

# Consultancy Policy



**Responsibility for policy:** Deputy Vice-Chancellor Research

**Approving authority:** Vice-Chancellor

**Last reviewed:** March 2022

**Next review:** March 2027

## Application

1. This policy applies to all staff of the University of Waikato.

## Purpose

2. The purpose of this policy is to set out the requirements of staff undertaking consultancy work on behalf of the University and as a private individual.

## Related documents

3. The following documents set out further information relevant to this policy:
  - [Intellectual Property and Copyright Policy](#)
  - [Interests \(Conflicts of Interest\) Policy](#)
  - [Staff Code of Conduct](#)

## Definitions

4. In this policy:
  - consultancy** means an arrangement between a staff member of the University and another party or parties whereby the staff member provides and/or applies expert skills, knowledge and/or advice for the benefit of the other party or parties; a consultancy arrangement arises whether or not the staff member receives any remuneration and in any situation where someone could be paid to provide the skills, knowledge or advice
  - trademarks** means the registered and unregistered trademarks of the University of Waikato and includes the University coat of arms and its variations, wordmarks, devices, logos and combined marks.

## Principles

5. The University encourages members of staff to engage in consultancy work to the extent that the activities are in the University's and the staff member's interest; such work can be useful in promoting the University's skills and builds contacts in the community which can lead to increased opportunities for research collaboration and support.
6. Where staff are engaging in consultancy work it is important to be clear at the outset whether the outside activities are being undertaken either on behalf of the University or as a private individual; this distinction is the basis on which the University does, or does not, take responsibility and carry liability for the activity.
7. Staff are reminded of their responsibilities and obligations under the [Interests \(Conflicts of Interest\) Policy](#) and [Intellectual Property Rights Policy](#).

## University consultancy work

8. All consultancy work undertaken in the name of the University requires the approval of the relevant Head of School, Director or equivalent and Pro Vice-Chancellor, Deputy Vice-Chancellor or equivalent before any commitment is made.

9. School or equivalent and Division or equivalent approval of consultancy activities does not extend to entering into formal agreements on behalf of the University.
10. Approval must be given in writing; this confirms that the University accepts responsibility and liability in the event that the University's insurers are called upon.
11. Formal agreements involving the University must be formally considered through the Research & Enterprise Office before any arrangement is entered into.
12. The outside work in which a staff member is to be engaged must be of an appropriate standard, demanding the particular knowledge, skill and standing of the staff member.
13. The activity must have relevance to the particular staff member's teaching, research, service or professional duties and accordingly provide some benefit to the University.
14. The work should not be of a type, or under conditions, that would deprive the staff member of the independence which should characterise the status of members of the University staff.
15. The work must not interfere with the efficient discharge of teaching, research, service or professional duties within the University.
16. All financial transactions must be handled through the central accounting system so that tax and audit requirements are properly attended to.
17. The provision of free advice does not make staff immune from liability if they are negligent.

#### **Private consultancy work**

18. Where consultancy activities are entirely a private matter, the University has no claims or financial interests and seeks only to ensure that its reputation is protected and that it incurs no liabilities.
19. In order to protect its integrity and reputation the University requires that full-time members of staff inform the relevant Head of School, Director or equivalent and Pro Vice-Chancellor, Deputy Vice-Chancellor or equivalent in advance of undertaking any private consultancy activities.
20. No use whatever of University facilities and/or equipment is permitted for any private consultancy activity carried out by University staff or students.
21. Staff undertaking private consultancy activities must ensure that they do not imply or state that such work is connected with their employment by the University or that it is covered by the University's Professional Indemnity insurance policy. It is particularly important, therefore, that the University's trademarks should not be used during the execution of private work.
22. Staff members may not engage in teaching, research or consultancy for any institution or organisation which can be considered to be in competition with any part of the University.

#### **Responsibility for monitoring compliance**

23. The Deputy Vice-Chancellor Research is responsible for monitoring compliance with this policy and reporting any breaches to the Vice-Chancellor.
24. Breaches of this policy may result in disciplinary action under the [Staff Code of Conduct](#).

#### **Note**

The term 'School' in this policy includes Faculties and the term 'Head of School' includes Deans.