

CONSULTANCY AND CONTRACT RESEARCH POLICY

1. INTRODUCTION

This policy relates to contract research and academic consultancy involving partners from outside the Higher Education sector, including education-related consultancy. These activities fall within UKRI's broad family of 'Knowledge Exchange' activities and are overseen and facilitated by the Engagement and Partnerships Team in the Directorate of Research, Innovation and Engagement.

The Policy replaces the previous 'Additional Earnings and Consultancy' Policy and Procedures. It should be read in conjunction with the Procedures and Guidance for Contract Research and Consultancy. Contract Research is also subject to the Research Code of Good Practice, Research Integrity Policy, the Pre-Award Submissions and Approvals Policy and related procedures and guidance.

1.1 Purpose

The purpose of the Policy is to:

- Set out the University's approach to these activities, in the context of Research England and UKRI expectations;
- Summarise relevant definitions in this area, which are addressed more fully in the accompanying procedures document;
- Briefly set out the principles relating to approvals, incentives and the treatment of income;
- Highlight the implications of consultancy undertaken independently of the University.

1.2 Scope

The Policy applies to all Keele University staff members, Emeritus Professors, Keele University Honorary Contract holders and others within Keele University who are actively involved in developing Academic Projects.

The Policy relates to income-bearing contract research and academic consultancy involving partners from outside the Higher Education sector.

The definition of research is set out in the OECD [Frascati manual](#). It must be:

- Novel - create new findings, including new findings for collaborators
- Creative - based on original concepts, and hypotheses;
- Uncertain - uncertain about final outcome;
- Planned - planned, budgeted and systematic;
- Reproducible - lead to results that could possibly be reproduced.

Contract research is defined as research commissioned and funded by an external client. It is generally subject to a contract prepared by the client setting out the obligations of the partner delivering the research and may be preceded by a competitive process.

Consultancy is the provision of services to external clients based primarily on skills and expertise. This can include offering specialist opinion, advising on technical issues, or solving problems. Consultancy does not involve the generation of any new knowledge or original investigation. Sometimes the distinctions are not clear-cut. For example, in disciplinary areas with a focus on understanding applied settings, this kind of engagement may constitute research. Activities as part of a funded project labelled as Innovation are likely to include research as well as industrial development.

The Policy does not encompass:

- Grant-funded collaborative research with non-academic partners, even where this includes income from partners. This is wholly covered by the University's research policies and procedures.
- Income-bearing scholarly activities such as external examination functions.
- Income-bearing external appointments linked to the Higher Education Sector.

All individual staff or staff groups undertaking activities encompassed by the policy are required to adhere to the requirements set out and refer to the accompanying procedures and guidelines document.

Any consultancy projects undertaken solely by Professional Services colleagues will be subject to similar approvals (Director level) but not to the procedures around the treatment of income and rewards.

2. POLICY

2.1 Principles

Engagement with industry, other organisations and wider communities has become an integral and expected aspect of any academic career, and this has been reflected in Keele's academic role expectations at all career stages for

some time. External engagement, including consultancy, can enhance the quality of research and education, and improve impact in achieving economic and social benefits.

Where external engagement involves opportunities to undertake high-quality research it can often provide a valuable direct and certain route for research impact, enabling access to decision-makers at the national and international level, positively influencing the research priorities of funders, building new opportunities for research income, and providing doctoral and early career researchers to build their skills and experience.

The University does not place a higher value on income-bearing 'consultancy' or knowledge sharing. Indeed, it is critical that academic expertise is shared with wider society, including communities and organisations who may not in a position to offer financial contributions, such as the not-for-profit sector and small enterprises. The costs of undertaking research however, including contract research, do need to be covered at an appropriate rate, either through grant funding or client contributions. Income bearing opportunities must be viable in relation to the administrative costs involved, or justifiable in terms of their value in terms of research and education.

Contract research, along with applied research, research & development, evaluation, trials and innovation projects, including Knowledge Transfer Projects can meet all of the Frascati tests of research. Research conforming to the definition can also form part of wider mechanisms for engagement such as secondments and inbound fellowships.

Colleagues are encouraged to give careful consideration to whether research is included in their engagement activities and follow the appropriate policy and procedures. Where both research and other activities are included in a project, the policies and procedures for research will apply.

2.2 Obligations of staff undertaking University managed consultancy and contract research

The University expects staff to conduct consultancy and contract research to the same high standards as other forms of funded research. This includes for example addressing ethics, research integrity, equality and diversity implications, risk management, safeguarding, information management requirements and the quality of outputs.

Academics are expected to undertake these duties in a way that can withstand external scrutiny and does not conflict with the university's activities.

Staff must adhere to the universities financial regulations at all times.

Staff are required to exercise due care with regard to the disclosure of information and manage data in accordance with UK law.

All materials used in consultancy and contract research will need to conform to University brand guidelines. Templates can be provided for this purpose.

2.3 Considerations relating to academic research outputs and intellectual property

Contract Research and Academic Consultancy activities undertaken as an employee of the University are eligible for inclusion in Keele's Research Excellence Framework submission, including published outputs, impact case studies and material for the Environment Statement. These activities are also eligible for inclusion in the University's Knowledge Exchange Framework submission. Income bearing opportunities are eligible for the Higher Education Business Community Interaction Survey and contribute to the University's Higher Education Innovation Fund allocation.

Contrary to common assumptions, contract research can provide opportunities for publication, although the scope and timing of those opportunities may differ from grant-funded research. Sometimes this needs to be negotiated. However very often clients/commissioners are happy for findings to be published.

Where external partners have commissioned or played a significant role in research, academics are strongly encouraged to include them as co-authors in publications.

As established in the University's Charter, the knowledge generated by the University (through the expertise of our staff, intellectual assets, resources and facilities) should be used and disseminated to further its charitable and academic missions and purpose. The University will usually automatically own Intellectual Property (IP) created by its staff in the course of their duties, and very occasionally, the commercial value of University Intellectual Property (IP) will justify the University investing in its development and exploitation.

Commercially exploitable IP arising from projects fully funded by a commercial partner tends to be owned by that partner on completion of the project. This can generally be licensed back to the University for non-commercial purposes (research and education). Staff undertaking consultancy and contract research activities are advised to seek advice from the Engagement and Partnerships Team on the intellectual property implications of the assignment before embarking on contract research and consultancy.

2.4 Available support

To enable academics to develop impactful and engaged research, the University will support and facilitate these activities. This includes:

- Support to identify and manage new opportunities for contract research, which is framed and led by external partners, including support for tender submissions.

- Partner due diligence assessments.
- Management of financial aspects of projects, including costing, pricing, budget management, management of income, including debt management.
- Advice, guidance and negotiation of pricing, and its presentation in contract research and consultancy proposals to meet Sector norms.
- Contract negotiation and management, including addressing any publication and intellectual property considerations, and addressing any contract risks.
- Use of the universities branding email, IT systems, buildings, equipment and facilities.
- Support to facilitate impact from research, and to evidence this where required, for example for Research Excellence Framework purposes.
- Brokerage and dispute resolution where needed.
- Media and PR support relating to engaged research and research impact.
- Provision of professional indemnity insurance.
- Wider support to develop and manage opportunities for research where external partners play a strong role, including collaborative research involving co-creation and co-development with external partners.
- Training and development in this area.

2.5 Workload management

These activities form part of a broader academic career with responsibilities for both education and research, and bring value to both. The University recognises that balancing competing demands can at times be challenging, both for individual researchers and at the School level. The University will make best efforts to ensure that research-active academics have adequate time for engaged research and knowledge exchange, including contract research and consultancy as part of a high quality research portfolio.

Where activities of this kind are constrained because of competing workload pressures, priority will generally be given to activities making a direct contribution to research and education (including contract research) over consultancy and other forms of knowledge exchange. The University will give constructive consideration to workload mechanisms to support this, which for funded research may include the backfilling of other commitments.

In line with Sector norms, academic consultancy managed through the University will generally be limited to 30 days a year. This should not be regarded as an entitlement, but rather a guideline to support workload management considerations. There is no formal limit to the amount of contract research that can be undertaken.

2.6 Costing and Pricing

Arrangements for costing and pricing projects are set out in the University's Costing and Pricing Policy. This enables Consultancy and Contract Research

projects to be priced at between 100% and 130% of Full Economic Cost. Projects below FEC, for example for charitable organisations, are agreed by exception.

2.7 Approvals

Approvals for both Contract Research and Academic Consultancy are set out in the Pre-Award Approvals and Submissions Policy.

Stage 1: A RaISE Research Project Lead approves the project in terms of deliverability.

Stage 2: School and Directorate commitments are approved by the Head of School and relevant Director. In view of the risks involved in these activities, School approvals will not be granted unless all mandatory training is up-to-date.

Stage 3: Executive Deans then approve the submission from a strategic perspective, including projects at less than Full Economic Cost.

Proposals not granted approval at stages 2 or 3 will be routinely reviewed by the Pro-Vice Chancellor for Research and Innovation in consultation with DRIE colleagues, to provide additional assurance on decisions, and support any measures that may enable appropriate projects to proceed.

Separate approval arrangements are in place for projects involving Executive Deans.

2.8 Treatment of Income

To support the development of a vibrant research environment across a broad community of researchers and external partners, a flat rate incentive/reward payment is made for all consultancy and contract research projects over a £20,000 threshold (FEC), 25% to be allocated to the Faculty and 75% to the School/academic lead.

The prevailing rates are set out in the Consultancy and Contract Research Procedure document. These will be reviewed for affordability on an annual basis, and if needed updated, any new rates to be published in the Procedures and Guidelines.

[N.B. PROPOSAL: £4,000 for each contract research project, £2,000 for Academic Consultancy]

The fund can be used for activities eligible for Higher Education Innovation Funding, i.e. associated with '*Knowledge exchange between higher education providers and the wider world that benefits society and the economy*'. Use of the School component will be agreed between the academic lead and Head of School. Spend will need to be achieved by the end of the following financial year, after which the funds will no longer be available.

The policy reflects the now central role that these activities have in successful academic careers, which the University has invested heavily in. As such the arrangements for Consultancy undertaken within the University do not include direct payments to academic consultants via PAYE.

2.9 Undertaking consultancy or contract research outside the University

For the majority of staff the University is their principal employer, and as such staff are required to act in the best interests of the University and devote their attention and abilities to their duties. Undertaking these activities outside the University can create risks around conflicts of interest, including conflicts of loyalty, financial conflicts, and implications for focus and commitment,

Staff are advised not to undertake consultancy or contract research in a personal capacity where the University has an existing relationship with the partner, as this will generally be considered a conflict of interest.

Research and consultancy activities carried out in a personal capacity, and any impacts arising from them, will not be eligible for inclusion in the Research Excellence Framework, The Teaching Excellence Framework, or the Knowledge Exchange Framework. Academics will not be able to list Keele as their institution in any publications relating to these activities.

Working Time Regulations place an obligation on employers to ensure that employees are not working more than 48 hours a week (on average). The University therefore needs to take additional paid employment into account, including self-employment, in fulfilling this obligation.

To ensure that the University's obligations as an employer can be met, and that the work has no adverse implications for the University, all staff undertaking private consultancy outside the University are required to seek approval via form CCP3 (see accompanying Procedures). This will be followed by a conversation with both the Head of School and a member of the Partnership Development team to ensure that staff are fully aware of the implications of undertaking consultancy outside the University.

The University will not play any role in managing the financial, legal and employment aspects of activities undertaken in a private capacity, and activities will not be covered by the University's Professional Indemnity Insurance.

The Procedures and Guidance accompanying this Policy set out the conditions staff must agree to in order to undertake private consultancy and contract research. They include:

- The mandatory use of a detailed disclaimer in all correspondence (see Procedures);
- Staff must use their home address and email;

- Staff must not use University web materials in promoting or undertaking private consultancy;
- No University equipment or facilities should be used, and no activities should take place on University property;
- Staff should not seek professional support from or via the University (e.g. legal advice).

All staff are required to comply with this Policy and failure to do so may have Disciplinary implications.

3. ROLES AND RESPONSIBILITIES

The Deputy Vice Chancellor and Executive Director of xxxx have Executive level oversight of the Policy.

The Pro-Vice Chancellor (Research & Innovation) is responsible for ensuring that the implementation and operation of the Policy is in line with the current overall Research & Innovation Strategy. They will also review and provide assurance around proposals not agreed by Schools and/or Faculties.

Director of Engagement and Partnerships is responsible for developing and reviewing the Policy and the procedures that underpin it. They will also ensure that that any approvals held by them or their direct reports conform to the Policy.

Head of Partnership Development and Impact will monitor compliance with the Policy within Faculties, and manage HEIF funded rewards/incentives. They are the budget holders for the incentive/reward payments.

Executive Deans have responsibility for ensuring that the requirements of the Policy are fulfilled in alignment with Faculty research and innovation strategies, and for supporting dispute resolution at School level where this is needed.

Heads of School are responsible for ensuring that activities encompassed in the Policy are feasible in terms of time and resources, and that staff have undergone the appropriate mandatory training to address the risks around undertaking the activity.

Research Project Leads (generally Heads of Partnership Development for these activities), Heads of School and Executive Deans are responsible for assessing and approving proposals in accordance with the attached procedures.

Keele University staff members who are actively involved in developing academic projects in scope have the primary responsibility to ensure that they are following the Policy, this includes Emeritus Professors, Keele University Honorary Contract holders and others within Keele University.

4. RELATED POLICIES AND PROCEDURES

Staff and managers should also refer to the following policies and procedures:

- Conflicts of Interest Policy and Procedure
- Costing and Pricing Policy
- Intellectual Property Code of Practice
- Knowledge Exchange Plan
- Research Strategy
- Research Code of Good Practice
- Research Integrity Policy
- Research Misconduct Procedure
- Overheads Policy

Members of University Executive Committee are subject to approval arrangements consistent with their position, which include approvals by the Chair of Council where appropriate.

5. REVIEW, APPROVAL & PUBLICATION

The Policy will be subject to review within a three-year period, to be co-ordinated by the Director of Engagement and Partnerships and the Pro Vice-Chancellor for Research and Innovation. Approval prior to Council consideration will be via University Executive Committee

Consultation will include Research and Education Committees, Senate. And where there are significant implications for Schools, Faculty Executive Committees.

The Policy will be published on the University's [PolicyZone](#)

6. ANNEXES

None

7. DOCUMENT CONTROL INFORMATION

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Owner	Director of Engagement & Partnerships and KUSIP
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<p>Related University Policy Documents</p>	<p>Conflicts of Interest Policy and Procedure Costing and Pricing Policy Intellectual Property Code of Practice Knowledge Exchange Plan Research Strategy Research Code of Good Practice Research Integrity Policy Research Misconduct Procedure Overheads Policy</p>
<p>For Office Use – Keywords for search function</p>	<p>Contract Research Consultancy Academic Consultancy Knowledge Exchange Additional Earnings</p>