

Policy Title	Provisioning of advisory and consultancy services
Responsible AIU Office (Higher Management/Directorate)	Office of the VP for Research Affairs
Policy Owner (Executive Department/Office)	Research Office Director
Pertinent Dates	Draft1: 10 th April 2022.

I. SCOPE OF POLICY

This policy addresses the regulations of university contracted services, advisory and consultancy services, as an additional revenue stream for the university, its employees and students. These services involve usage of university employees' and students' existing skills and knowledge to provide expertise to external organizations to fulfill their particular needs – ranging from advice and problem-solving through to the use of facilities, compound analyses and product development.

II. DEFINITIONS

University Contracted Services	Covers fee-for-service work that is performed in the university name and using university staff and resources, where the funds are to be processed via the university. The contact is between AIU and the external organizations.
Advisory Consultancy	Activity undertaken by an individual expert working full time in the university, using the university name, and makes no or only minimal use of the university's facilities and which is undertaken by that individual only as an employee of the university delivering an agreed 'service' to a client. This includes external scholarly activities such as organizing conferences, editing books, and any community service activities.
Private consultancy	Covers consultancy and fee-for-service work done by university employees and students on their personal responsibility and liability and without the use of university name nor university resources. This includes private medical and dental practices, business and engineering consultancy activities. Private consultancy is performed outside normal working hours and beyond the scope of the employee's job description

III. POLICY STATEMENT

The university makes a clear distinction between a contracted service provided in its name and the scenario where an individual member of staff provides services in a private capacity using the university name (i.e., advisory consultancy), and /or not using the university name (i.e., private consultancy). Contracted services, advisory services, and private consultancy services do not involve the creation of new knowledge and intellectual property as their prime intent in the way that carrying out research does, and their outputs will normally belong to the client outright.

With a University Contracted Service, the contractual relationship is between the external client and the university and not with the individual member of staff. Under this arrangement, university staff and students are covered by the university's insurance and may use university resources to carry out the work. The research management directorate provides support and administration for all the university contracted services. The carrying out of any contracted and/or advisory services must not detract from the core university duties and activities for which an individual is employed, and must:

- (i) comply with all applicable university policies, regulations, and procedures;
- (ii) be approved by the Head of Department/Faculty, as appropriate, before the work commences; and
- (iii) be covered by a fully signed contract between the university and the client before the work commences in the case of university contracted services.

IV. RESPONSIBILITIES

- Research Director
- Head of faculty
- Legal office
- AIU staff
- AIU student:

V. POLICY STANDARDS AND PROCEDURES

Categorization

University contracted and advisory services can be categorized into the following:

1) Fee-for-Service: Activity that uses the name, the resources/facilities of the university, either staff employed on the activity (beyond the lead staff member/s), equipment or other facilities

to deliver a service. Examples include routine testing and analysis, evaluation, feasibility studies, validation work (information, data, materials and products etc), use of facilities, some pilot projects, pump-priming work, the delivery of an end product to the client's specification, and work which does not include research (e.g., on publication or rights to use project results), etc. Any work using the university's name is also considered to be a contracted service, except as expressly provided for otherwise in this policy. Fee-for-service work may not be undertaken on a private basis.

2) Advisory Consultancy: Activity undertaken by an individual expert using the university name, and makes no or only minimal use of the university's facilities and which is undertaken by that individual only as an employee of the university delivering an agreed 'service' to a client. Examples include specific advice or review of a client's products, evaluating strategy for a business, protocol review, literature review, sitting on advisory boards, data analysis, audit, translation, policy review or development and expert witness work. This is could be done during formal working hours.

3) Private Consultancy: Activity undertaken by an individual expert that makes no use of the university's facilities and undertaken without the use of university name, and done outside formal working hours. Consultancy work that does not draw on university resources may be undertaken by a member of staff or student in a private capacity (either acting personally or through an external organization in a way that is wholly consistent with university policies and procedures), subject to the approval of faculty dean. Such private work should be carried out in the individual's own time, and the individual may not:

- Use any university address (postal or e-mail) in any communication with the client, nor make use of any university resources (e.g. staff, equipment, facilities, space, intellectual property, data, teaching materials)
- Do anything that could lead a client to believe that the individual is acting in their university capacity (e.g., by using university stationery, e-mail, crest, logo or address)
- Hold meetings on university premises, as this may be interpreted as an association with the university and hence the university's tacit endorsement of the private consultancy services
- Use university computing equipment or software, even if the university is reimbursed; university software licenses are generally for university academic use only and do not permit private, non-university usage.

General Rules:

- All work that involves the use of the university's resources (including the university or an academic unit's name, stationery, materials, data, intellectual property, meeting rooms, computers, facilities etc.) must be undertaken as a university contracted service and may not be arranged as private consultancy.

- All Contracted Services should fully adhere to the standards and values set out in the university's [Statement on Research Integrity](#).
- The university will not allow its name to be used to in advertising or endorsing products or brands created as a result of Contracted Services work or associated with that work.
- The academic undertaking a University Contracted Service is responsible for drafting the scope of work with the client's approval to be included in the schedule of the contract. The project to be undertaken must be clearly defined with achievable goals. The start date and agreed period of work must be realistic and the fee charged must cover all the costs of the engagement and project, including any substantial discussion and preparatory time prior to the execution of the contract. Where required, milestones and interim reporting will be incorporated into the contract. The academic is responsible to ensure compliance with the terms of the agreement as it could result in the client withholding payment with repercussions on both the academic and their Faculty, Division, School and/or Department in respect of any lost revenue or potential legal action against the university.
- The terms in legal agreements for University Contracted Services are very similar to those for research that are set out in the Policy and Procedures on Administration of Research Grants and Contracts.
- *Intellectual Property (IP)* - The results of University Contracted Services will generally belong to the client, although in certain cases the university may be able to negotiate the right to use the results of their work for further academic purposes and be able to publish. However, where providing services to a client involves either the creation of new tools and techniques for the university to carry out the work, or else improvements to existing university tools and techniques, the contract terms will be negotiated so that those tools and techniques remain the property of the university. Examples of such tools and techniques are computer source code, questionnaires, databases, datasets, sets of DNA or tissue samples or animal models. Although carrying out a contracted service frequently draws on university pre-existing or 'Background' intellectual property, no transfer of ownership of those rights or a grant of exclusive rights of use may be permitted when providing
- Faculties, Departments, Schools and Divisions should only authorise staff with suitable levels of skill and knowledge to undertake the local management of University Contracted Services
- It is the responsibility of faculty dean to approve and account for all University Contracted Services and private consulting carried out by staff and students in their area of authority and to ensure that the pursuit of such activities does not conflict with the member of staff's other university duties or the student's program of study. These

approval forms are for internal university purposes only and must not be disclosed to the client or any other external organizations.

Costing and pricing

1) Contracted Services

1- All University Contracted Services are subject to the costing and price having been approved by the relevant faculty approvers and by the Contracts Team. using Full Economic Cost (FEC) principles and priced with the minimum acceptable cost recovery being full FEC, except in exceptional, agreed circumstances. Wherever possible, a premium will be added to the FEC cost to reflect the market value and opportunity cost of the service being provided.

2- Staff undertaking contracted service may choose to receive any personal fee costed into the project budget if authorized by the relevant faculty approver via an associated contract as a payment made through the university payroll. Working with the consultant, the Contracts Team will negotiate the consultant's fee with the client to reflect their market value using rates appropriate for the discipline and taking due account of what is appropriate for the funder (e.g., a small charity or a large company). The fee is usually based on an hourly or daily rate, made up of the consultant's actual salary costs

3- Once a price has been agreed with the funder, the Contracts Team will draft, negotiate and sign the legal agreement for the work; individual academic or research staff are not empowered to sign such agreements in the university's name.

4- In exceptional cases, a department may wish to include a more generalized opportunity cost in the budget of a consultancy.

2) Advisory Consultancy: Given the nature of Advisory Consultancy, costing the activity is more straightforward than Fee-for-Service work, as the costs generally comprise just the consultant's fee and sundry minor costs or expenses. This cost is covered by charging a **25% overhead fee**. It should be noted that this fee is not a top slice taken from a consultant's fee but is an amount added to that fee (and any costs). This overhead fee is not applied on external scholarly activities. Examples of external scholarly work include: (i) participation in external assessment procedures (e.g. REF, QAA) carried out for national bodies, (ii) membership of committees in national institutes, Research Councils, Egyptian government departments, (iii) editorial positions on scientific journals (iv) editing or authoring academic works, or (iv) speaking at conferences, giving university lectures or participating in academic debates, science festivals or

similar dissemination events. Scholarly work may use the university's name for information purposes only.

3) Private Consultancy: Subject to faculty dean approval, university may charge a **10% overhead fee.**

Procedures for Private Medical/ Dental /Business/Engineering Consultation Practices

- Prior permission of their Executive Dean is required. Permission will not be withheld unreasonably, in particular outside normal working hours, but will be subject to academic and service commitments and reviewed annually. If private practice interferes with the availability for, or the performance of the academic or service commitment of the member of staff, permission will be rescinded.
- An employee needs to allocate some of the formal work hours towards the private practice, may be deemed to be part-time and their remuneration adjusted accordingly.

Procedures for External Scholarly Activities

The university encourages staff to join relevant committees of public and government bodies as part of its academic role and mission. Although such work may involve payment of modest fees by an external organization, the contractual arrangements are generally made directly with the member of staff who may keep the honoraria, where applicable, and comply with taxation requirements directly. Acting as an external examiner for another university or as a peer reviewer, whether paid or unpaid, is regarded as an educational service within normal academic duties.

VI. FORMS/INSTRUCTIONS (if applicable)

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- Request for consultancy/advisory service form

VII. APPENDICES (if applicable)

VIII. RELATED POLICIES

- Contracting Policy

- The university Financial Regulations
- The Procedures for the Acceptance of External Funding and Collaboration with Organizations and individuals
- The Declaration of Interests Policy

VIV. CONTACT INFORMATION

Research Office Manager

Triggered by:	Name	Date	Sig.
Created by:	Name	Date	Sig.
Revised by:	Name	Date	Sig.
Approved by:	Name	Date	Sig.