



University of
St Andrews

Consultancy Policy

Document type	Policy
Scope (applies to)	Staff and students
Applicability date	01/02/2021
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Approver	Chief Operating Officer
Document owner	Head of RBDC
School / unit	Finance
Document status	Published
Information classification	Public
Equality impact assessment	To be completed during the pilot year
Key terms	Staff/External Work
Purpose	The purpose of this policy is to define consultancy activities and to encourage consultancy within a supportive environment with relevant agreements. Feedback on the Consultancy Policy during the pilot phase (1 Feb 2021 – 1 Feb 2022) can be sent to risadmin@st-andrews.ac.uk .

Version number	Purpose / changes	Document status	Author of changes, role and school / unit	Date
1.0	Launch of Pilot phase / new policy approved	Approved	Head of RBDC / Finance	1 Feb 2021

1. Introduction

- 1.1. The University values external engagement and recognises the importance of this in terms of the benefits it brings to the University, the professional development of staff and our contribution to the academic and wider community.
- 1.2. At the same time, undertaking consultancy work for external parties can create reputational and liability risks for the University and burdens for individual staff members through the requirement for securing professional indemnity and public liability insurance. The aim of this policy is therefore to provide a framework within which to encourage and support such activity and manage these risks and any potential impact on the University.

2. Scope

- 2.1. The University of St Andrews Consultancy policy (the Policy) covers consultancy which generates commercial revenues. It does not cover the exploitation of Intellectual Property (link to IP Policy), contract research or the delivery of Knowledge Transfer Partnerships.
- 2.2. This policy applies to all University staff and operates in conjunction with the Declaration of Interests Policy. The Policy makes the assumption that staff would not normally undertake more than 30 days (cumulative) consultancy per year, although there may be situations where it is in the interest of both the University and the individual to enable a more substantive external engagement. This policy provides the vehicle and context within which all arrangements may be agreed.

3. Definition

- 3.1. University Consultancy is the application of existing specialist knowledge to address or resolve client needs or issues by e.g.:
 - offering specialist opinion and/or advice.
 - advising on technical issues.
 - carrying out some forms of analysis and/or testing.

where:

- The work is undertaken by existing staff members in Schools or Departments/Units (i.e. they are not recruited specifically to do the work).
- The work requires the staff member's specific professional expertise.
- The work is time-bound and task-based.
- Its outputs are not related to an ongoing University research programme.
- It is funded only by the client organisation.
- It does not have as its primary purpose the creation of new knowledge.
- It does not usually generate publications.

Consultancy does **not** include activities undertaken, whether paid or unpaid, which forms part of the wider academic endeavour such as:

- a) Reviewing publications
- b) Appearances in the media e.g. television, writing an article for a newspaper or magazine
- c) External examining duties for other institutions or professional bodies
- d) Acting in an advisory role for a publishing house, Research Council, Funding Council, charity (or their committees) or professional body associated with the individual's role
- e) Lectures or presentations for other universities and academic conferences

4. Consultancy

There are two potential routes for undertaking consultancy:

- 4.1. **University Consultancy:** Consultancy work, which is arranged and contracted through the University, via the University's wholly - owned consultancy company StAAR Consultancy Limited (StAARC).

The benefits of delivering consultancy services through StAARC are:

- 4.1.1. **Individuals** - are able to focus on the project and the client relationship without distraction or concerns about contractual terminology or jargon and management of the administrative issues associated with the project (invoicing, chasing debts or the disbursement of funds), while benefiting from the protection of the University's professional indemnity and public liability insurance cover. Consultancy also provides an easy way for individuals to gain valuable exposure to business and apply research and expertise.
 - 4.1.2. **Clients** - organisations can commission work from the individual member of staff whose expertise they require, while being in a contract with a professionally managed limited liability company backed by the University's insurance policies.
 - 4.1.3. **University** - The University frequently benefits from longer-term relationships, including research collaborations that develop from consultancy activity. Income from consultancy projects that include research counts as research income. Such income contributes to the Quality-Related Research income received by the University and the Research Excellence Framework (REF) assessment of the research.
 - 4.1.4. **The price** charged to external clients for providing advice and expertise includes a contribution to the running costs of StAARC. After receiving payment from the client StAARC makes payment (after deduction of StAARC and any third-party costs) personally to the consultant or to a department cost code.
 - 4.1.5. **Revenue** is shared as follows:
 - 70% to the member of staff or departmental code (via payroll)
 - 15% to the University School/Unit
 - 15% to cover StAARC costs
- 4.2. **Private Consultancy:** Consultancy work which is arranged privately by the member of staff. The contract for the work is set up **directly** between the member of staff and the client, **without any involvement or support** from the University.
 - 4.2.1. Income flows directly to the member of staff. Professional liability for this work rests with the member of staff, who must ensure that the client understands clearly that they are not acting on behalf of the University.
 - 4.2.2. No University facilities or resources may be used in the carrying out of the work (unless this is agreed via a services rendered contract). The member of staff should be careful that they do not inappropriately hold themselves as the agent or representative of the University, for example by using a University email account, the University's headed notepaper or the University's address.

- 4.2.3. Under private consultancy, the member of staff is responsible for arranging their own professional indemnity insurance, invoicing, payments and must declare all income received on all relevant tax returns to HM Revenue and Customs (HMRC).
- 4.2.4. The member of staff is also personally liable for any tax and national insurance payments that may be due.
- 4.2.5. Tax evasion is a criminal offence and the member of staff must comply with all relevant legal obligations placed upon them when carrying out their private consultancy work, and to avoid acting in such a way as may risk bringing the University into disrepute.

5. Reporting

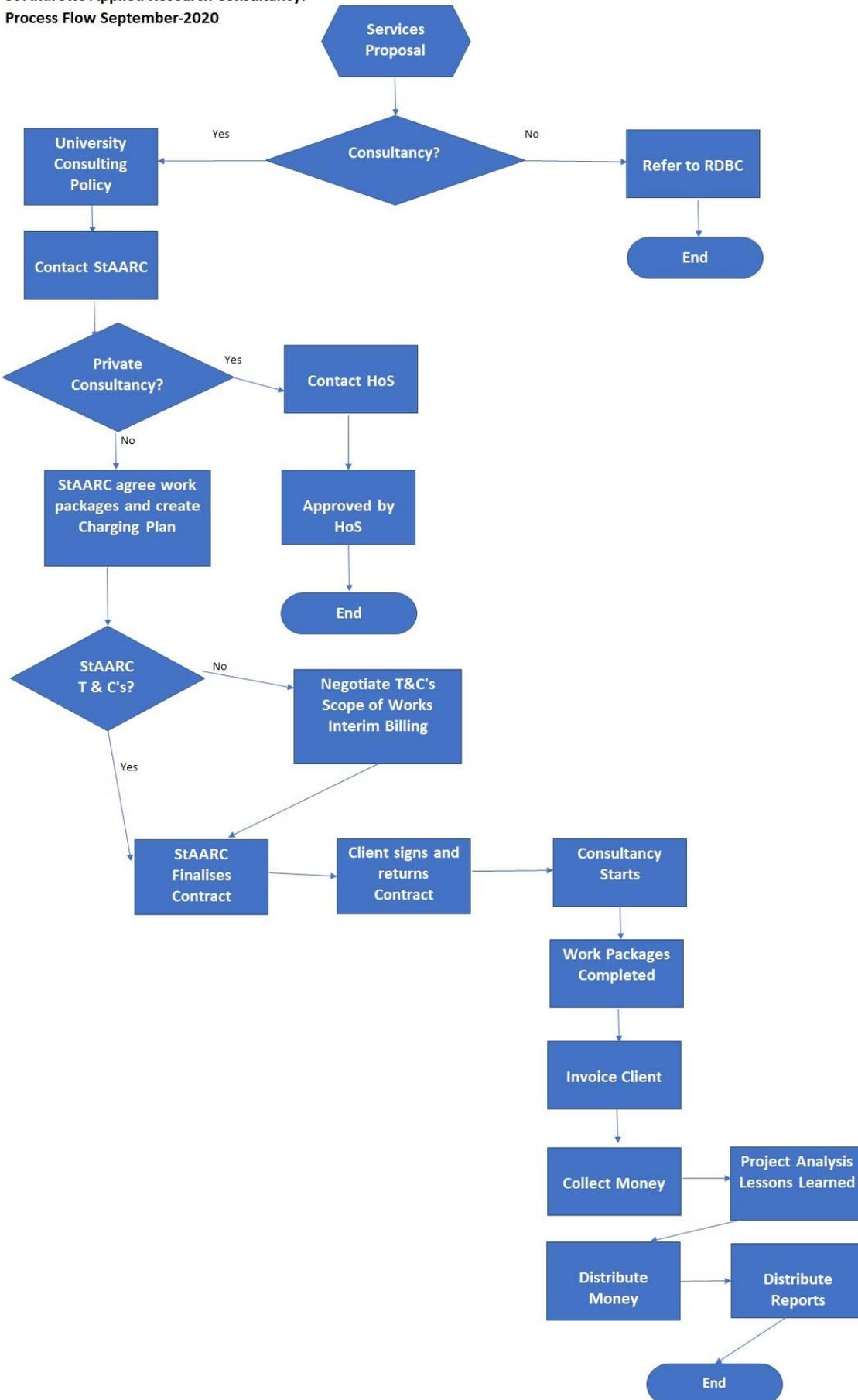
5.1. Consultancy activity will be reported to the Heads of Schools/Units and the Business Ventures Group on a regular basis.

6. Further clarification

6.1. If you have any queries around the content provided within this document and how to interpret it, please contact km76@st-andrews.ac.uk

October 2020

St Andrews Applied Research Consultancy:
Process Flow September-2020



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1.0	Launch of Pilot phase / new policy approved	Approved	Head of RBDC / Finance	1 Feb 2021