought, sold or licensed and must be adequately protected. It can include inventions, industrial processes, software, data, written works, designs and images.

1.2 What do we mean by 'innovation'?

Innovation is the process by which ideas can be developed to solve problems, make life easier, improve existing methods or provide new ways of doing things. An important part of any invention is its application in a commercially successful way. Examples of innovation include training packages or manuals, best practice guidelines, new uses for drugs, diagnostic tests and modifications to equipment, new or improved medical devices, software and databases. All of these innovations can be protected by intellectual property rights. An example of which is written information and diagrams, these can be protected by copyright; inventions can be protected by patents.

1.3 Does a member or group of staff own their idea/innovation?

In general, innovations that have been developed in the course of one's employment/normal duties will be owned by the employer. The rules of ownership can be complex. Ownership may be affected by funding received for work that led to the innovation. Each Trust should have an IP Policy, which should have been incorporated into staff terms of employment contract.

Staff may still benefit from the exploitation of their idea/innovation and this IP Management Policy details how any income generated from commercialising good ideas is shared with the relevant members of staff.

1.4 Key Changes from the August 2010 Intellectual Property Policy

The previous Policy dated August 2010 was written with specialist input from NHS Innovations South East and provided greater consistency with practice in other NHS Organisations within the South Central Region. It was also been widened to incorporate primary care. Consultation subsequently took place with the Wessex Local Medical Committee to ensure that it was appropriate for our independent contractors who provide contractual services to the Trust as an independent practitioner. The income sharing arrangements were updated so that a sliding scale applied from 33.33% to 80% for the inventor(s) depending on cumulative net income.

The revised Policy removes reference to primary care and independent contractors and updates the Section 13: References.

2. INTRODUCTION

The Department of Health aims to create an innovative, knowledge-based health service and in doing so recognises that NHS staff from any discipline or activity may generate new and innovative ideas, discover novel solutions to problems, produce creative works or play a part in the development of new inventions.

In order that this intellectual property (IP) can be maximised to the benefit of the NHS and its patients, the Department of Health has issued guidance to care providers on the management of all IP ⁽¹⁻³⁾, whilst further setting out specific obligations for Trusts to observe in the management of IP resulting from research (in HSC/1998/106) ⁽⁴⁾

The Trust recognises that from time to time, during the normal course of employment a member of staff may generate IP, which has a value in the delivery of better patient care. The Trust may also become host to, collaborate in, or commission activities, which result in innovative outputs and technological development. The formal registration of intellectual property rights is sometimes necessary to obtain and maintain the legal rights over IP so as to facilitate the control, development and transfer of such knowledge to support patient care, and also to generate income from its commercial exploitation.

3. DEFINITIONS

For the purposes of this policy, the following definitions apply:

Intellectual Property (IP) means: inventions, designs, industrial and other processes, information, and copyright works (including literary, musical and artistic works, rights in and to technical processes, systems, methods, software design, algorithms, code, scripts or other computer software), rights in databases, domain names, trademarks and trade names or know-how (whether capable of being patented or registered or not).

Intellectual Property Rights (IPR) means: rights in Intellectual Property, “which enable owners of items of intellectual property to exert monopoly control over the exploitation of these rights, usually with commercial gain in mind. They give the right to stop others exploiting this property, sometimes for a fixed period, sometimes indefinitely.” ⁽¹⁾

For example:

Category	Protection Method	Examples
Inventions	Patents	New medical device, medicinal substance
Literary works	Copyright	Computer software, patient leaflet, journal article
Designs, drawings	Design rights	Medical illustration
Brand names	Trade marks	Trust logo
Trade secrets	Know-how, knowledge	Surgical technique

4. SCOPE

This policy covers all intellectual property generated from any work that has Involved Trust staff or patients, its resources or facilities.

The purpose of this policy is to ensure that all staff and visitors are aware of the Trust position regarding the management of any intellectual property that might be generated during their activities, with particular reference to rules of ownership and the procedures, which must be followed to ensure the protection, development and the appropriate sharing of any income generated. Further details on the Trust management processes are documented and attached in **Appendix A**, which should be read in conjunction with this policy.

5. ROLES AND RESPONSIBILITIES

All employees regardless of discipline or profession, all work experience placements, trainees and students, visitors or honorary staff, and any other third parties as agreed by contract, must comply with this policy.

Specific responsibilities are as follows:

5.1 The Trust

It is the Trust's policy to identify record, control, protect and exploit intellectual property, and to encourage and enable members of staff to participate in its generation. The Trust is therefore responsible for ensuring the development of an innovative working culture both within and outside of research activities, to set up appropriate IP management processes, and to publish and disseminate details of this.

The management of IP will be the responsibility of the Trust with support from an IP Specialist Agency, such as the NHS Innovations South East Hub.

5.2 Employees and Individuals Working Under a Written Agreement with the Trust.

All staff and individuals who have a written agreement to work within the Trust are required to declare to the Trust any intellectual property they might have generated during the course of this work. This notification should be made via the Research Department in confidence at the earliest opportunity, and before disclosure to any party outside of the Trust either orally or in writing. The Research Department will then seek support from a Specialist Innovations Company such as NHS Innovations South East with regards to any further management of the innovation. All individuals should be aware that failure to notify the Trust at the outset of any innovative development might risk that innovation being recognised by the Trust in the context of this policy, to include the income-sharing scheme outlined in Section 7.

Patents, trademarks and registered designs can be protected through registration at the UK Patent Office. Protection is also available for trademarks and registered designs at the European Union level and in some circumstances protection in other territories may also be sensible. If a patentable invention or process has been disclosed publicly, unless certain exemptions apply, it cannot be patented. Disclosure would therefore mean that any potential patent rights would be lost. Staff should therefore avoid the disclosure of patentable inventions or processes until either the IP Rights have been secured or the Trust has decided that registration is not appropriate in respect of the invention or process involved. In some cases,

inventions should not be published until patent applications are at least 12 months old

For the purpose of this policy; disclosure is defined as the innovation or any part of it having been discussed in public by any means of communication, such as in a seminar or conference paper, or discussed with a potential collaborator.

Staff should also take note of the guidelines for maintaining confidentiality and good record keeping given in **Appendix A** of this Policy.

5.3 **Researchers**

All researchers (whether they be Trust staff or other individuals working on research with the formal agreement of the Trust) must notify the Trust of any IP generated from research activity supported by NHS funding in line with HSC 1998/106 and research governance policy. All researchers are therefore obliged to follow the processes and procedures adopted by the Trust for the identification of IP and its management.

6. **POLICY DETAIL / COURSE OF ACTION**

6.1 Ownership

6.1.1 **Substantive Employees of the Trust**

The general legal position regarding ownership of intellectual property is that the Trust will own any IP created by Trust employees in the course of their employment. In some cases, this is reflected in legislation. For example, ownership of any patentable inventions generated by an employee is governed by the *Patents Act 1977*. This states that patentable inventions shall belong to the employer, if the invention was made:

- (a) In the course of the normal duties of the employee;
- (b) During duties which have been specifically assigned to the employee;
- (c) Where such an invention might reasonably be expected to result from the employee's duties; or
- (d) Where, by the very nature of the employee's duties, there is a special obligation to further the interests of the employers.

However, the general legal position can be changed by written agreement between an employee and employer. The Trust may decide to waive its right to own its intellectual property and assign ownership of that intellectual property to the employee, with the full costs of this being borne by the assignee (including all patent costs, legal assignment costs and management costs)

In such cases, employees may pursue and exploit the IP rights in their own time and without utilising Trust facilities and resources but the Trust may consider keeping a perpetual licence to use the Intellectual Property Rights if the NHS has a potential use for them.

It is recognised that those employees who are inventors or generators of intellectual property have made a significant contribution to the Trust, and to the furthering of public knowledge. It is therefore policy that those employees may be appropriately

rewarded through the income-sharing scheme outlined in 7.2 below, at the absolute discretion of the Trust.

6.1.2 **Other Individuals Working Under a Written Agreement with the Trust**

For the following individuals working under agreement with the Trust, ownership of intellectual property will be negotiated and outlined in their respective contracts/agreements, or via an exchange of letters (which together constitute a contract):

- (a) Individuals working for the Trust on a Consultancy basis;
- (b) Individuals substantively employed by more than one organisation including this Trust;
- (c) Individuals holding an visiting or honorary contract with this Trust;
- (d) Individuals substantively employed by this Trust whilst at the same time holding an honorary contract or collaboration agreement with an external organisation (includes secondment);
- (e) Trainees and students working within this Trust.
- (f) Independent contractors with specific obligations/duties to the Trust.
- (g) Temporary staff supplied by an external employment agency.

With regard to individuals who generate IP through projects using Trust patients and/or resources, Department of Health guidance is that the employer holding the substantive employment contract will own the IP. It would then be appropriate for some of the benefits of this IP to be shared with the Trust, either via an up-front payment or through on-going revenue sharing. The details of which would be jointly agreed on a case-by-case basis.

6.1.3 **Externally Funded or Sponsored Activity**

The ownership of any intellectual property resulting from work, which has been funded by an external agency, or through a collaborative venture with the Trust, will be negotiated by contract with that external agency. An employee's right with respect to intellectual property created pursuant to a contract between the Trust and an external agency will be governed by that contract. It is therefore important that all contracts are submitted to the Trust for review and approval before a Trust signatory may be secured.

The Trust recognises that any intellectual property should be owned by those best able to exploit it. Wherever possible, sponsored contracts will provide for the Trust to retain ownership of any resulting intellectual property so as to enable the Trust to control its proper exploitation.

6.1.4 **Copyright**

The Trust owns the copyright in any work produced by an employee in the course of their employment. However the Trust may agree at its sole discretion, to assign ownership of copyright in any work to be published for academic purposes, with the exception of the following:

- (a) Course or training material produced in the course of employment for the Trust and which are produced, used or disseminated within the Trust
- (b) Any software program or database generated during the normal course of Trust employment
- (c) Any trademarks, designs, specification or other works, which may be necessary to protect rights in commercially exploitable intellectual property, and

(d) Works specifically commissioned by a third party.

Where the Trust assigns copyright to the author, the Trust will usually also waive any claim it may have to benefits arising from the publication but may request an unlimited and free license for its use. Authors of copyright material should clarify the Trusts position with regards to their work **before** entering into any third party agreements, including academic articles by contacting the Research Department.

6.1.5 **Collaborative Innovations/Joint Activity**

Where more than one individual or organisation has contributed to a piece of Intellectual Property, it is important that their contributions are recognised, documented and agreed by all parties as early in the process as possible. This means that clear records (signed and dated) should be kept of all roles and responsibilities within a development project and that individual contributions made towards any IP is agreed between all parties in writing.

Where the innovation arises in partnership with other organisations including Universities, commercial and voluntary organisations, or other NHS bodies, the Trust shall, with support from a Specialist Innovations Company such as NHS Innovations South East, establish an explicit revenue sharing agreement to deal with income resulting from commercialisation of IP. This agreement will take into consideration the relative contribution made by all of the parties including the use of Trust facilities and resources.

6.2 Income Sharing Scheme

IP can generate income in a number of ways:

- (i) Through a lump-sum payment for an outright sale of the IP to an existing company
- (ii) Through licensing or assigning the IP to an existing company in return for fees and royalties
- (iii) Through licensing or assigning the IP to a spinout company set up specifically to exploit the IP in return for fees, royalties and/or shares.

The Trust will agree with any external organisations or partners, which have contributed to the generation of IP, as to how revenue will be shared between the eligible parties. First call on the income is the full recovery of the costs of IP protection, pursuit and exploitation (professional fees, search fees, Patent Office fees, etc.), and which will include a management fee to whichever agency was responsible for managing the successful commercialisation process (i.e., NHS Innovations, or University) and a percentage proportion for Trust overheads. Thereafter, the net revenue will be distributed as set out in Table 1 below.

The Trust's proportion is net revenue to the Trust *per se*, but it may be shared with the inventor and the inventor's Division/Department in recognition of their contribution to knowledge transfer and in such a way that encourages the development of new ideas and inventions, and shares revenue on a consistent basis. Departmental use of any discretionary payment will be subject to approval via the normal Trust management process.

The inventor's share of net income is a discretionary gift by the Trust which is intended to continue for the inventor's lifetime, including retirement or in the event of death in service, but which may be terminated at the absolute discretion of the Trust. Any local merit award, made as a direct consequence of an invention, will be taken

into consideration before sharing any discretionary gift. It can be distributed as personal income (paid via payroll and which is subject to income tax), or the inventor can place it for their sole use (untaxed) in a ring-fenced Trust account for R&D and related purposes. It should be noted that the Trust expects any income sharing scheme to begin from the point at which the innovation was registered with the Trust and will not usually consider retrospective claims.

Final approval for discretionary payments rests with the Trust Remuneration Committee.

The Trust's income sharing scheme for its employees is set out as follows:

Cumulative Net Income	Inventor/s	Trust Department/ Directorate	Trust Corporate
Up to £10,000	80%	15%	5%
£10,001-£50,000	75%	15%	10%
£50,001-£250,000	70%	20%	10%
£250,001-£500,000	65%	25%	10%
£500,001-£750,000	60%	25%	15%
£750,001-1,000,000	50%	25%	25%
Over £1,000,000*	33.33%	31.67%	35%

When licensing IP, the percentage will change as income accumulates for any given deal. Therefore when paid in tranches, the inventor's percentage will drop over time.

*Any discretionary gift made to an inventor will be limited to £1,000,000 per annum.

7. CONSULTATION

This revision constitutes a minor review of an existing policy which has been considered by the Trust Research & Development Committee.

8. TRAINING

Awareness training for staff and visitors on Intellectual Property and the principles of this policy will be incorporated into ad-hoc research-specific training programmes provided between the Research Department and an IP Specialist Agency, such as the regional NHS Innovations Hub as appropriate.

This Intellectual Property Management Policy does not have a mandatory training requirement or any other training needs.

9. MONITORING COMPLIANCE AND EFFECTIVENESS

The Trust will establish a process for the review and monitoring of its intellectual property activities. A statement will be incorporated in the Annual R&D Report presented to the Trust Management Board.

The management of intellectual property within the Trust is the responsibility of the Trust, supported by the Research Department and an IP Specialist Agency, such as the regional NHS Innovations Hub. The Trust will ensure the full implementation of this policy and manage the identification, protection, control and exploitation of any intellectual property, which might arise from the Trust's activities.

All queries regarding intellectual property and the Trust should be directed via the Trust Research Department to an IP Specialist Agency, such as NHS Innovations South East.

9.1 Identification of Intellectual Property – Audit and Review

The Trust Research Department will from time to time facilitate an audit of Trust activity to:

- (a) Help identify any potential intellectual property of value;
- (b) Determine if new developments need intellectual property protection;
- (c) Review existing intellectual property; and
- (d) Determine if existing intellectual property protection mechanism should be retained.

Employees are required to co-operate fully with this activity. The Trust Research Department may also request that staff and visitors attend educational seminars so as to promote awareness of the principles of this policy and intellectual property management in general.

9.2 Notification and Disclosure

Any potential intellectual property should be declared immediately in confidence to the Trust Research Department, who will be able to give you some initial advice and refer you to a Specialist Innovations Company such as NHS Innovations South East for further evaluation.

A record will be kept by the Trust Research Department of the date and time on which an employee reports to them that he or she believes they have invented an innovative or creative product.

Employees must co-operate with the IP Specialist Agency and the Trust Research Department so that the Trust may execute its management responsibilities particularly with respect to identifying intellectual property, which may be exploitable. Employees must also co-operate with IP Specialist Agency and the Trust Research Department in order to help protect and exploit the identified intellectual property so that maximum benefit to both the Trust and the employee is obtained.

9.3 Record Keeping

Employees should ensure that they keep well-documented records of their ideas and mark all notes and journals with the date and the time. This is important in cases where proof is required to assess novelty and therefore in the protection, exploitation and defence of intellectual property.

Each employee should as part of their own work management practice keep written records for each invention or creation showing:

- (a) What was invented or created;
- (b) Who invented or created it;

- (c) When was it created;
- (d) Who has the invention or creation been disclosed to;
- (e) Whether any other person's intellectual property was used to generate the invention or work (and the associated licence agreement); and
- (f) Any other details the employee considers relevant.

As part of an employees work management practice, each employee should also implement and maintain proper laboratory notebook practice.

Each laboratory notebook should be a bound book with sequentially numbered pages. All entries should be in ink with no substantial gaps in entries. All ideas, notes, sketches, tables, reports and experiments should be recorded in laboratory notebooks whether created in hard copy or electronically. Each page should be signed and dated and, as an extra precaution, each page with a new idea or important result should be witnessed. The Trust may periodically review each employee's laboratory notebooks and records to ensure that employees are following proper laboratory notebook practice and general good record keeping practice.

9.4 Protection of Intellectual Property

Following the identification of any intellectual property, an IP Specialist Agency will be called upon to assess any future management and protection of that intellectual property.

When the IP Specialist Agency believes an invention or innovation may be commercially exploitable, they together with the relevant employee and other stakeholders, will agree upon an appropriate means of funding any necessary legal protection of that intellectual property.

The IP Specialist Agency representative and Research Department will then approach the Trust for approval.

9.5 Exploitation of Intellectual Property

The IP Specialist Agency, in collaboration with the relevant employee and other stakeholders, will establish an exploitation plan for any intellectual property in which the Trust has an interest.

This exploitation plan might involve the licensing, assignment or sale of any intellectual property to a third party, or the establishment of a spin off company.

The IP Specialist Agency representative and Research Department will then approach the Trust for approval of this plan.

9.6 Confidentiality

General

Employees are reminded here of the importance of maintaining total confidentiality throughout the process of developing an invention. *Any* disclosure by an employee of an inventive idea may render the invention un-patentable and any disclosure shall only take place under a signed confidentiality or non-disclosure agreement. Non-disclosure agreement templates can be obtained from the Trust Research

Department and all employees should consult with the Trust Research Department before disclosing any information to persons outside the Trust.

Physical Security of Intellectual Property

It is the responsibility of all employees as well as other Trust employees to ensure that inventions and creative works are also protected physically from disclosure, theft or copying. All employees should ensure that:

- (a) Access to buildings, offices and laboratories where intellectual property can be accessed is restricted to those who have permission to be in those facilities;
- (b) Sign-in and sign-out procedures for visitors are complied with;
- (c) Access is restricted to laboratory records and notebooks;
- (d) Use of passwords to access computer records is strictly enforced and those passwords are changed frequently, and
- (e) Information, copies, samples and materials are released or disclosed only subject to appropriate agreements such as non-disclosure or materials transfer agreements etc.

Publications

Despite the tension between publication and confidentiality, employees are reminded that non-disclosure is essential to protect the patentability of an invention and in patenting that invention, ensuring the wider dissemination of that knowledge. Publication includes any disclosures, written or oral.

Any proposal by an employee to publish an inventive or creative idea should always be discussed first with an IP Specialist Agency, such as the regional NHS Innovations Hub, through the Research Department and the employee must submit a copy of its proposed publication to the Trust via the Research Department for review before the proposed publication is disclosed.

Proposed publications that must be submitted by the employee for review by the Trust prior to publication include the whole proposed publication or speech, any conference abstract, seminar presentation, journal manuscript, internet posting and database lodgement.

10. LINKS TO OTHER ORGANISATION POLICIES/DOCUMENTS

- Research & Development Policy

11. REFERENCES

- The management of Intellectual Property and related matters: an introductory handbook for R & D managers and advisers in NHS Trusts and independent providers of NHS services (July 1998)
http://webarchive.nationalarchives.gov.uk/+www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_4003101
- Handling inventions and other Intellectual Property: a guide for researchers (July 1998)

http://webarchive.nationalarchives.gov.uk/+www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_4008102

- The NHS as an innovative organisation: a framework and guidance on the management of Intellectual Property in the NHS (September 2002)
http://webarchive.nationalarchives.gov.uk/+www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_4002660
- HSC 1998/106: Policy framework for the management of Intellectual Property within the NHS arising from research and development (July 1998)
http://webarchive.nationalarchives.gov.uk/+www.dh.gov.uk/en/Publicationsandstatistics/Lettersandcirculars/Healthservicecirculars/DH_4004971
- HM Treasury – The Plan for Growth (March 2011) -
http://webarchive.nationalarchives.gov.uk/20130129110402/http://cdn.hm-treasury.gov.uk/2011budget_growth.pdf

Other Links of Interest:

- NHS Innovations South East - <http://www.innovationssoutheast.nhs.uk/>
- Innovate UK - <https://www.gov.uk/government/organisations/innovate-uk>
- Intellectual Property Office
<https://www.gov.uk/government/organisations/intellectual-property-office>
- NHS National Innovation Centre -
<http://www.nic.nhs.uk/Pages/NHSIPGuidance.aspx>
- Health and Social Care Act 2001 Chapter 5;
<http://www.legislation.gov.uk/ukpga/2001/15/contents>
- HM Government Department for Business, Innovation & Skills: Office for Life Sciences
<https://www.gov.uk/government/organisations/office-for-life-sciences>
- Office for Life Sciences: Strategy for UK Life Sciences
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/32457/11-1429-strategy-for-uk-life-sciences.pdf

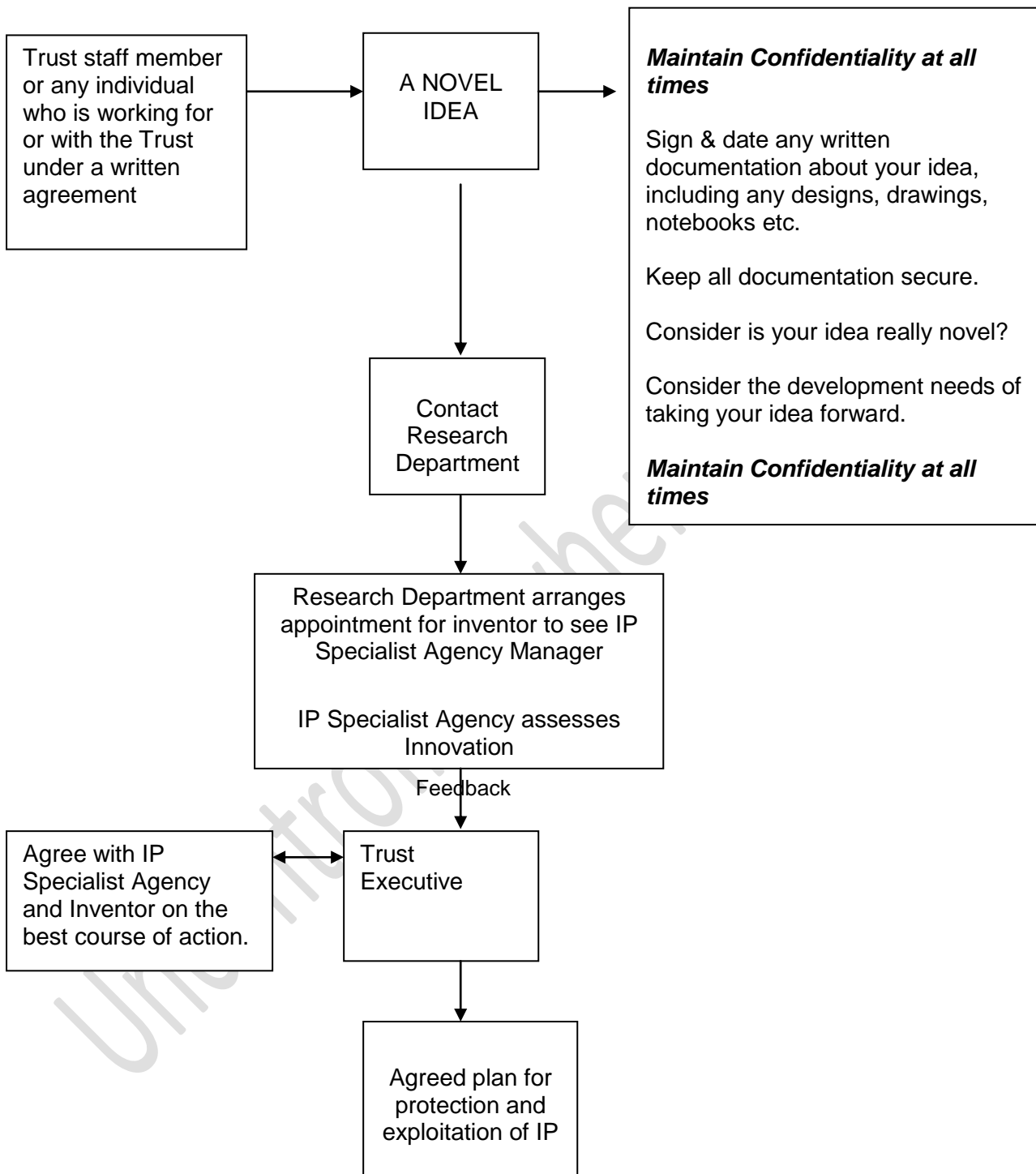
Contacts:

For information, guidance and as a first port of call please contact:

- Research Department, St Mary's Hospital
Tel: 01983 552354
Email: research@iow.nhs.uk
- NHS Innovations South East (for Southampton, Hampshire, IoW, Solent Trusts)
Tel: 01235 838539

12 APPENDICES

FLOW CHART SUMMARY: IP MANAGEMENT PROCESS



Financial and Resourcing Impact Assessment on Policy Implementation

NB this form must be completed where the introduction of this policy will have either a positive or negative impact on resources. Therefore this form should not be completed where the resources are already deployed and the introduction of this policy will have no further resourcing impact.

INTELLECTUAL PROPERTY MANAGEMENT POLICY	INTELLECTUAL PROPERTY MANAGEMENT POLICY
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Totals	WTE	Recurring £	Non Recurring £
Manpower Costs			
Training Staff			
Equipment & Provision of resources			

Summary of Impact:

~ initial awareness training among staff – probably through lunchtime awareness sessions or linked lunchtime session to launch revised R&D Strategy

~ engagement of IP Specialist Agency Representative to present at above (cost to be met through R&D budget)

Risk Management Issues:

Potential loss of income that could have been generated from commercialising good ideas if not properly protected and exploited.

Benefits / Savings to the organisation:

Income that could have been generated from commercialising good ideas if properly protected and exploited.

Equality Impact Assessment

- Has this been appropriately carried out? YES/NO
- Are there any reported equality issues? YES/NO

If “YES” please specify:

Use additional sheets if necessary.

Please include all associated costs where an impact on implementing this policy has been considered. A checklist is included for guidance but is not comprehensive so please ensure

you have thought through the impact on staffing, training and equipment carefully and that ALL aspects are covered.

Manpower	WTE	Recurring £	Non-Recurring £
Operational running costs			
Totals:			

Staff Training Impact	Recurring £	Non-Recurring £
Totals:		

Equipment and Provision of Resources	Recurring £ *	Non-Recurring £ *
Accommodation / facilities needed		
Building alterations (extensions/new)		
IT Hardware / software / licences		
Medical equipment		
Stationery / publicity		
Travel costs		
Utilities e.g. telephones		
Process change		
Rolling replacement of equipment		
Equipment maintenance		
Marketing – booklets/posters/handouts, etc		
Totals:		

- Capital implications £5,000 with life expectancy of more than one year.

Funding /costs checked & agreed by finance:	
Signature & date of financial accountant:	
Funding / costs have been agreed and are in place:	
Signature of appropriate Executive or Associate Director:	

Equality Impact Assessment (EIA) Screening Tool

Document Title:	INTELLECTUAL PROPERTY MANAGEMENT POLICY
Purpose of document	The purpose of this policy is to ensure that all staff and visitors are aware of the Trust position regarding the management of any intellectual property that might be generated during their activities, with particular reference to rules of ownership and the procedures, which must be followed to ensure the protection, development and the appropriate sharing of any income generated.
Target Audience	Individual staff members / groups of staff and the Trust as a whole
Person or Committee undertaken the Equality Impact Assessment	Alexandra Punter, RM&G Manager

1. To be completed and attached to all procedural/policy documents created within individual services.
2. Does the document have, or have the potential to deliver differential outcomes or affect in an adverse way any of the groups listed below?

If no confirm underneath in relevant section the data and/or research which provides evidence e.g. JSNA, Workforce Profile, Quality Improvement Framework, Commissioning Intentions, etc.

If yes please detail underneath in relevant section and provide priority rating and determine if full EIA is required.

		Positive Impact	Negative Impact	Reasons
Gender	Men	X		The protection and exploitation of novel ideas/innovations: <ul style="list-style-type: none"> ensuring that potential loss of income to be generated from commercialising good ideas is not lost, and ensuring staff benefit from the exploitation of their idea/innovation through the sharing of income generated from commercialising good ideas
	Women	X		
Race	Asian or Asian British People	X		
	Black or Black British People	X		
	Chinese people	X		
	People of Mixed Race	X		
	White people (including Irish people)	X		
	People with Physical	X		

	Disabilities, Learning Disabilities or Mental Health Issues			
Sexual Orientation	Transgender	X		
	Lesbian, Gay men and bisexual	X		
Age	Children	X		
	Older People (60+)	X		
	Younger People (17 to 25 yrs)	X		
Faith Group		X		
Pregnancy & Maternity		X		
Equal Opportunities and/or improved relations				

Notes:

Faith groups cover a wide range of groupings, the most common of which are Buddhist, Christian, Hindus, Jews, Muslims and Sikhs. Consider faith categories individually and collectively when considering positive and negative impacts.

The categories used in the race section refer to those used in the 2001 Census. Consideration should be given to the specific communities within the broad categories such as Bangladeshi people and the needs of other communities that do not appear as separate categories in the Census, for example, Polish.

3. Level of Impact

If you have indicated that there is a negative impact, is that impact:			
		YES	NO
Legal (it is not discriminatory under anti-discriminatory law)			
Intended			

If the negative impact is possibly discriminatory and not intended and/or of high impact then please complete a thorough assessment after completing the rest of this form.

3.1 Could you minimise or remove any negative impact that is of low significance? Explain how below:
3.2 Could you improve the strategy, function or policy positive impact? Explain how below:
3.3 If there is no evidence that this strategy, function or policy promotes equality of opportunity or improves relations – could it be adapted so it does? How? If not why not?

Scheduled for Full Impact Assessment	Date:
Name of persons/group completing the full assessment.	Alexandra Punter
Date Initial Screening completed	10 April 2017

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