

## Consultancy Policy

### 1. INTRODUCTION

Consultancy is well recognized as an effective way for universities to disseminate knowledge and make an early and direct impact on society. However, the balance between consultancy and the traditional roles of the academic staff needs to be managed and the interests of the University must be protected. This Policy provides provisions for conducting consultancy to ensure that consultancies undertaken by staff are consistent with the University's strategic and operational objectives and the costs are sustainable.

MUST is committed to making its expertise available through service to industry, commerce, government, professions, arts and other educational and research organizations.

### 2. THE POLICY

All Research and Non-research consultancies as described in this Policy are governed by the following guiding principles:

- (a) There should be demonstrable benefit to the University from the consultancy through income, enhanced reputation, and/or expanding the expertise of the staff member.
- (b) The Consultancy must not be in conflict with University policies including those governing employment; such as the Code of Conduct Policy.
- (c) The Consultancy must not be in conflict with the functions, objectives or interests of the University or damage the University's reputation.
- (d) At a minimum, the salary and on-cost charges set by the University must be applied to all project budgets. All Consultancies are required to include overheads.
- (e) Staff members shall not undertake external research activities where no formal agreement has been authorised by the University unless they are on leave without pay, approved by the Dean concerned. Such faculty may not use their KLEF affiliation or academic title when providing research services that are not approved by the University.



**REGISTRAR**  
Mody University of Science and Technology  
Lakshmanagarh (Distt Sikar) 332311

## **2.1. University Research Consultancy**

A Research Consultancy exists where an academic staff member provides research skills or expertise in return for remuneration from an external funder. A Research Consultancy may be the outcome of a tender or an individual negotiation.

## **2.2. University Non-research Consultancy**

Non-research Consultancies include non-research activities performed under contract for a third party. Non-research Consultancy would include the provision of professional services to external agencies for a fee. This would include, but not be limited to, routine laboratory and other testing of materials, devices or products, analysis of data such as market surveys, opinion surveys etc., The provision of professional services such as designing, legal and medical advice undertaken by members of faculty and staff.

## **2.3. Private Consultancy**

In Principle a faculty or staff member is not supposed to undertake a Private Consultancy unless it is approved by Dean (R&D) and the Registrar. However, the faculty or staff conducting private consultancy shall ensure that such work does not affect their allocated duties, obligations to the university.

None of the benefits set out for University Consultancy are available to faculty and staff undertaking a Private Consultancy.

It is the responsibility of the staff member undertaking a Private Consultancy to make clear to the person or body for which the Private Consultancy is undertaken that it is the staff member and not the University who is carrying out the work, and that the University has no responsibility or liability whatsoever in the matter. A staff member conducting a Private Consultancy must ensure that the following criteria are met:

- (a) The carrying out of tasks associated with the Private Consultancy will be accomplished without unduly affecting the duties of the position;
- (b) The use of University trademarks such as letterheads, brands etc. or University intellectual property is strictly prohibited in Private Consultancies;
- (c) No University facility (including library resources, power, space, equipment, consumables and telephone facilities) will be used to fulfil the requirements of the Private Consultancy
- (d) The Private Consultancy is not within an area in which the University might be contracting to provide a service on a commercial basis, possibly utilising the skills of the staff member involved;

- (e) MUST is not bound by any agreement (written or otherwise) relating to the Private Consultancy;
- (f) The staff member agrees to indemnify MUST and its representatives from and against all actions, claims, loss, damage, costs, charges, liabilities and demands arising directly or indirectly from or in respect of the Private Consultancy activity; and
- (g) The staff member declares any real or potential conflict of interest to their manager.

### **3. STAFF ENTITLEMENTS**

The University allows staff to engage in Research, Non-research and/or Private Consultancies provided they do not interfere with the discharge their duties. Consultancies shall be undertaken only with the approval of the designated Dean R&D. No limit is placed on earnings. However there is a limit on the time spent on Consultancy.

3.1. Academic Staff may spend one day per week on approved Consultancies, with a maximum of 48 days per year. Variations to this time commitment require the approval by the Executive Dean concerned. A lesser time commitment may be approved when the proposed Consultancy interferes with the discharge of responsibilities.

3.2. DEANS must obtain written permission from the Vice-Chancellor to undertake Consultancies.

#### **3.3. Benefits of University Consultancy**

The University provides the following benefits to staff undertaking University Research or Non-research Consultancies:

- (a) Protection under the University's professional indemnity and public liability insurances, subject to the terms, conditions and exclusions within those policies.
- (b) The faculty or staff member will be protected under the terms of the current Insurance Policy held by the University in the event of a claim against the faculty or staff member undertaking the Consultancy or Grant (provided that the claim is not as a result of fraudulent, dishonest, criminal, wilful or malicious acts by the staff member).
- (c) Access to the University's financial management processes to support and enable invoices to external organisations for funding and expenditure of project costs.
- (d) Access to the University's resources such as technical and administration staff equipment and telecommunications, subject to approval by the Faculty or Office.

- (e) Entitlements to use the University's name and reputation, providing it is not brought into disrepute.
- (f) Ability to make reference to their University position and title in connection with the work.

The University does not extend these benefits to Private Consultancies. Any Consultancy conducted by a faculty or staff member that accesses any of these benefits in the course of undertaking the work will be regarded as a Research or Non-research Consultancy and subject to the conditions of this Policy.

3.4. All Consultancies are required to include overheads.

3.5 the revenue generated from the consultancy project is shared by the member and the university in a 70:30 ratio after deducting the overheads and all other expenses met by the university.

3.6 If more than one member take up the consultancy project the 70% amount shall be shared equally.

#### **4. APPROVAL**

All University approved Consultancies are required to be approved and managed in accordance with this Policy, associated documents, and other University policies. Applications to conduct Consultancy are required to be approved through.

##### **4.1. Exemptions and Variations**

Exemptions to the above and variations to the standard overhead charge must be determined at the time of application, explicitly noted on the Research Funding/Consultancy Application coversheet, and approved by the relevant University Officer.

##### **4.2. Transfers in from Other Institutions**

In cases where a Research or Non-research Consultancy or grant is transferred to the University from another research organisation, the overhead will not be taken from the funds where the awarded budget did not include an overhead component.

In cases where a grant is being transferred to MUST from another research organisation and overheads are permissible in accordance with the funding schedule, the agreed overheads awarded will be withheld by the University.

#### **5. CONFLICT OF INTEREST**

Engagement in consultancies must not create a conflict of interest, perceived or actual. Any conflict of interest, actual or perceived must be reported to the relevant University Officer for resolution. A conflict of interest may arise where an employee engages in consultancies at the expense of the University's interests or the interests of other employees or students.

An example of a potential conflict of interest includes, but is not limited to:

- financial or non-financial interests;

- teaching or course work for another institution;
- work performed for a supplier of goods or services to the University; or
- work undertaken with an organisation to which the University supplies goods or services.

### **5.1. Consultancies with Other Tertiary Institutions**

Full-time members of the University staff should not accept regular Consultancies with other institutions without first obtaining the permission of the Executive Dean or delegated University Officer.

## **6 INTELLECTUAL PROPERTY**

Any intellectual property arising from any Research and Non-research Consultancies will be governed by the Intellectual Property Policy.

