

6. Undertaking external professional activities may also lead to conflicts of interest, which should be managed under the standard provisions of the University's approach to conflicts of interest, by declaration via the individual's line manager.

A.2 Activities Outside the Scope of this Policy

7. Activities undertaken in a personal capacity not related to an individual's employment, e.g. as a local councillor or a school parent governor, are excluded from this policy, and a matter for the individual (although the University generally wishes to encourage its staff to be involved in their community). However, if

14. Where a member of staff undertakes, or seeks to undertake external professional activities without formal approval (where required), they may be subject to the disciplinary process as a breach of contract.

A.5 Financial Arrangements

15. Members of staff may retain the whole of an honorarium paid for Academic Professional and Public Service activities, and may choose whether to have the honorarium be paid to the University or be paid direct to themselves. If the honorarium is paid to the University and reimbursed to the individual, the University will deduct income tax and National Insurance 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 National Insurance to HMRC.
16. Income from Consultancy and Contracted Advisory and Professional Service activity is subject to the conditions in Section B. The University requires income from any activity that uses the University's resources, facilities, or name to be passed through its accounts (as Services Rendered activity). It also wishes to encourage this for all other consultancy, so that the institution is able to gain due benefit in external reporting, league tables and funding formulae. Doing so also helps the University to manage its risks and its external relations. Consultancy can be undertaken on a private basis under specific circumstances (see B.3).
17. Any payments made to individuals from External Professional Activities are not superannuable.
18. The University's Financial Regulations apply to external professional activities.

A.6 Registering External Professional Activity

19. Members of staff are encouraged to record all of their external professional activity (whether paid or unpaid) in their Sussex Direct profile, so that it is officially recorded and can be taken into account in any relevant reporting. Records of external professional activity will be taken into account, as appropriate, in the promotion and reward processes, as defined in the relevant policy statements.
20. Recording of Academic Professional and Public Service activities is the responsibility of the individual. Consultancy and Contracted Advisory and Professional Service activities will be recorded through the approval process by interaction with Research & Enterprise Services (RES), whose system will feed the information into the Sussex Direct profile. All staff undertaking external professional activities should therefore ensure that they have a Sussex Direct profile.

[Paragraphs 19 and 20 will apply once appropriate facilities are in place in Sussex Direct.]

B. Consultancy and Contracted Advisory and Professional Services Activities

21. The following conditions apply specifically and only to consultancy and contracted advisory and professional services activities, hereafter referred to as consultancy.

limited use of University facilities (the cost of which must be recovered in full). Consultancy generally makes use of University intellectual property or know-how, and generates information or data specific to the customer. It would not normally generate results equivalent to those from a research project. The results of consultancy would normally belong to the customer.

23. Consultancy is a subset of Services Rendered activities. Services activities include trading and accommodation, conference services, consultancy, intellectual property, facilities and equipment access, training and CPD, experimental and analysis services, prototype production, supply of goods, material transfers, and course validation.
24. For the avoidance of doubt, knowledge transfer and knowledge exchange activities encompass a range of services, including consultancy, but can also include certain research activities, such as collaborative and contract research, and projects funded under the Knowledge Transfer Partnership scheme.
25. As guidance, the following table provides some indication of activities that are consultancy, in this context, in comparison to others that are provision of other types of services.¹

Consultancy

including the working time directive. Human Resources will provide advice where necessary to assist this decision.³ Heads / Directors will also be mindful of the benefits arising from consultancy activity, to try to ensure benefits

- i) The individual's time should be costed using an appropriate day rate.
 - ii) Any incidental costs should be identified separately.
 - iii) Any use of University facilities or other resources (e.g. another member of staff in a support rather than a consultant role⁵) should be costed using the normal full economic costing method, using institutional rates for "Other" activities. These costs must be fully reimbursed by the income from the activity.
42. The minimum day rate to use should be the FEC-based day or hourly rate for the grade of staff.
 43. Where there is more than one individual involved as a consultant on a single piece of work, the relative split should be agreed before approval is sought.
 44. Consultancy work should be priced to recover at least the total cost, but also taking account of the market value of the individual and their expertise. The University expects individuals to attract value equivalent to other professions. The University will not accept payment for consultancy in the form of equity, or other financial instruments.

B.7 Distribution of Income

45. Income from consultancy within the 30 days approved level of activity will be distributed on the following basis. Costs charged to the project account in relation to incidental costs or use of University facilities or other resources will be a first charge against the income.
46. The remainder of the income (i.e. the consultant's employment costs and the premium) will be split as follows: 85% to pay the consultant and associated employer's NI cost, 5% to the University to contribute to Professional Indemnity Insurance costs, and 10% to the School's Research Support Account.
47. The 85% available to the consultant can either be paid as a personal payment (inclusive of the cost of the employer's NI charge), or be placed in the individual's Research Support Account⁶. The decision concerning the treatment of the consultancy fee must be made at the time of approval, before work commences, otherwise it will be subject to tax under HM Customs & Revenue rules. Payments to the individual will only be made after the fee has been received.

