



Paid Outside Work by Academic Staff Policy

Version	Approved by	Approval date	Effective date	Next full review
3.0	Vice-Chancellor	24 February 2022	21 March 2022	March 2025
Policy Statement				
Purpose	<p>This policy sets out the obligations of academic staff seeking to undertake paid work in addition to their work as UNSW employees.</p> <p>The purpose of this policy is to:</p> <ul style="list-style-type: none"> provide a clear framework that enables academic staff to engage in professional activities which improve the quality of teaching, lead to further research opportunities and/or enable the University to develop new relationships with government, industry and community partners protect the University and staff's interests, resources and reputation by outlining the rights and obligations of the University and its academic staff with respect to paid outside work provide certainty as to when and how paid outside work may be undertaken, and when approval must be sought prior to the work commencing set out clear and certain reporting and monitoring arrangements. 			
Scope	<p>This policy applies to all full time and part-time, continuing or fixed-term, academic staff (even when they are on leave, including leave without pay). This policy does not apply to casual academic staff.</p> <p>Persons who have a visiting, adjunct or conjoint appointment should refer to Section 3 of the Conferring Academic Titles Policy.</p> <p>Professional staff should refer to their obligations under the UNSW Code of Conduct.</p>			
Policy Provisions				

1. Introduction

UNSW values, encourages and supports academics engaging with government, industry and the community. Paid outside work performed in addition to a staff member's UNSW employment may be highly beneficial to both the academic and the University and ~~can~~ ^{is} (s)-8.1 (TJ0 Tcmpd i)-8.9af U

- cultivate and strengthen engagement and collaboration with external organisations and government
- maintain professional skills and standing, particularly where the staff member is involved in accreditation in a professional discipline
- increase community access to the benefits of academic research

As UNSW receives public funding, it is important that paid outside work is disclosed and in line with this policy. This ensures that staff and the University are transparent and compliant with relevant legislation.

2. Types of Outside Work

2.1. What is paid outside work?

Paid outside work is work done by an academic staff member in addition to their employment with the University where the staff member (or another person such as a family member) receives a financial benefit for doing the work. It includes where a staff member:

- performs work for a person or entity other than UNSW in the capacity of an employee or contractor for which the staff member receives financial benefits such as salary, consultancy fees, directorship fees or contractor payments
- undertakes remunerated company directorships or committee appointments
- performs work for a corporation, including a startup or UNSW spinout, in which the staff member holds shares (either personally or through another company, trust or other structure), including work for a corporation which currently does not earn profit or pay dividends if the purpose of the corporation includes to make profit at some time
- performs work for a partnership of which the staff member is part, even if there is currently no income made from the partnership and the purpose of the partnership includes to make a profit at some time.

This policy outlines four types of paid outside work: University Consultancy, Private Consultancy (including professional practice other than Clinical Academic Work), Clinical Academic Work and Unrelated Work.

2.2. Exclusion of Common Academic Work

The following work undertaken as part of the normal duties of an academic staff member for which the staff member may be remunerated does not require approval under this policy (except as noted below):

- writing, reviewing and editing scholarly books and journal manuscripts
- reviewing research grant applications
- examining theses for other organisations
- service on committees of learned societies and academies
- the role of examiner and related activities for the NSW Board of Studies or other like bodies
- creative performances and exhibitions
- broadcasts, media publications and public lectures
- organisation of and participation in academic conferences, symposia and seminars.
- other academic work where remuneration is less than \$1000.

Approval must be sought if undertaking this work will negatively impact on a staff members teaching and research obligations at UNSW, or pose significant reputational or other risks for UNSW.

A disclosure must be made under the UNSW mandatory disclosure process if the academic receives any financial benefit from undertaking activities listed above. This is a requirement of UNSW in accordance with legislation such as the *Independent Commission Against Corruption Act 1988* (NSW).

2.3. University Consultancy

2.3.1. Definition

University Consultancy is paid work undertaken by academic staff in addition to their regular duties that is managed by UNSW. University Consultancy is preferred by the University over Private Consultancy because it provides the following benefits to staff and the University:

- staff can undertake the work while employed by the University and, where approval is given, use University resources including laboratories, facilities and IT systems
- the activity is visible to UNSW as part of its broader engagement strategy and revenue will be recognised in knowledge exchange reporting for UNSW and by the host Faculty for the staff member's performance
- use of the UNSW brand
- insurance and support with contracting services and project management through UNSW.

2.3.2. Financial Arrangements

The following financial arrangements apply for staff engaged in University Consultancy:

- Charging for UNSW resources including indirect cost recovery must be in accordance with the [UNSW Competitive Neutrality and Pricing Policy](#) and [Pricing of Externally Funded Knowledge](#)

[Exchange Procedure](#). Appropriate cost recovery is important as it encourages the best use of resources and involves disclosure to the community of the real cost of providing services.

- The staff member undertaking the University Consultancy may direct that income received from the A ifact B

otherwise be used by a staff member in performing Private Consultancy, except where the resources are provided on arms-length commercial terms as agreed with the Director, Knowledge Exchange.

2.4.5. Disclosure of Private Consultancy

Once approved, all Private Consultancy must be declared in the UNSW mandatory disclosure of interests process.

2.5. Clinical Academic Work (for NSW Health Service)

A medical practitioner employed as a member of academic staff in the Faculty of Medicine and Health who provides clinical and related services for public patients in public hospitals under the NSW Health [Clinical Academics Employed in the NSW Health Service Policy Directive](#) may be employed as a Clinical Academic

Paid outside work approved in accordance with the *Paid Outside Work by Academic Staff Policy* in force prior to this policy may continue for up to 12 months from the effective date of this policy. After that time, a new approval must be sought under this policy. If existing agreements extend beyond 12 months, staff should discuss this with their Head of School.

3.1. Approval Requirements for University Consultancy and Private Consultancy

All University Consultancy and Private Consultancy requires approval by the staff member's Head of School (or in the case of Heads of School, by their Dean). The staff member must submit an application for approval in such form as UNSW requires. If a request to undertake paid outside work is not approved, the Head of School will discuss with the staff member why the application was unsuccessful.

A Head of School can approve a paid outside work application where they are satisfied that:

- a) the application sets out full details of the proposed University Consultancy or Private Consultancy
- b) the University Consultancy or Private Consultancy will not interfere with the staff member's employment obligations at UNSW
- c) the staff member is performing their duties as an employee of the University satisfactorily and there is no reason to believe that undertaking the University Consultancy or the Private Consultancy will adversely impact the staff member's performance
- d) giving approval for the staff member to undertake the University Consultancy or the Private Consultancy is in the best interests of the University
- e) the University is not exposed to unreasonable legal, financial or reputational risk as a result of the staff member undertaking the University Consultancy or the Private Consultancy
- f) the work performed does not compete with UNSW teaching, research or other programs and could not be performed by the academic staff member as part of their normal duties including, for fractional staff, by increasing their fraction.

Heads of School can give approval conditional on these requirements being met. Staff members must inform their Head of School whenever there are changes relating to these requirements and immediately make a new application for approval. A staff member who fails to inform their Head of School of such a change and make a new application will be in breach of this policy and may face disciplinary action.

3.2. Approval of University Consultancy

In addition to section 3.1, before approving an application for University Consultancy, the Head of School must be satisfied that:

- a) participation in the University Consultancy is related to the staff member's professional expertise and will contribute positively to their reputation and standing, as well as that of the University
- b) where the Head of School approves that the work can be carried out with the support of UNSW professional staff, the School, Faculty or Division, as applicable, will be fully reimbursed for the time worked
- c) where UNSW students will be involved in the University Consultancy:
 - a student's involvement will not adversely affect or prejudice the study program of the student
 - for postgraduate students, the time involved will not exceed the time allowed for paid work as specified in the conditions for Australian Postgraduate Awards, or any other scholarship award conditions that might apply at the time
 - all students will be fully remunerated for any work done in accordance with applicable industrial instruments.
- d) where appropriate, a written agreement has been entered into between UNSW, the staff member and any relevant third parties that sets out matters to protect UNSW and the staff member including:
 - the amounts to be deducted by UNSW for its costs from the revenue received for the University Consultancy
 - ownership of any intellectual property arising from the University Consultancy and use of any other intellectual property (whether owned by the third party or UNSW)
 - the terms on which any UNSW professional staff and students will be involved, and any UNSW resources used, in the University Consultancy.

2.3 Amendment, Deputy Vice-Chancellor (Academic)