

## External Professional Activities: Consultancy, Short Courses, Services and Outside Paid Work

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### A. Purpose and Scope

1. In accordance with its Charter and Objectives to be a centre of excellence in research and teaching relating to Asia, Africa and the Middle East, and as a knowledge-based organisation, SOAS produces and uses knowledge and intellectual property.

2. As part of its mission, SOAS wishes to make available the knowledge that it generates for the widest possible access, directly and through partnerships. The external professional activities (EPA) of SOAS Members of Staff are one means by which this is accomplished. This Policy provides the framework for the range of professional activities that might be undertaken.
3. For the purposes of this Policy, external professional activities are defined as remunerated or unremunerated activity that involves a SOAS Member of Staff working for or contributing to another organisation using the expertise or knowledge required for their SOAS academic or professional role. The activities under this Policy include the provision of expert advice, analysis and interpretation, and the giving of expert opinion based on specialist knowledge. It also includes the development and delivery of specialist professional training programmes.
4. The development and delivery of research (of all forms including commissioned or contract research) that are covered by planned workload allocations are not within the scope of this Policy.
5. Activities undertaken in a personal capacity not related to an individual's employment, e.g. as a local councillor or a school governor, are excluded from this Policy, and are a matter for the individual. Although SOAS generally wishes to encourage its staff to be involved in their community, if the level of such activities were considered in the judgement of the individual's line manager to be interfering or conflicting with an individual's delivery of their contractual responsibilities, SOAS may require the individual to restrict such activity.
6. This Policy applies to all SOAS Members of Staff in the course of their employment, consistent with the terms of the contract of employment, in particular that relating to paid work outside SOAS.
7. The principles underpinning this Policy are those of personal integrity, balance, stability and reciprocity. The ability to undertake external professional activities under the terms of the Policy should be viewed as a privilege rather than an absolute right.
8. See Appendix 1 for definition of the terms or expressions used in this Policy.

## B. Capacity to Undertake and Support for External Professional Activity

9. All SOAS Members of Staff, irrespective of type of contract, may undertake external professional activities, subject to the requirements of this Policy. Undertaking external professional activities can have significant benefits for the individual and for SOAS. However, it can also lead to conflicts of interest or conflicts of commitment, which should be appropriately declared and managed.
10. The ability to undertake EPA under the terms of the Policy requires approval from the individual's line manager. It should not interfere with the individual's ability to deliver on their contractual obligations and planned workload. Employment legislation, operational feasibility, and the terms of any external funding must also be considered before permission is granted.
11. External professional activities undertaken under the aegis of, and with the written approval of, SOAS will be covered by SOAS's insurance, subject to the terms of that insurance

## C. Approval and Management of External Professional Activity

12. There are four broad areas of external professional activity (paid or unpaid) that Members of Staff might undertake (see Appendix 1 for definitions). All of these relate to the use of the expertise and knowledge required for a Member of Staff's academic or professional role.
  - i) Professional and public service activities
  - ii) Consultancy and contracted advisory service activities
  - iii) Non-credit-bearing short courses and executive education
  - iv) Other institutional services
13. This policy is primarily concerned with Consultancy and contracted advisory service activities; and Non-credit-bearing short courses and executive education as these involve inputs of staff time and profits which under certain conditions are to be shared between the individual staff member and the institution.

### C.1 Professional and Public Services

14. Professional and public services are not generally subject to constraints, as long as the activities do not interfere with the individual's ability to deliver their contractual obligations and planned workload commitments. Members of Staff should make any such activities known to their Head of Department, Professional Service Director or line manager, and should also record any relevant external appointments (e.g. Board or Committee positions) in the SOAS Register of Interests.

### C.2 Consultancy and Contracted Advisory Services

15. All consultancy and contracted advisory services require approval of the individual's Head of Department, Professional Service Director or line manager.
16. All consultancy and contracted advisory service activities are treated as 'additional' to Planned Workload (Additional Workload), and can be undertaken for a maximum of 30 days (for both academic and professional staff, and pro-rated for fractional staff) cumulatively in any financial year across consultancy, non-credit-bearing short courses and executive education.
17. Variations to the arrangements set out in this policy may only be made with formal approval from the Vice Chancellor.
18. Consultancy that is generated by the individual can be operated either through SOAS or on a private basis at the individual's own risk. Consultancy activity that is generated by SOAS on behalf of the individual is required to be contracted through SOAS.
19. Where a Member of Staff chooses to operate a piece of consultancy on a private basis, they may not make use of the SOAS name or brand, of their SOAS email, or of SOAS facilities, services or other assets (physical or digital). They must also make

explicit to their customer that they are operating independently of SOAS and are not covered by SOAS's insurance. Such activity requires approval, as above, and should be declared in the SOAS Register of Interests.

20. Undertaking extensive private consultancy without prior approval, whilst being paid a full-time salary by the School constitutes breach of contract and as such presents risks to the individual of misconduct and dismissal.

### **C.3 Short Courses and Executive Education**

21. Engagement in providing non-credit-bearing (NCB) short courses and executive education activities require approval by the individual's Head of Department, Professional Service Director or line manager.
22. Any regular cycle of short course or executive education provision should preferably be built into Planned Workload and operated as such, particularly if the department requires this income to meet its contribution commitments to the central budget.
23. A portion of Planned Workload can be allocated to NCB short course activities as part of the workload planning process prior to the start of the year. If this is the case, there is an expectation that the individual will generate and / or deliver a relevant amount of SOAS NCB short course activity, whether newly created or part of a regular cycle of provision. Over or under-performance will be taken into account in the following year's workload allocation process.
24. All ad hoc short course or executive education activities are treated as 'additional' to Planned Workload and can be undertaken for a maximum of 30 days (for both academic and professional staff, and pro-rated for fractional staff) cumulatively in any financial year across short courses, executive education and consultancy.
25. Members of Staff are permitted to undertake short course or executive education development or delivery on a private basis or through another organisation only if it does not compete or conflict with provision that is or should be delivered by SOAS, and has been approved by the individual's line manager. In doing so, a Member of Staff may not make use of the SOAS name or brand, of their SOAS email, or of SOAS facilities, services or other assets (physical or digital). They must also make explicit to their customer or other organisation that they are operating independently of SOAS and are not covered by SOAS's insurance. Such activity should be declared in the SOAS Register of Interests. Involvement in competing courses requires the permission of the Director of SOAS, as stated in the contract of employment.
26. The approval processes for Credit-Bearing (CB) courses must follow the normal procedures of authorisation as other accredited programmes at SOAS and is not covered in this policy. However, some financial arrangements for CB courses that cannot be included in Planned Workload are described in D3 below.

### **C.4 Institutional Services**

27. All institutional services (see Appendix 1 for definition) require approval of the individual's Head of Department, Professional Service Director or line manager.
28. Where feasible, a portion of Planned Workload can be allocated to institutional services as part of the workload planning process prior to the start of the year. If this is

the case, there is an expectation that the individual will generate and / or deliver a relevant amount of SOAS services. Over or under-performance will be taken into account in the following year's workload allocation process.

29. Ad hoc services proposed and undertaken in-year are treated as 'additional' to Planned Workload.

## **D. Financial Arrangements**

30. SOAS's Financial Regulations apply to all external professional activities.
31. Members of Staff may receive benefits from undertaking external professional activities in the form of additional salary, in the form of relief from some or all of their other research, teaching, or administrative duties (workload allocation or workload credit) or by transferring their share of the income into a research support account (Y fund).
32. Payments will only be made to individuals or amounts credited to operational or discretionary accounts once funds have been received in full from the customer. Any payments made to individuals from external professional activities are not superannuable but are subject to income tax and National Insurance (NI).
33. Where a portion of income is received by an academic Member of Staff's department, centre or institute, its allocation will be subject to approval by the Head of College in discussion with the Head of Department/Centre/Institute.

### **D.1 Professional and Public Services**

34. Members of Staff may retain the whole of an honorarium paid for Professional or Public Service activities, and may choose whether to have the honorarium be paid to SOAS or be paid directly to themselves. If the honorarium is paid to SOAS and reimbursed to the individual, SOAS will deduct income tax and National Insurance (NI) and pay the amounts over to HMRC. If a Member of Staff chooses to accept a payment directly, the individual is responsible for declaring the income and accounting for tax and NI to HMRC. The individual can choose to waive the honorarium in favour of taking the funds into a SOAS research support account (Y fund), in which case there will be no deductions.

### **D.2 Consultancy and Contracted Advisory Services**

35. Consultancy that is operated through SOAS should be costed at full economic cost (FEC) and priced according to the market. Consultancy carried out on behalf of SOAS involves the use of School facilities, services and insurance, so a contribution to overheads is included in the cost and reflected in the distribution of revenue following the recovery of direct costs. For the first 30 days of cumulative consultancy and short course or executive education activity in any financial year (pro rata for part-time staff, taking place within their fractional contracted time), the net income (after recovery of the direct costs) will be distributed as follows:
  - 70% to the individual(s)
  - 30% to the individual's department / service or centre/institute

The above percentages should be used as a general rule. If the consultant has a justifiable reason for wanting to provide the service at a reduced fee (for instance if providing the service to a small non-profit organisation), this would be taken from the individual's allocation rather than from the amounts attributable to the department/service or centre/institute, since the level of support required would not be altered. If the work is being done by more than one individual and/or more than one department/centre/institute is involved, the above amounts would be divided between the parties in line with the relative level of work being done by each.

All fees must be agreed by the RKE Directorate under the authority of the Deputy Vice-Chancellor for Research and Knowledge Exchange prior to being presented to clients, and any negotiations must be led by the designated lead rather than by the academic or department/centre/institute involved.

36. For cumulative activity in excess of 30 days in the financial year (pro rata for part-time staff, taking place within their fractional contracted time), the activity will ideally be built into workload within year or retrospectively, direct costs will be paid and FEC will be recovered by the Department prior to the distribution of surplus in line with the percentages highlighted in paragraph Where this is not possible, alternative arrangements may be made with the approval of the Deputy Vice-Chancellor for Research and Knowledge Exchange.

### **D.3 NCB Short Courses and Executive Education**

37. Short courses and executive education that have been built into Planned Workload will be operated on a full economic cost recovery basis, priced according to the market. FEC will be recovered to the individual's department / service or centre/institute. Any surplus will be recovered in full to the individual's department/ service or institute.
38. Short courses and executive education that are additional to workload and that are operated through SOAS should be priced according to the market, with any direct costs recovered before the distribution of net income takes place. For the first 30 days of providing cumulative consultancy and short course activity in the financial year (pro rata for part-time staff, taking place within their fractional contracted time), an individual will receive a standard rate gross payment per hour of delivery. Where individuals from outside SOAS are contracted to deliver part of the short course, they will also be paid at this gross rate. A flat fee will also be payable to the course convenor, reflecting whether this is a new course or a repeat and the level of effort involved. FEC will be recovered to the individual's department / service or centre/institute. Any surplus will be recovered to the individual's department/ service or institute.
39. For cumulative activity in excess of 30 days in the financial year outside of workload (pro rata for part-time staff, taking place within their fractional contracted time), the activity will be built into workload within year or retrospectively wherever possible. The Department will recover full economic costs as well as any surplus in full.
40. Credit-bearing courses that cannot be included within workload allocations would follow the same procedures outlined above for payment of academic inputs and distribution of surplus.

#### **D.4 Other Institutional Services**

41. All institutional services covered by this policy are operated on a full economic cost recovery basis, priced according to the market. Usually, FEC and any surplus will be recovered to the department or centre/institute providing the services and any surplus.
42. Occasionally, variations to the stipulated financial arrangements for 'other institutional services' may be approved by the Deputy Vice-Chancellor of Research and Knowledge Exchange. This is in recognition of the varied range of activities that fall within this category of external professional activity.

#### **E. Responsibilities**

43. The SOAS Academic Senate is responsible for approving this Policy and any material amendments or updates to it. The Executive Board can approve any non-material changes. Material changes relate to matters of scope, allowable activities, activity caps and income distribution. Non-material changes relate to clarity of wording and procedural matters.
44. Responsibility for implementing this Policy rests with the Deputy Vice-Chancellor Research & Knowledge Exchange and the Director of Research & Knowledge Exchange, if required in consultation with the Vice-Chancellor and his/her designated official.
45. If there is an individual dispute concerning this Policy, SOAS's interpretation or any of the matters contained or referred to in this Policy, that dispute, if it cannot be resolved amicably, will be referred, in the first instance, to the Chief Operating Officer who may refer it to an independent third party for resolution, including, without limitation, mediation through the Centre for Effective Dispute Resolution or the use of an independent arbitrator.

## Appendix 1: Definitions

- **Member of Staff:** Any employee of SOAS, including academic, research, teaching, professional services, administrative, technical, support and casual staff, fellows, graduate teaching assistants, secondees, and students employed or paid by SOAS to deliver teaching.
- **Professional and Public Service Activities:** Academic scholarly and professional activities, including external examining, editorships of academic journals, invited lectures or conference presentations (academic and non-academic audiences), academic conference organisation, publication of academic books and papers, refereeing for academic journals and presses, refereeing for research funders, one-off media interviews or newspaper articles, involvement in learned societies or professional bodies (including serving as officers), serving on relevant public, governmental and charitable bodies.
- **Consultancy and Contracted Advisory Service Activities:** The provision of advice based on expertise for commercial purposes or contracted policy advice. It does not involve original research work or form part of an accredited programme of learning and teaching.
- **Short Courses and Executive Education:** The provision of expert information and insight on a specific topic or the delivery of stand-alone educational content over a limited period of time. The course may be one-off or repeated. Customers may be organisations or individuals. Short Courses and Executive Education includes all relevant terminologies, such as briefings, masterclasses, continuing professional development, executive education, training and work-based learning where there is no formal academic credit associated with the activity. It may include bespoke, closed courses in which the client provides the learners, or open courses in which the course is developed by SOAS for enrolment by application.
- **Other Institutional Services:** Any paid-for services, use of facilities or other assets, secondments (full-time or part-time), knowledge exchange, knowledge transfer activity, sale of goods or images, enterprise or similar activities not otherwise covered by consultancy or short courses and executive education.
- **Private Outside Work:** Any work undertaken by a Member of Staff on behalf of organisations or individuals outside SOAS in a private capacity.
- **Research:** Creative and systematic work undertaken in order to increase the stock of knowledge – including knowledge of humankind, culture and society – and to devise new applications of available knowledge (OECD Frascati Manual, <https://www.oecd.org/sti/frascati-manual-2015-9789264239012-en.htm>). To qualify, an activity must be all of the following: novel; creative; uncertain; systematic; transferable and/ or reproducible. It includes basic research, applied research and experimental development.

This definition includes all activities that meet the definition used by Research England (<https://www.ref.ac.uk/publications/guidance-on-submissions-201901/>): A process of investigation leading to new insights, effectively shared.

It includes work of direct relevance to the needs of commerce, industry, culture, society, and to the public and voluntary sectors; scholarship (defined as the creation, development and maintenance of the intellectual infrastructure of subjects and



disciplines, in forms such as dictionaries, scholarly editions, catalogues and contributions to major research databases); the invention and generation of ideas, images, performances, artefacts including design, where these lead to new or substantially improved insights; and the use of existing knowledge in experimental development to produce new or substantially improved materials, devices, products and processes, including design and construction. It excludes routine testing and routine analysis of materials, components and processes such as for the maintenance of national standards, as distinct from the development of new analytical techniques. It also excludes the development of teaching materials that do not embody original research.

It includes research that is published, disseminated or made publicly available in the form of assessable research outputs, and confidential reports (as defined in paragraph 261).

- **Research Support Account:** Individually-controlled discretionary accounts (Y funds) managed by departments / institutes that can be credited with an individual's share of surpluses or external income. The funds should be used only for appropriate purposes, which include: bridging of research staff, research conference and visit travel, support of visiting researchers, PGR support and enhancements, pump-priming of projects, small items of equipment. The accounts are controlled such that expenditure can only be committed up to the current balance of the account.
- **Planned Workload:** Planned Workload is any activity for which time is included in the Workload Allocation Model and agreed with the Member of Staff, or which is included in their annual objectives.
- **Additional Workload:** Additional Workload is any activity that is not included in Planned Workload, but which is agreed as relevant and appropriate by the individual's line manager. The agreement of Additional Workload should not affect the delivery of Planned Workload or other contractual responsibilities.