



BLANTYRE INTERNATIONAL UNIVERSITY

BIU UNIVERSITY CONSULTANCY POLICY

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1.0 INTRODUCTION

1.1 Blantyre International University, referred to as the University hereafter, acknowledges the importance of its faculty engaging in consultancy activities, both for external organizations and for the institution itself. Consultancy serves as a vital conduit for the exchange of knowledge and expertise between the University and external entities, fostering the growth of productive relationships. Consequently, the University's policy is to encourage its staff to partake in consultancy when appropriate and in alignment with their contractual obligations.

1.2 Consultancy activities are a valuable means through which the University and its faculty can share their expertise, facilities, and equipment with external organizations and establish connections.

1.3 Consultancy activities, when undertaken by staff members, offer various benefits to both individuals and the University. Individual benefits include supplementary income, opportunities for collaboration, skill enhancement, and personal development. Benefits to the University encompass an enhanced reputation, contribution to knowledge transfer efforts, and support for stakeholders. The Consultancy Unit, housed within the University's Research and Enterprise Department (RED), is responsible for managing and supporting these activities.

2. DEFINITIONS

2.1 Consultancy: Within the University's comprehensive definition of consultancy, the following key aspects are central:

- 2.1.1 Consultancy involves professional work carried out by University staff in their areas of expertise for external clients, for which financial compensation is provided.
- 2.1.2 Unlike research, the primary aim of consultancy is not the generation of new knowledge.
- 2.1.3 Consultancy results in contracted deliverables, which may be partially or wholly owned by the client.
- 2.1.4 The University generally does not retain publishing rights over the outcomes of consultancy.
- 2.1.5 Consultancy typically operates on short-term contracts, minimizes the use of University resources, and utilizes existing staff rather than new hires.

2.2 Excluded from the above definitions: This policy does not pertain to activities, whether remunerated or not, that are geared towards scholarship or knowledge dissemination, including:

- 2.2.1 Authoring books or receiving royalties from book publications.
- 2.2.2 Serving on public sector or charitable committees.
- 2.2.3 Conducting external examiner duties.
- 2.2.4 Participating in lecture tours, conference presentations, or attendance.
- 2.2.5 Serving as an editor for academic journals or publishing academic articles.

3.0 AIM OF THE POLICY

3.1 The primary objectives of this Consultancy Policy are to:

- 3.1.1 Provide University staff with guidelines governing consultancy work while



employed by the University, ensuring consistent application across various faculties, departments, and working/support units.

- 3.1.2 Promote and encourage best practices in consultancy activities within the University.
- 3.1.3 Define the roles and responsibilities of individuals and groups involved and ensure proper risk management and accurate documentation of all consultancy activities involving University employees.

4.0 SCOPE

- 4.1 This Consultancy Policy is applicable to all University employees, including those not involved in research or teaching.
- 4.2 The policy covers all consultancy activities conducted by University employees, whether performed through the University or independently.
- 4.3 This policy is an integral part of the University's Financial Regulations, and non-compliance constitutes a breach of these regulations, subjecting individuals to disciplinary action.

5.0 CONSULTANCY WORK

- 5.1 Consultancy work at the University involves the provision of expert advice and services by one or more University employees. While this work may entail significant analysis, measurement, or testing, it heavily relies on the intellectual input of the University to serve clients (commercial or non-commercial) and revolves around the application of existing knowledge. Although the primary purpose of consultancy is not the creation of new knowledge, it may result in the development of new intellectual property, such as copyright, data, confidential information, and improvements to existing client-owned intellectual property.
- 5.2 Consultancy can be carried out for various types of clients, including public sector organizations, non-commercial entities, small and large businesses, whether local or international.
- 5.3 When the University requires consultancy services for its internal needs, University employees identified and selected to provide such consultancy will serve as consultants to the University.
- 5.4 If there is uncertainty regarding whether a proposed activity can be managed as consultancy or service, the Consultancy Unit, in collaboration with relevant faculties and departments, will determine the appropriate classification.
- 5.5 The University recognizes two types of consultancy carried out by staff and categorizes them as follows:
 - 5.5.1 Private Consultancy: This type of consultancy is conducted by individual staff members outside of the University, governed by a contract between the individual and the external client. Private consultancy should not involve the use of any University equipment or resources, including IT. All fees for such consultancy work are received by the individual, who assumes full responsibility for financial, legal, and insurance matters related to the activity.
 - 5.5.2 University Consultancy: This consultancy is conducted in the name of the

University by either an individual or a group of staff, guided by a contract between the University and the external client and fully supported by the Consultancy Unit. Fees for this type of consultancy may be paid to individual consultants through payroll (Personal Consultancy) or retained by the department to which the individual(s) belong, subject to agreement with the respective Heads of Departments (HODs).

- 5.6 All staff engaged in consultancy work must ensure that their involvement does not conflict with:
- 5.6.1 The terms and conditions specified by the funders of any research in which the individual is involved.
 - 5.6.2 The terms and conditions of any other consultancy or work.

6.0 PRIVATE CONSULTANCY

- 6.1 University employees who choose not to offer consultancy services through the University may engage in Private Consultancy under the following conditions:
- 6.1.1 Individuals are prohibited from using the University's name or resources for any aspect of the consultancy, including but not limited to property, software, databases, computers, library, stationery, email accounts, laboratory facilities, or equipment.
 - 6.1.2 If a member of the Research and Enterprise Department (RED) identifies an opportunity for consultancy and brings it to the attention of a staff member, such work must be conducted as University Consultancy. Undertaking such consultancy as Private Consultancy is not permitted.
 - 6.1.3 The University will not offer advice, support, or due diligence for Private Consultancy work.
 - 6.1.4 The University will not provide defense for an individual in case of claims made against them by the client or other third parties regarding Private Consultancy.
 - 6.1.5 All communication related to the consultancy project must originate from the staff member's private address and email account.
 - 6.1.6 Upon becoming aware of a potential consultancy opportunity, individuals must obtain written permission from the respective HOD to pursue it as Private Consultancy.
 - 6.1.7 Individuals undertaking Private Consultancy are responsible for informing their client of their responsibilities, including the requirement to disclose the following to the University:
 - 6.1.7.1 The client's name, the general nature of the work, and the time commitment for approval by the HODs.
 - 6.1.7.2 The client's name and fees earned for inclusion in the University's Register of Interests to manage conflicts of interest.
 - 6.1.8 Individuals engaged in Private Consultancy are solely responsible for the advice and services provided, and the University disclaims any liability arising from such consultancy.
 - 6.1.9 It is the responsibility of individuals conducting Private Consultancy to account for all taxes payable on earnings from this work.



7.0 FEE ALLOCATION AND REMUNERATION

7.1. Private Consultancy

- 7.1.1. Where an individual has chosen to take fees from the consultancy work as personal income in addition to his salary, the following disbursement split is applied to the invoiced fees:
 - 7.1.1.1. 75% of the invoiced fees (less income tax applicable) are to be paid to the individual members of staff through payroll as additional non-pensionable salary;
 - 7.1.1.2. 75% of the remaining invoiced fees are to be paid to the University to contribute to the University's overheads;
 - 7.1.1.3. 25% of the remaining invoiced fees are to be paid to the individual's department as a contribution to any project administrative costs.

8.0 PERMITTED LEVEL OF CONSULTANCY

- 8.1. University employees are permitted to undertake up to 90 working days consultancy activity per academic year.
- 8.2. In some circumstances the University may authorize staff to undertake further consultancy work outside this limit, but this must be discussed and approved by the HOD, Faculty Dean and RED on a case-by-case basis.
- 8.3. The decision to accept a proposal to undertake consultancy activity is not automatic and factors including the likely performance lapses in the individual's department shall have to be taken into account;
- 8.4. The HODs are solely responsible for determining whether or not to grant authorization to a member of staff from their departments to undertake consultancy work (both Private and University). However, where personal disputes arise with regard to the HOD's decisions, mediation comprised of the Faculty Dean and RED shall be made available. Decisions of this Mediation team shall be final.

9.0 AUTHORIZATION FOR CONSULTANCY WORK

- 9.1. HODs are solely responsible for determining whether or not to grant authorization to a member of staff from their departments to undertake consultancy (both Private and University).
- 9.2. In each instance where authorization for a piece of Consultancy is being requested, prior to granting any such authorization, HODs must satisfy themselves that:
 - 9.2.1. The Consultancy project for which a member of staff has requested authorization (whether Private or University) is consistent with the Research and Teaching strategy of the department and the University;
 - 9.2.2. By acting as a Consultant, the member of staff maintains a satisfactory level of performance in their normal duties such as teaching, research, administration and other duties;
 - 9.2.3. That there is no conflict of interest arising from a member of staff performing a particular consultancy contract.
- 9.3. The Consultancy Unit will respond to all requests from an HOD with respect to providing information that may be required by an HOD to make an informed decision regarding authorization for University Consultancy work.



10.0 CONTRACTUAL REQUIREMENT

- 10.1. The University is liable for the actions of its employees during work-related consultancy even if the actions are not covered by an agreement involving the University;
- 10.2. The University, therefore, strictly prohibits staff from entering into work-related consultancy arrangements with outside agencies without approval from the University;
- 10.3. Staff are encouraged to involve the Consultancy Unit within RED in processing of consultancy as early as possible so that any issues with the contract can be highlighted and, where possible, either resolved or mitigated.