University of Exeter Consultancy Policy

***Introduction***

Consultancy is defined as the provision of expert advice or services to external clients undertaken by University staff through a contract for payment. Consultancy does not normally create new knowledge; it allows organisations, businesses and individuals to benefit from the University’s existing expertise, skills and tools. It is a valuable part of the University’s engagement with external partners because it often leads to further research and demonstrates the impact of our work.

It is University policy that Consultancy activity undertaken by its employees which draws on the reputation, Intellectual Property and/or facilities of the University is managed centrally through a dedicated team within IIB. This ensures that the University’s charitable status is protected, and that the University and all those undertaking this activity are properly covered by institutional insurance policies.

The IIB Consultancy team provides the commercial ‘mechanism’ required to deliver a consistent and efficient service, whilst providing essential professional indemnity insurance cover this support is provided via a services charge (12% on the first £50,000 and 5% on the remaining contract price).

***Types of Consultancy***

Two types of Consultancy are recognised by the University:

* **University Consultancy**

This accounts for the majority of the consultancy activity carried out within the University and is the preferred route for Consultancy activity. Work undertaken through this route can be carried out during the work day of the individual carrying out the University Consultancy, and can use University facilities. The income from the work (minus the Consulting fee) will be distributed to the individual carrying out the work and their College/Service as per the agreed costing sheet. There is no limit to the amount of University Consultancy a member of staff can carry out, but all work must be approved in advance by their College or Service. Any IP generated via this route will be subject to the University IP Policy.

* **Private Consultancy**

Academic staff in appropriate employment contract families are permitted to engage in independent consultancy for up to 10 days per annum (this may be increased at the discretion of the College PVC) which does not draw on the University’s reputation or utilise its IP or facilities. All such work must be disclosed to the College of the academic intending to do the Private Consultancy, who will need to approve such work to ensure it will be wholly independent and not institutional. Private Consultancy is not supported by the IIB Consultancy team.

***Support Services for University Consultancy***

University Consultancy is managed by the Innovation, Impact & Business’s Enterprise & Innovation Programmes team. Who provide the following services:

* + **Proposals/tenders:** assist and advise on proposals or review predefined documents;
	+ **Pricing:** help to develop costing and quotes;
	+ **Approvals:** notification to College of intended University Consultancy work and gaining of approval of the project and its costs from designated College personnel
	+ **Contracts:** develop and manage the contract process using the University’s standard contract documents or review and where necessary negotiate client issued contracts;
	+ **Financial management:** full support including invoicing, payment schedules;
	+ **Insurance:** including professional indemnity, public liability and extended insurances;
	+ **Risk:** assess potential insurance or reputation associated risk.
	+ **NDAs:** support to ensure individuals’ ideas remain confidential and protected during any external discussions held with third parties

No work is to be undertaken without a contract in place and no fee should be agreed with the client without prior consultation with the IIB Consultancy Team.

***Consultancy Entitlement Restrictions***

With the prior agreement of their College or Service, all staff may undertake University Consultancy. Additionally, academic staff in the Education and Research job family may also undertake Private Consultancy subject to the restrictions detailed above with the prior agreement of their College

***Payment for University Consultancy***

Where it is proposed that a personal payment is made to members of staff who will be contributing to a University Consultancy project, the sum must be agreed in advance by the College or Service and included in the project costing. Day rate calculations are provided by the IIB Consultancy Team. Payment will be made when the project has been successfully completed and the fee received from the client. Staff may elect to receive payment by the following means:

* a non-pensionable payment via the University payroll subject to normal deductions for tax and National Insurance.
* payment to a Professional Development Account (PDA) – this option is only available where the member of staff has given up the right to the income before it becomes liable to PAYE, i.e. before it is deemed to have been received for income tax purposes. A member of staff wishing to receive their payment into a PDA must fill in a PD21 declaration form before the work commences.

All payment due to a member of staff for a piece of work must be paid in full using one of the two mechanisms above and a payment cannot be split between the two. However, a member of staff choosing one payment mechanism for a first piece of work is not restricted from choosing the other mechanism for any further University Consultancy work they carry out.