

Guidelines for Consultancy Services by DAV University Academic and Technical Staff

Introduction:

One of the principal mechanisms by which University can transfer knowledge to government, public and private sectors is through consultancy services extended by its academic and technical staff, which contribute to the growth of the economy and to the needs of society. Academic and technical staff of DAV University can make available their expert knowledge to external organizations, including government, public sector bodies, private organizations/individuals, community groups and business organizations in the shape of consultancy services to solve the problem. These services may help the University to establish a long term relationship with such organizations which could lead to students placements, research projects as well as give an opportunity to generate income for the University and staff members involved in consultancy.

University Consultancy

A member of the DAV staff who engages with a client for a fee or other benefits shall be recognized as University consultant. University consultancy should take place where a clear opportunity exists to provide benefits to the individual member of staff, the department, the faculty and in exchange of expert knowledge and use of University resources if required.

Scope of Work within consultancy services

- (i) Routine analysis, testing and validation work.
- (ii) Expert opinion
- (iii) Advising on proprietary technology for a client
- (iv) Feasibility and scoping studies
- (v) Analyzing a client's material
- (vi) Expert witness testimony
- (vii) Structural designs/drawings
- (viii) Working on an outside scientific advisory board.
- (ix) Bidding for commercial projects put out to tender by public and private sector organization.

- (x) Specialist problem solving for clients
- (xi) Developing and marketing a commercial product
- (xii) Working for clients on social media
- (xiii) Professional practice work, such as accounting.
- (xiv) Architecture or social work
- (xv) Market research and technology audits
- (xvi) Aligning products and technology with business and marketing strategies.
- (xvii) Advising on practicals for clinical trials
- (xviii) Revising policies and procedure
- (xix) Undertaking regular teaching or training duties for another educational institutions or other body.
- (xx) Journalism, whether for the printed, electronic or broadcast media
- (xxi) Directorships of companies or partnerships, whether or not the position is a direct result of the member of staff's position in the University, or whether in an executive or non-executive capacity.

Work outside the scope of consultancy services

Consultancy does not include work undertaken which forms part of the wider academic endeavor such as:

- (i) Acting as external examiner for another university/institutions
- (ii) Journal editing or referring
- (iii) Peer review
- (iv) Committee work
- (v) Lectures or presentations for funding bodies or other universities.
- (vi) Academic conferences
- (vii) Work which does not depend on the member of staff's academics or administrative expertise
- (viii) Membership of any governing body
- (ix) Involvement in systems of quality audit or assessment within higher education
- (x) Involvement in research activity undertaken for, or in collaboration with a commercial or industrial organization in the context of a research grant or contract formally accepted by the university.
 - Selection committee
 - Book royalty
 - Fellowships etc.

Undertaking Consultancy

As a general policy, members of staff may engage in consultancy work after taking prior permission as required provided that it does not conflict with:

- (a) Their contract of employment
- (b) Discharging their duties as specified or given by the University from time to time
- (c) The interest of the Department
- (d) The University

Private Trading

Members of staff should note that private trading activities may not be carried out from University premises without the express permission of the Vice-Chancellor, and that staff must not imply any association between a private trading activity and the University.

Consultancy Cell

A University Consultancy Cell shall undertake/monitor all consultancy jobs on behalf of DAV University. The cell shall be headed by one senior person nominated by the Vice-Chancellor. He/She will be assisted by a team drawn from the relevant departments. For each consultancy job, one person shall act as **Chief Consultant** who shall be responsible for completing the job within agreed terms and time frame.

- A request for consultancy can be received by any staff member but is to be ultimately submitted to in-charge Consultancy Cell for consideration.
- Permission to undertake consultancy work upto one lakh rupees may be given by the In-charge Consultancy Cell and above one lakh by the Vice-Chancellor.
- While approving a consultancy proposal, the following factors will be taken into consideration:
 - i. that the normal duty of the individual staff member and the interest of the Department/faculty is not affected
 - ii. the schedule of consultancy should be such which shall not disturb the academic/technical priorities of the department
 - iii. expertise is available within university
 - iv. adequate infrastructure is available or can be arranged by the university
 - v. benefits are tangibly more than the costs incurred.

Collection of Charges:

The client on entering the agreement shall pay in advance 30 percent of the total worked out cost of the project. Rest of the payment schedule be as per the agreement. All payments will be received by the University under a separate budget head of the consultancy services.

Working out the cost of consultancy proposal/project:

While working out the cost of consultancy project, the following factors be taken into consideration:

- (i) No profit is to be made
- (ii) Only fee for expert advise/work be charged
- (iii) Only usage charges for infrastructure and depreciation to be included
- (iv) Administrative and taxes (if any) be charged as per existing rates
- (v) Extent of the client's needs
- (vi) Urgency of the client's requirement
- (vii) Level of expertise involved
- (viii) Time involved on the project
- (ix) Availability of competitive alternation consultancy
- (x) Availability of public domain knowledge
- (xi) Extent of convenience, intrusion and relevance to research and trading activities to the member of staff, their department or equivalent.
- (xii) Historic relationships

Cost of the project may include the following:

- Cost of consultant's time including intellectual fee
- Cost of man days of the staff taking part in the project
- T.A and D.A (as per agreement with the client)
- Cost of inputs (like chemicals, raw material and other types of consumables and equipment)
- Usage charges on equipment (including depreciating and utility of equipment etc.)
- Cost of stationery
- Computer charges
- Administrative charges
- Miscellaneous

Responsibility of Chief Consultant

Once the terms of consultancy have been approved, agreement signed and advance received, it shall be the duty of the Chief Consultant to ensure satisfactory progress and completion of project in time. For this purpose, he / she may take temporary appointment of full time or part time staff for a period of six months, draw advances and make expenditure in accordance with the requirements as the project progresses. Vice-Chancellor's approval will be required for appointment of staff for a period of more than six months.

Permission to undertake consultancy work

Permission to take any outside work must be sought in advance from the Vice-Chancellor through the Dean (Academics).

Dean (Academics) will ensure that:

- a member of staff is not working beyond his/her capabilities or expertise
- the proposed arrangements are consistent with other contractual duties and the broader interests of the unit and the University
- the resources needed will be/are available
- the distribution of any income is agreed

Adhoc/Contractual/Part-time members of staff:

Adhoc/Contractual/Part-time members of staff must similarly seek permission before accepting or retaining any paid employment of consultancy, if any significant university facilities are to be used in the course of that work, or if the offer of employment or consultancy derives from the member of staff's status as an employee of the University.

Consultancy work undertaken in a private capacity:

Permission to undertake entirely private work outside the University will be subject to the following conditions:

- Obtaining the approval of the Vice-Chancellor through Dean (Academics)
- Registering the work on the University's Register of Consultancy Interests
- Signing a standard-format letter to be provided by consultancy cell confirming that the member of staff is eligible for consultancy.
- Tell their client that they are operating in an entirely private capacity and not as an agent or employee of the University.
- Advise their client if they do not have any professional indemnity insurance cover from University.
- Sign agreements or other documentation only on behalf of themselves and not as an agent or employee of the University.
- Not use any significant University facilities ('significant facilities' would include, but not be limited to, laboratories, workshops, materials, specialist equipment, and the services of any other members of the consultancy cell).
- Use only their private address for all correspondence; the use of a University email account, letterheads, business cards, or other printed stationery implying an association with the University is not permitted.
- Not behave in any other way that might reasonably allow the client to believe that the University has any contractual or other obligation to the client
- Receive payment directly from the client, and personally accept liability for the payment of any additional income tax, and GST, reporting their additional earnings to the Tax Department.
- Private consultancy cannot be undertaken on projects where significant University facilities are to be used or the initial contact or enquiry was via one of the University's communications systems.
- ***Members of staff should note that very considerable financial liability can potentially arise in connection with the performance of consultancy work, and that where such work is undertaken in a private capacity it is not covered by the University. Members of staff are therefore strongly advised to take professional advice to ensure they have adequately protected themselves.***

University consultancy Services:

The University may facilitate the performance of outside consultancy work as a University Managed Consultancy on the basis that the contract is costed, priced and approved in accordance with the procedures administered by consultancy cell, which will include appropriate commercially-based pricing for any use of significant university facilities, together with admissions.

The University cannot normally accept a contract retrospectively. Therefore, unless the Head of the Department and university consultancy Cell have been involved prior to quotation and contract, the member of staff will be considered to be acting in a private capacity and will be expected to bear full responsibility for any consequences.

Distribution of income

Net proceeds from University consultancies after all direct and overhead costs have been paid will be distributed as follows:

- Staff member/department will receive 90 percent and 10 percent will go to university fund where university facilities are not used.
- Where university facilities are used 70 percent will go to expert consultant/consultants and 30 percent to university fund.
- Out of the sales made for patent, an annual royalty if any, shall be divided between Consultants and the University in the ratio of 75% and 25%.
- With the approval of the Dean (Academics) staff may elect to receive the proceeds from University consultancy work by direct payment through the university's payroll and therefore form part of their taxable income, or contribute the proceeds to a university restricted account for use in ways that benefit both the university and individual staff, for example, through defraying the costs of conference participation, travel and the purchase of work-related equipment.

Contracts

- Consultancy Cell liaises between the Chief consultant and the funding body to reach agreement on the final form of the contract to be signed by the University and the funding body.
- Consultancy Cell obtains legal advice for contract negotiations as required.

- When the terms of the contract have been settled consultancy cell prepares copies of the contract for signing by the Registrar and the authorized officer of the funding body.
- If the final terms of the project are different from the original application, the cover sheet is adjusted accordingly and newly endorsed by the Dean (Academics) and the Registrar.
- Consultancy Cell forwards copies of the contract to the Registrar with a memorandum recommending that the contract be signed.
- When the Registrar has signed the contract, Consulting Cell submits copies of the contract to the funding body for signature.
- When copies of the contract have been signed and returned, consultancy cell places a scanned copy of the signed contract in to the contract system within 3 working days of receipt of the signed contract.

Project Establishment

- Consultancy Cell opens a file in the University's record management system for the project and places the contents of the contract, and any new cover sheet, onto the file and adjusts the contract system data as necessary.
- Accounts Branch opens a special purpose account for the project and provides a copy of the account name and number to the chief consultant and Faculty/Department Head within 3 working days of the agreement being executed.
- Account branch provides access to the project account for the Chief consultant and the Faculty/HOD, and ensures that the chief consultant and the Faculty/HoD receives regular project account activity reports.
- Consultancy Cell invoices the funding body according to the funding schedule in the contract, ensures the funds are credited to the project account, notifies the chief consultant and the Faculty/HoD, and updates the file and contract system.
- The chief consultant and the Faculty/HoD, at the earliest opportunity, distributes funds from the project account according to the terms of the cover sheet.
- The chief consultant and the Faculty/HoD manage project funds so that project expenditure matches the project budget.

Project Management and Administration

- Projects are managed by the chief consultant, assisted by Consultancy Cell and the Faculty/HoD according to the contract, particularly in relation to the specified project milestones, progress reporting, project budget and cover sheet arrangements.

- Project expenditure is authorized according to the project budget by the Chief Consultant and appropriated accordingly.
- Chief Consultant and Faculty/HoD provides regular and timely project activity reports to consultancy cell.
- Consultancy Cell monitors project management, ensuring chief consultants receive timely reminders about project reporting, managing any contract variations, and maintaining the project file and contract system.
- The Chief consultant forwards progress reports and final reports to Registrar in a timely manner, and Registrar submits them to the funding body.

Completion of the project

- On completion of the Consultancy Project, a copy of the synopsis of the work, keeping in view the confidentiality clause of the project, and audited statement of accounts will be submitted to the Registrar for University records. Any unutilized amount will be transferred to the fund “Consultancy Budget Head” of the University.
- Consultancy Cell completes the records of the projects on the file and contract system, closes the project file, and informs the chief consultant, Faculty/HoD and Accounts Branch.
- The aggregate of information on all University consultancy work undertaken by staff must be summarized by the In-charge Consultancy Cell onto an annual University Consultancy Work Report. It is the responsibility of the In-charge Consultancy Cell to forward this report each year, through Dean (Academics) to the Vice-Chancellor who will table the reports with the Board of Management as required.
- Equipment purchased by the consultant need to be submitted to the concerned Department immediately after the completion of consultancy work where it will be properly entered in the stock and will also be maintained.
- In case of any ambiguity, the decision taken by the Vice-Chancellor will be final.
- Disputes arising out of consultancy services if any, shall subject to the jurisdiction of Jalandhar only.

Confidentiality and Safeguards

- Principally all consultancy project work of a client shall be taken as a confidential personal work. Head of the Consultancy Cell shall be liable and responsible to ensure that

personal, sensitive information and project data is securely safeguarded using appropriate data security measures (i.e. relevant to the sensitivity of the personal information).

- Everyone associated with project shall ensure that:
- Personal and sensitive information shall never be shared with any third party. Exception to this shall be to obtain necessary permission or authorization from the organization.
- Data shall be safely kept in specific project folders with suitable access restrictions and permissions defined on the folders.
- Files shall be named using special approach to ensure that the file name clearly indicates the client name based on unique codes assigned to each project pertaining to each client.
- Consultancy services involving different non-traditional partnerships such as NGOs, other academic institutions or specific private individuals shall be based on the requirement of the project and MOU entered between University Consultancy Cell and other party agreed to the client.

Incentive to Faculty

- Chancellor of the University may sanction special incentives in the shape of promotion, increments, extra cash award if somebody achieve high performance in bringing and completing consultancy projects/works on the recommendations of the Vice – Chancellor.
