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| <b>DOCUMENT TYPE</b>                                     | <b>P</b>   |  |
| <b>ACADEMIC</b>  | <b>1</b>   |   |
| <b>RESEARCH &amp; RESEARCH TRAINING</b>                  | <b>3</b>   |   |
| <b>INTELLECTUAL PROPERTY</b>                             | <b>2</b>   |   |
| <b>NUMBER</b>  | <b>001</b> |   |
| Policy Database Document Reference Number <b>132001P</b> |            |   |

## OUTSIDE WORK POLICY


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| <b>Purpose/<br/>objectives</b> | To encourage appropriate outside professional practice for academic staff members, thereby validating and enriching their teaching and research, whilst maintaining their obligations to the University.   |
| <b>Scope/<br/>Application</b>  | <ul style="list-style-type: none"> <li>• All campuses</li> <li>• Research, teaching and any other activities undertaken for outside organisations</li> <li>• All Staff Members</li> </ul>  |
| <b>Policy<br/>Statement</b>    | <p>Staff Members are encouraged to maintain and improve their standing by undertaking a variety of work that involves their special talents and training. This work may extend outside teaching and research subject to the work:</p> <ul style="list-style-type: none"> <li>• contributing to the Objects of the University, including the generation of knowledge and its practical application for community benefit and the education of students,</li> <li>• enhancing the University's reputation,</li> <li>• assisting in the professional development of staff or</li> <li>• attracting resources to the University.</li> </ul> <p><b>University Contracts and Consultancies</b></p> <p>When performing work that involves their special talents and training, Staff Members are encouraged to interact with third parties through University Contracts and Consultancies. In this case, Staff Members must follow the policy and procedure on University Grants, Contracts, Consultancies, Collaborations and Joint Ventures. Contract Proceeds will be available to support research or teaching or, with the approval of the Delegate, as a personal payment.</p> <p>If Contract Proceeds or proceeds from University Service are in a University account, the Delegate will decide on the distribution of Contract Proceeds taking into account the interests of the University and encouragement of the staff member under this Policy.</p> <p><b>University Service and Personal Outside Work</b></p> <p>Staff Members engaged in University Service and Personal Outside Work must</p> <ul style="list-style-type: none"> <li>• manage any possible conflict of interest and intellectual property following the Conflict of Interest policy (Human Resources Manual Section 5.19) and the Intellectual Property Statute, Policy and Procedures,</li> <li>• ensure the work does not inhibit or detract from the standards of performance of duties for the University and</li> <li>• advise third parties for whom such work is undertaken that it is not being undertaken on behalf of the University.</li> </ul> <p>University Service is permitted. Subject to agreement of the Delegate, proceeds from University Service may be deposited in University accounts and would then be available to support research or teaching.</p> <p>If Personal Outside Work is undertaken for payment it is also subject to the following</p> |

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|  | <p>conditions:</p> <ul style="list-style-type: none"> <li>the Staff Member must have adequate personal insurance and indemnities covering liabilities arising from the work,</li> <li>the Staff Member must not use, unless with reimbursement at an approved rate, any University facilities or the services of any University support staff</li> <li>the Personal Outside Work is not design or delivery of courses for another higher education institution and</li> <li>the proceeds must not be deposited with the University.</li> </ul> <p>Personal Outside Work is restricted to the following circumstances:</p> <ul style="list-style-type: none"> <li>Part-time or Casual Staff Members (whether Academic or not) may engage in Personal Outside Work consistent with the obligations they have to the University, including, but not limited to, any obligation to be at the University for defined hours.</li> <li>Academic Staff Members may engage in Personal Outside Work for up to 48 Working Days per calendar year and 5 Working Days in any month (including a pro rata fraction in the case of part-time staff), if the Delegate has agreed in writing that the Personal Outside Work Conditions hold.</li> <li>Full-time Staff Members who are not Academic Staff Members may engage in Personal Outside Work, if the Delegate has agreed in writing that the Personal Outside Work Conditions hold and the Vice-Chancellor has agreed that the Personal Outside Work is in the interests of the University.</li> <li>Academic Staff Members may engage in Personal Outside Work above 48 Working Days in a calendar year or 5 Working Days in a month (including a pro rata fraction in the case of part-time staff) if the Delegate has agreed in writing that the Personal Outside Work Conditions hold and the Vice-Chancellor has agreed that the Personal Outside Work is in the interests of the University.</li> </ul> <p>Each Staff Member must declare annually that they have followed the provisions of this policy.</p> |
| <b>Supporting Procedures</b>                                       | Personal Outside Work   |
| <b>Responsibility for implementation</b>                           | Deputy Vice-Chancellor (Research)<br>Deans<br>Heads of Administrative Division  |
| <b>Responsibility for monitoring implementation and compliance</b> | Deans<br>Heads of Administrative Division   |
| <b>Status</b>  | Approved by Council, 7 September 2009, Minute 393.8.2.<br>Revised Content (previous version approved by Council on 6 December 1999)   |

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|                                     | (m.32.2.2)). This version of the policy supersedes all previous versions.  |
| <b>Key stakeholders</b>             | Deputy Vice-Chancellor (Research)<br>Deans<br>Chief Financial Officer  |
| <b>Approval Body</b>                | University Council   |
| <b>Initiating Body or person(s)</b> | Research and Graduate Studies Committee  |
| <b>Definitions</b>                  | <p><b>Staff Member</b> means any Employee of the University.</p> <p><b>Full-time, Part-time or Casual Staff Members</b> have the meaning defined in Section 3.7 of the Human Resources Manual.</p> <p><b>Delegate</b> means the Dean or Head of Administrative Division of a Staff Member or a person to whom they have delegated a responsibility under this policy in writing.</p> <p><b>University Service</b> means any work performed by Staff Members which may not be assigned by the University:</p> <ul style="list-style-type: none"> <li>• occasional lectures for other institutions (but not courses of lectures),</li> <li>• examining higher degree theses,</li> <li>• reviewing papers or books,</li> <li>• editorial work for an academic journal,</li> <li>• participating in, and organizing, academic conferences,</li> <li>• assessing grant applications,</li> <li>• service of up to the equivalent of ten days per year on boards (other than boards of proprietary or public companies) or committees,</li> <li>• occasional newspaper articles or other occasional media contributions,</li> <li>• writing scholarly works, whether commissioned or non-commissioned and</li> <li>• other work approved by the Delegate which must have a similar character or purpose.</li> </ul> <p><b>Academic Staff Member</b> means any staff member with the classification of teaching-and-research or research-only.</p> <p><b>University Contract or Consultancy</b> means any legal contract made by the University in which a legal obligation to an external organisation for performance of work by a Staff Member falls on the University or wholly owned subsidiary and/or consideration is owed to the University or wholly owned subsidiary.</p> <p><b>Personal Outside Work</b> means services or duties performed by a Staff Member of the University for a person or body other than the University or a wholly-owned subsidiary company of the University in which a legal obligation for performance falls on the Staff Member performing the work and/or consideration is owed to the Staff Member personally but excluding University Service. Personal Outside Work includes service as a Director on the board of a proprietary or public company.</p> |

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|   | <p><b>Personal Outside Work Conditions</b> means the requirements that</p> <ul style="list-style-type: none"> <li>• the Staff Member has declared in writing that all conditions of this policy are being followed and</li> <li>• the work relates to the academic discipline or professional competence of the Staff Member.</li> </ul> <p><b>Objects of the University</b> means the University's objects as defined in the La Trobe University Act 1964 at section 5.</p> <p><b>Contract Proceeds</b> means the balance of income from University Contracts after costs and margins as defined in the Outside Work Procedures – Costing and Pricing.</p> |
| <b>Related legislation</b>                | Not applicable.   |
| <b>Related Policy and other documents</b> | <p>Conflicts of Interest Policy (HRM Manual Section 5.19)</p> <p>Intellectual Property Statute Policy and Procedures</p> <p>University Grants, Contracts, Consultancies, Collaborations and Joint Ventures Policy and Procedure</p> <p>National Competition Policy</p> <p>Australian Code for the Responsible Conduct of Research</p>   |
| <b>Date Effective</b>                     | 1 <sup>st</sup> July 2009 (to allow for the planning and implementation of the Research Division, which will administer this Policy and associated procedures, to be completed)   |
| <b>Next Review Date</b>                   | 30 <sup>th</sup> June 2011  |
| <b>Keywords</b>                           | Outside Work, Consultancies, Contracts, Personal Consultancies.   |
| <b>Owner/Sponsor</b>                      | Deputy Vice-Chancellor (Research)   |
| <b>Author</b>                             | Deputy Vice-Chancellor (Research)   |
| <b>Contact person</b>                     | Deputy Vice-Chancellor (Research)   |