



**UNIVERSITY *of* LIMERICK**

**O L L S C O I L L U I M N I G H**

**POLICY FOR PRIVATE CONSULTANCY AND  
EXTERNAL COMMERCIAL WORK**

*Approved by Governing Authority 22 September 2009*

## **POLICY FOR PRIVATE CONSULTANCY AND EXTERNAL COMMERCIAL WORK**

### **1. INTRODUCTION**

- 1.1 UL permits members of the academic staff to engage in private external consultancy and directorships in order to expand and maintain their professional competence, keep abreast of developments and innovation in business and the professions, and to support the Irish economy and enhance the reputation of the University by sharing their scientific and academic knowledge with the business community and the professions.
- 1.2 However, in the interests of transparency and accountability, it is important that the University should be aware of the commercial and professional interests of its academic staff such as private external consultancy, directorships and other external activities, to ensure that these activities are not in conflict with the interests of the University<sup>1</sup>.
- 1.3 Academic staff are appointed on the understanding that they may engage in outside paid work only with the permission of the President, or his/her nominee. This policy will apply to activities remunerated at commercial rates and in particular, does not apply to external examining activities, external evaluation/accreditation duties or the delivery of external lectures. If in doubt, it is recommended that members of Faculty should consult with their Head of Department or their Dean.

### **2. PRIVATE EXTERNAL CONSULTANCY AND OTHER EXTERNAL ACTIVITIES**

- 2.1 There is a distinction between consultancy work undertaken by a staff member in a private capacity in accordance with the above policy, and consultancy undertaken on behalf of the University by a member of staff, the policy on which is governed by the terms of the UL Policies on Intellectual Property.

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<sup>1</sup> Consultancy and Directorships to include: partnerships, trusteeships, trade engagements, other remunerated positions (e.g. lecturing/teaching in other Institutions), membership of external committees, private professional practice.

## **2.2 Conditions**

2.2.1 External consultancy and other remunerated activities may be undertaken provided that:

- The activities are related to the academic and professional interests of staff;
- External activities do not exceed 20% of working time or not more than one day per week;
- External activities do not interfere with the performance of normal academic duties and are recommended by the Head of Department and approved by the Dean;
- External activities do not give rise to any conflict of interest for the individual member of staff or for the University <sup>2</sup>;
- The University acquires no vicarious liability.

2.2.2 When a staff member undertakes private consultancy work, he/she is not covered by the University's professional indemnity insurance policy and should carry his/her own insurance.

## **2.3 Notification**

2.3.1 Academic staff undertake to provide details using the annual return form of private consultancies and directorships undertaken in the previous academic year based on the following conditions:

- The staff member has made it clear to the client that he/she is operating as a private individual and not as an agent or employee of the University;
- The private address of the member of staff is used for all correspondence. The use of University letterheads or other printed stationery is forbidden;
- Where University facilities are used, the full value must be paid to the University on a basis agreed with the appropriate Head of Department, Dean and the Director of Finance;
- The University will have no responsibility for the work and this has been made clear to the client by the staff member. Staff members should take out personal professional indemnity insurance to cover their individual liabilities;
- The staff member is responsible for his/her own declarations of private consultancy income for tax on a self-employed basis.

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<sup>2</sup> If differences of opinion arise in relation to this, then the matter will have to be resolved through the University's Grievance Procedure.

2.3.2 Members of staff should note that it is not permitted to carry out private trading or consultancy activities from University premises without the express permission of the Dean and Director of Finance<sup>3</sup>.

## **2.4 Annual Return**

2.4.1 Academic Staff are required to complete an annual return listing consultancy and directorship details for the previous academic year along with consultancy and directorship details planned for the next year (see appendix 1) to the Head of Department / Dean / VP as appropriate. This return is regarded as strictly confidential. The Head of Department / Dean / VP as appropriate is required to inform the Research Office of consultancy activity without delay.

2.4.2 Failure to submit the annual return (even in cases where no consultancy has been undertaken) is in breach of the terms and conditions contained in this section.

## **3. DISCLOSURE OF INTEREST**

3.1 A member of staff seeking permission to become involved in the ownership or control of a private company must disclose to the Head of Department / Dean / VP as appropriate the extent of his/her involvement, **and** the nature and volume of any transactions between the University and the company.

## **4. DIRECTORSHIP**

### **4.1 Public Sector Bodies**

4.1.1 In regard to Directorships of Public Sector Companies, Directors' fees can be received by any one person, provided the following conditions are fulfilled:

- That the duties involved are neither a part nor an extension of the staff members normal duties;
- In the case of multiple Directorships that payment would be permitted to a maximum of two appointments.

4.1.2 Public Sector bodies are defined as covering any autonomous public body with a Board appointed by the Government to discharge the functions assigned to it by the Government.

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<sup>3</sup> Breaches of the terms and conditions of this policy may result in Statute No. 4 of the University of Limerick: Employee Disciplinary Matters & Termination of Employment being invoked.

## **4.2 Other Companies**

- 4.2.1 Directorships of non-public sector companies, including Public Companies and Private Companies, are regarded as outside work and the criterion applied to outside work applies equally to them.

## **4.3 Campus Companies**

- 4.3.1 Staff involved in the development of a Campus Company should refer to the 'Procedures for the Authorisation and Establishment of Campus Companies'.

## **5. Related Documents**

1. Conflicts of Interest, Protocol and Procedures related to Research Activities at University of Limerick  
<http://www.ul.ie/research/content/policies-procedures>
2. Intellectual Property Policy  
<https://www.ul.ie/policy-hub>
3. Campus Companies Procedures  
<http://www.ul.ie/research/content/policies-procedures>
4. Statute No. 4 of the University of Limerick: Statute on Disciplinary Matters, Termination and Capacity  
<https://www.ul.ie/policy-hub>
5. Grievance Procedure  
<https://www.ul.ie/policy-hub>

## Appendix 1

### Consultancy and directorships external to University of Limerick

#### Annual Return Form

Notification of Consultancy and Directorships (to include: partnerships, trusteeships, trade engagements, other remunerated positions, membership of external committees, private professional practice) external to UL. Please submit notification to Head of Department, Dean VP as appropriate.

<b>Staff No.</b>	
<b>Name</b>	
<b>Department</b>	
<b>Grade</b>	

Have you engaged in consultancy work or held directorships in the previous academic year?

Yes  No

If yes indicate details of external consultancy (to include: partnerships, trusteeships, trade engagements, other remunerated positions, membership of external committees, private professional practice) undertaken in the previous academic year, along with those to be undertaken in the new academic year to the Head of Department using the table below.

#### Notification of Consultancy / Directorship for previous academic year

Detail	Do you intend to continue with this activity next academic year Y/N

#### Notification of Consultancy / Directorship for the new academic year

***I am not aware of any conflict of interest that may arise between my Academic appointment with UL and my external commercial or professional activities and I declare that any external consultancy (to include: partnerships, trusteeships, trade engagements, other remunerated positions, membership of external committees, private professional practice) that I plan to undertake in the coming Academic Year will not conflict with my academic duties.***

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
(Member of Academic Staff)

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
(Head of Department / Dean/ VP as appropriate)