

Name of the Policy/ Guidelines	Consultancy Policy
Short Description	Policy and guidelines on consultancy projects by University staff
Scope	This policy is applicable to all faculty and administrative staff of the constituent colleges and departments of NITTE (Deemed to be University).
Policy status	<input checked="" type="checkbox"/> Original <input type="checkbox"/> Revised
Date of approval of Version 1	
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CONSULTANCY POLICY

Introduction

The objective of Consultancy Policy is to promote academic, industry and research interaction and to encourage and facilitate faculty to provide knowledge inputs sought by industry, government agencies or other academic / research organizations. 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.

Purpose

This policy is intended to provide a clear framework for those university staff engaged in, or who wish to engage in, consultancy, either through a university consultancy: "University Consultancy" or in a personal capacity: "Personal Consultancy".

Definitions

Consultancy is work of a professional nature, undertaken by University staff in their field of expertise, for clients outside the institution, for which some financial return is provided

It is unlike research in that it does not have as its prime purpose the generation of new knowledge. Consultancy will produce some form of contracted output which may be partly or wholly owned by the client. The University normally does not have freedom of publication over the results of consultancy.

Consultancy does not include activities undertaken on behalf of the University and covered elsewhere in contracts of employment, such as:

- Research
- Teaching
- Training
- Other activities defined in a member of staff's job description

University refers to NITTE (Deemed to be University)

University consultancy, where the contractual relationship is between the client and the University and not the individual consultant. Only University consultancy provides a direct financial return to the University in addition to the fees paid to the consultant.

Private consultancy, where the individual acts entirely in a private capacity with no legal link to or liability on the University. No University resources may be used for this activity. Examples of

such resources are equipment, IT equipment including PCs, telephone, space, University name, expertise and IP. In conducting a Private Consultancy, a staff member must not establish a real or potential conflict with their obligations to the University or undertake activities which are contrary to the interests of the University.

Approval of Consultancy Activity

Approval must be sought for all consultancy work, whether University or Private, prior to carrying out the work whether during normal hours of work or not. The decision process for whether an individual faculty member is permitted to undertake a piece of consultancy is to be taken at the institution level. All consultancy proposals should be addressed to the appropriate Head of Institution. The proposal should include details of (i) the organization / individual seeking the consultancy service (ii) the nature of consultancy work (iii) the institutional resources that would be utilized / required for the consultancy service (iv) the quantum of work involved in man hours per week (v) Financial details. The Head of Institution will make the decision to accept or decline the proposal. Heads of Institutions wishing to consult should seek consent from the Registrar, who in their own cases should seek consent from Vice-Chancellor. Pro-Vice Chancellors should seek permission from Vice Chancellor who in his/her own case should seek permission from the Chancellor.

Confidentiality & Intellectual Property Rights

The research and knowledge generation activities staff and students undertake for the University during consulting activities is done collaboratively with and/or is funded by an external organization. This will normally mean there are obligations in respect of any Intellectual Property generated and third party confidential information exchanged in such projects. It is recommended that an agreement (Memorandum of Understanding/Memorandum of Association) be executed between the consultant and consulting parties explicitly stating the terms and conditions regarding confidentiality and intellectual property rights. Each staff member is responsible for familiarizing themselves with the terms of any such agreement relating to projects they are involved in and should respect the confidentiality of information belonging to third parties.

Staff seeking to undertake consultancy should be careful to consider existing obligations to third parties (including those obligations entered into by their colleagues or other members of the University) and not do anything which might put the University in breach of its obligations to them. In particular staff should be careful not to use confidential information of a third party without their written consent and not use any Intellectual Property unless they are confident there are no constraints on the University's use of the same.

Revenue Distribution

Private Consultancy

When an individual undertakes private consultancy, all revenues accrue to the individual who must however declare the income.

University Consultancy

In order to incentivize staff to engage in University consultancy, the income from such consultancy, post-deduction of direct expenditure involved in carrying out the consultancy project, will be distributed in the ratio of 3:2 between the consulting Staff and the University. Only full-time faculty will be eligible for such income sharing.

Dispute Resolution

The clause regarding dispute resolution should be built in Memorandum of Understanding/Memorandum of Association to be entered with the party while undertaking Consultancy project. In case of any dispute remaining unresolved, it shall be dealt with by the Court of law located within the jurisdiction of the University.

