

OUTSIDE WORK AND BUSINESS INTERESTS FOR UNIVERSITY STAFF

PROCEDURES

1. Introduction

1.1 These procedures complement the University policy on [Outside Work and Business Interests for University Staff, Number 1.50.02.](#)

1.2 Procedures to be followed are set out with respect to:

- applications for approval and reporting;
- contractual arrangements;
- costing of work and staff remuneration;
- the Academic Portfolio of Achievement;
- declaration of business interests; and
- transitional arrangements.

2. University Related Outside Work

2.1 Application for Approval. A Related Outside Work - University or Controlled Entity application form is located on the web at <http://www.uq.edu.au/shared/resources/personnel/OutsideWorkBusInterests/OWAppl.doc> . It includes a declaration of acceptance of the principles and requirements in the University policy. The form once approved is to be retained in the organisational unit for audit purposes, with a copy to the staff member's University staff file.

2.2 Contractual Arrangements.

2.2.1 A written contract, including the fee to be charged, for related outside work must be made either:

- through the University, or
- through a University controlled entity, such as UniQuest, IMBcom or JKTech.

2.2.2 University staff members, other than the Secretary and Registrar, are not authorised to sign contracts to undertake Related Outside Work.

2.2.3 Related Outside Work – University. Contractual arrangements for Related Outside Work to be conducted through the University must be channelled through the Office of the Secretary and Registrar, via the University's Legal Officer who is required to vet contractual documents. Research and Commercial (Business Services) will set up a Source 6 account for the conduct of the activity.

2.2.4 Some terms and conditions of contracts may be onerous to the University with respect to possible impact on the University's reputation, liabilities, indemnities and liabilities, warranties and the ability of the University's

insurances to meet the conditions of contract. For example, some government contracts require the contractor/consultant to have professional, public or product liability insurance written in both the Principal's and the University's names. This is not possible with Unimutual. Legal advice must be obtained with respect to such contractual matters.

- 2.2.5 Related Outside Work – University Controlled Entity. Staff members intending to undertake related outside work may consult UniQuest Pty Limited or another controlled entity as appropriate. UniQuest is able to assist with the development of contract material, letter of offer and acceptance, an appropriate costing structure, and execution of agreements. See <http://www.uniquest.com.au/consulting> for a simple guide to establishing a consultancy agreement through UniQuest, including preparing a budget.
- 2.3 Costing and Staff Remuneration for Related Outside Work.
- 2.2.1 The University policy on Recovery of Infrastructure and Service Costs in Research Budgets, Policy Number 4.50.4, located on the web at <http://www.uq.edu.au/hupp/contents/view.asp?s1=4&s2=50&s3=4>, provides guidelines on costing and disbursement of fees. The fee to be charged must not create unfair competition.
- 2.2.2 The calculation of the fee for any Related Outside Work is to include all direct costs to be incurred by the University and all relevant indirect/overhead costs, with an appropriate margin or other benefit accruing to the University, plus 10% GST. The University Recovery of Infrastructure and Service Costs in Research Budgets policy also specifies the split of total overheads between the Faculty/School/Centre/Workgroup and the University overhead accounts. Faculty Innovation and Commercialisation Managers should be consulted when preparing cost budgets.
- 2.2.3 The Related Outside Work - University or Controlled Entity application form includes an Appendix, Related Outside Work Costing And Disbursements, <http://www.uq.edu.au/shared/resources/personnel/OutsideWorkBusInterests/OWCostingSpreadsheet.xls>, that sets out the direct and indirect costs payable and the accounts concerned. Faculty Managers, Innovation and Commercial Development are able to offer advice on developing budgets. Heads of the organisational units, through their Finance Officer, are responsible for ensuring that:
- direct and indirect costs are recovered;
 - the University overhead is paid to the appropriate account;
 - the agreed Faculty/School/Centre overhead is appropriately distributed;
 - the GST is accounted for appropriately; and
 - the fee charged does not create unfair competition.
- 2.2.4 The University normally does not offer any reductions or exemptions from minimum cost recovery for University Related Outside Work. However, if an

academic believes that a reduction or exemption might be warranted, the project must be run through UniQuest. In general, a reduction in overheads could only be justified if the client was a charity or small, community-based not-for-profit organisation.

2.2.5 UniQuest will manage requests on a case by case basis and will seek approval from the Secretary & Registrar. Any reductions will be recorded by UniQuest to keep track of precedents and periodically report on reductions/exemptions, if requested.

2.2.6 Remuneration for Staff.

2.2.6.1 If the Related Outside Work undertaken by members of staff is additional to their specified duties or normal workload, then appropriate adjustments should normally be made to the staff member's workload (up to a maximum of 200 hours per six month period). The work involved should be costed accordingly and no additional remuneration should be paid.

2.2.6.2 If adjusting the normal duties and workload cannot accommodate the contribution being made, additional remuneration may be paid through the University payroll, with the proviso that there is no offsetting reduction in normal workload. Staff should be informed about and agree to the remuneration arrangement before undertaking the work.

2.2.6.3 Any payments made to academic staff members will be processed as a non-superannuable allowance (UNIPRO), even though unrelated to their existing placement.

2.2.6.4 For general staff, the minimum requirement for the University is to pay for additional hours worked at the applicable overtime rate.

2.2.7 Margin. The margin earned by the organisational unit, after all costs including GST have been deducted, may be placed by the individual or workgroup concerned in a Source 6 account. It may be used as determined by the Head of the organisational unit for expenditure related to the pursuit of teaching, research, scholarship, or administration; for instance, to fund staff development, travel or equipment. The Head, or the Head's supervisor, must approve expenditure, if the Head is a beneficiary. Any equipment purchased from these funds becomes an asset of the University.

2.4 Academic Portfolio of Achievement

2.4.1 Related Outside Work undertaken by an academic staff member must be included in the person's Academic Portfolio of Achievement, Folio 4 – Service (located on the web at <http://www.uq.edu.au/shared/resources/personnel/appraisalAcad/AFolio.doc>), as part of the annual review process.

- 2.4.2 Heads of Schools and University/Faculty Centre Directors are responsible for workload allocation and performance of staff within their areas of responsibility. As part of the annual review process, they, or the delegated academic supervisor, must ensure that undertaking any Related Outside Work is not adversely affecting performance of a staff member's other duties.

3. Private Academic Related Outside Work

3.1.1 Application for Approval and Reporting

3.1.1 A Private Academic Related Outside Work application form is located on the web at <http://www.uq.edu.au/shared/resources/personnel/OutsideWorkBusinessInterests/OWApplPrivateAcadRelated.doc>. It includes a declaration of acceptance of the principles and requirements in this policy and details of any use of University resources. The form once approved is to be submitted to the relevant Faculty HR Officer for recording and generation of reports in March and September each year to the Executive Dean on staff undertaking Private Academic Related Outside Work. The form will be retained on the person's University staff file. Internal Audit may access these records and reports during the course of audit activity.

3.1.2 Approval may be sought for a specific activity of limited duration. Alternatively, a standing approval for one year may be requested if appropriate when, for example:

- the activity is ongoing, such as conducting clinical practice; or
- the services being performed involve a number of minor projects of a similar nature, such as a series of articles for newspapers.

3.1.3 Standing approvals must clearly state the duration of the approval and the specific activities covered. Standing approvals should be reviewed and renewed as appropriate by the approving authority on an annual basis. Faculty HR staff are required to monitor compliance and will notify Heads of Schools/Centre Directors and the relevant Executive Dean when the annual review is due.

3.2 Academic Portfolio of Achievement and Performance

3.2.1 Private academic related outside work undertaken by a staff member must be included in the person's Academic Portfolio of Achievement, Folio 5 – Other Staff Activities (located on the web at <http://www.uq.edu.au/shared/resources/personnel/appraisalAcad/AFolio.doc>) as part of the annual review process.

- 3.2.2 Heads of Schools and University/Faculty Centre Directors are responsible for workload allocation and performance of staff within their areas of responsibility. As part of the annual review process, they, or the delegated academic supervisor, must ensure that private academic related work does not exceed the 200 hour time limit per six month period or adversely affect performance of a staff member's duties.

4. Declaration of Business Interests

- 4.1 Staff must declare their business interests in writing in situations of actual or potential conflict of interest to the Head of their organisational unit using the Declaration of Business Interests form located on the web at <http://www.uq.edu.au/shared/resources/personnel/OutsideWorkBusInterests/OWDeclarationBusinessInt.doc>.
- 4.2 In addition, a staff member must submit the Declaration of Business Interests form to the Vice-Chancellor to obtain written approval, before accepting a position as a Director, Secretary, Public Officer or Executive Officer of a private or public company, other than a private company whose sole purpose is to act as trustee for a family trust.
- 4.3 Once approved, the form is to be submitted to the relevant Faculty or Central HR staff for recording, then filing through the Office of the Secretary and Registrar.

5. Transitional Arrangements

- 5.1 There will be a number of ongoing consultancy and outside work activities that commenced under the previous University policies, i.e. HUPP 1.50.2 Consultative and Other Outside Paid Work; HUPP 1.50.3 Outside Work and Business Interests – General and Research Staff; HUPP 4.10.3 Commercial Research and Related Activity.
- 5.2 Any staff member who is conducting consultancy or outside work activities at the time of promulgation of this policy will need to seek approval where the activity:
- has never been formally approved under a previous policy;
 - is of an ongoing nature; or
 - will not be finalised within the three months following promulgation of this policy.