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## CONSULTATION WORK SCHEME

### Introduction

1. The University supports consultation work that will complement and enhance the staff member's teaching and research in the University, enable the staff member and the University to contribute to the development of his/her respective profession, be of benefit to the community and/or lead to entrepreneurial exploitation of research undertaken in the University. Consultation work should not be for the sole purpose of the staff member earning additional income nor should such work adversely affect the academic independence or duties and responsibilities of the staff member, or compromise the reputation and standing of the University. The responsibility for recognising and avoiding such conflicts rests with the staff member. Staff members must fully meet their obligations to the University in teaching, research and service while undertaking consultation work.

### Scope of work

2. Except Section 2.4, the Consultation Work Scheme ("this Scheme") covers paid work, the scope of which is as follows:

#### ***For external organisations ("External Consultation Work")***

- 2.1 Advisory/consulting work for external organisations that calls upon the special expertise of the staff member. Work that can be easily undertaken by other persons outside the University, or has executive/managerial functions, as well as work undertaken for private individuals are not allowed;
- 2.2 Appointments as manager (defined as "any director, partner or member of the board/ committee of management") of [Private Education Institutions](#) ("PEIs") are prohibited. An exception may be made for non-executive directorship appointments in PEIs where the PEI is offering MOE-subsidised courses such as LASALLE College of the Arts and Nanyang Academy of Fine Arts. Such appointments, if approved, shall be in one's personal capacity.

Service by staff members below the level of Deans of Faculties/ Schools on the examination and academic boards of PEIs in one's personal capacity is allowed. The quality and credibility of the PEI (e.g. EduTrust Certification) shall be one of the deciding factors for approval;

- 2.3 External teaching – Refers to lecturing on specialised topics for external organisations. Regular teaching at other educational institutions, or teaching that competes with programmes run by the University, as well as teaching in offshore/external degree programmes of overseas universities/commercial schools are not allowed.

The teaching must not detract from the academic mission of the University, particularly teaching at the undergraduate level;

- 2.4 Non-executive directorships (remunerated and non-remunerated) – Please refer to the [Rules on Acceptance of Non-Executive Directorships and Executive Directorships/ Managerial Positions](#)<sup>1</sup>;

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<sup>1</sup> In addition to the Rules on Acceptance of Non-Executive Directorships and Executive Directorships/ Managerial Positions, the guidelines of the Consultation Work Scheme also apply to non-executive directorships.

***For the staff member's own department or for any other department of the University ("Internal Consultation Work")***

- 2.5 For teaching by staff members for self-funded educational programmes conducted by their own Faculties/Schools or for another Faculty/School of the University which are defined by the following characteristics:
    - 2.5.1 There is no direct capitation from MOE for students registered under such programmes;
    - 2.5.2 Students in these programmes cannot be added to the Department Full Time Equivalent ("FTE") to receive additional support from the Provost's Office; and
    - 2.5.3 Teaching by staff members in these programmes is not treated as part of their teaching load;

Faculties/Schools are to note that the gross revenue from activities which are income-generating and self-funded and which lead to an NUS degree or diploma are subject to the necessary overhead charges specified by the Office of Finance ("OFN");
  - 2.6 Ad-hoc teaching, with the exception of undergraduate level programmes which are not self-funding; and
  - 2.7 Ad-hoc non-teaching consultation work.
3. The following rules apply to clinical practice by clinical staff of the Yong Loo Lin School of Medicine ("YLLSOM") and Faculty of Dentistry ("FOD"):
- 3.1 Applications to perform clinical work other than in NUH need to be approved by the Reporting Manager ("RM") and the Reporting Manager's Manager ("RM1"). Generally, this can be permitted by special arrangement for specialties where the external site of work is a national centre for that specialty, or a restructured hospital (other than NUH). The centre or hospital concerned will reimburse NUS (and NUH where applicable) the pro-rated amount of the doctor's salary for the time spent. If approved, such work will not be governed by this Scheme;
  - 3.2 Situations where clinicians practise in the private sector and for which he/she receives direct payments are not permitted unless in emergencies or other exceptional circumstances approved by the RM and RM1. If approved, such work will be governed by this Scheme;
  - 3.3 In cases where the clinician is called upon to treat patients in an emergency and the prior approval of the RM and RM1 cannot be obtained expeditiously, the clinician may proceed and the RM and RM1 shall be informed thereafter; and
  - 3.4 The above rules shall also apply to medically-qualified staff members in non-clinical departments of YLLSOM and FOD.
4. The following work is not governed by this Scheme:
- 4.1 Writing of books and book reviews arising from staff members' research in the University;
  - 4.2 Writing, reviewing and editing for professional journals and conferences;

- 4.3 Occasional articles for the general media;
- 4.4 External examinerships and membership of visiting or advisory committees of other universities, where the prior approval of the RM has been separately obtained;
- 4.5 External reviewerships for other universities for the appointment, promotion and tenure applications of its faculty members;
- 4.6 Reviews of research grant proposals for other universities and organisations;
- 4.7 Work done for local government agencies and statutory boards where there has been payment as reimbursement for out-of-pocket expenses only and where the prior approval of the RM has been separately obtained; and
- 4.8 Activities for which a staff had been granted leave for academic purposes<sup>2</sup>.

### **Eligibility and Approvals Required**

#### **5. External Consultation Work**

This Scheme is applicable to the following categories of staff undertaking External Consultation Work:

- 5.1 Full-time academic staff on Tenure Track, Educator Track, Practice Track and under the Visiting Appointments Scheme<sup>3</sup> of the grades of Lecturer, Senior Lecturer, Assistant Professor and above. This will be subject to the prior approval of their RM.
- 5.2 Research staff and full-time Visiting Research Staff of all grades in Teaching Departments or University-level Research Institutes/ Research Centres, as well as all other academic staff of the grades of appointment below Lecturer, Senior Lecturer and Assistant Professor. This will be subject to the prior approval of their RM and RM1.
- 5.3 E&A staff job level E3 and above, subject to the prior approval of the staff member's RM and RM1.

#### **6. Internal Consultation Work**

Staff members would need to obtain the relevant approvals for Internal Consultation Work as follows:

##### *Eligibility:*

- 6.1 The eligibility to undertake Internal Consultation Work is the same as detailed in Section 5.
- 6.2 Additionally, E&A staff in job levels E4 and E5 may undertake Internal Consultation Work, subject to the prior approval of the staff member's RM and RM1.

##### *Approval Process:*

- 6.3 Approval to be obtained by the NUS Department or NUS Programme that

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<sup>2</sup> Please also refer to Section 10.

<sup>3</sup> For Visiting Research Staff, please refer to Section 5.2.

intends to co-opt an NUS staff member or staff members ("Client Department"):

6.3.1 Faculties/ Schools who wish to co-opt staff members to teach in their self-funded educational programmes and to remunerate them for their teaching under this Scheme should seek prior approval of Senior Vice Provost (Undergraduate Education) for undergraduate programmes or Vice Provost (Masters' Programmes and Lifelong Education) for graduate, diploma and Continuing Education and Training programmes.

6.3.2 For all other Internal Consultation Work, the Client Department, upon the endorsement of its Head, and Dean of the Client Faculty/ School, shall seek approval from the Cluster Head<sup>4</sup> or other University officer designated by the Cluster Head.

6.3.3 For Internal Consultation Work, the rate of payment will have to be approved by the Dean of the Client Faculty/School ("First Approval").

6.4 Approval to be obtained by the staff member: Only after the First Approval is obtained may the staff member seek approval from his/her approval authority in accordance with Section 5.

### **Time Limits**

7. The time limits for consultation work are as follows:

7.1 Consultation work is limited to not more than 52 days per calendar year. Under this Scheme:

7.1.1 Calendar year is defined as from 1st January of the year to 31 December of the same year;

7.1.2 A day is defined to consist of eight hours. For incomplete days, hours spent on individual pieces of work will be added up to determine the number of days involved;

7.1.3 Both time spent during and after office hours (including vacation and no-pay leave granted, if any) are subject to the applicable time limit; and

7.1.4 For overseas consultancies, the travel time should be included in the calculation of the number of consulting days/ hours;

7.2 Consultation work in excess of the 52-day annual time limit will be permitted only under special circumstances. Such approval may be granted by the RM and RM1. If such approval is granted, up to 14 days of vacation leave may be utilised. Thereafter, the staff member shall apply for no-pay leave;

7.3 External teaching is capped at 30% of the 52-day limit (that is, 15 days) per calendar year. If endorsed by the RM, approval to exceed the cap may be granted by the RM1; and

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<sup>4</sup> Cluster Head:

(a) Staff from Admin Cluster: Deputy President (Administration & Finance);

(b) Staff from Academic Cluster: Senior Deputy President and Provost;

(c) Staff from ODPRT, Research Institutes / Centres (RICs) and Research Centre of Excellence (RCEs): Deputy President (Research & Technology); and

(d) Staff from Enterprise Cluster: Deputy President (Innovation & Enterprise).

- 7.4 Even if the staff member is within the time limit, the RM has the discretion not to approve an application if the work is likely to affect the staff member's usual duties within the University, if the staff member's performance has not been satisfactory or there are other negative implications.
8. Staff members who abuse the approved time limit may be subject to disciplinary action.

### **Consultation Work while on Leave or Secondment**

9. Consultation work that is related to the staff member's research and enhances the University's reputation may be allowed during sabbatical leave, subject to a cap on earnings of 25% of Annual Base Salary plus Annual Market Allowance (if any) and the time limits set out in Section 7, both prorated on the period of the sabbatical leave. Any overseas allowance that the staff member is receiving will be withdrawn during the period of consultation work. Consultation work during sabbatical leave will require the approval of same approving authority who approved the sabbatical leave.
10. Staff members will not be allowed to undertake consultation work while on leave for academic purposes. Consultation work during no-pay leave or secondment to external organisations will require the approval of the same approving authority who approved the no-pay leave or secondment.

### **Application for Approval**

11. Applications to undertake consultation work must be submitted via Employee Central ("EC") to the RM (and RM1 where applicable) for consideration. Staff members should also upload the following documents together with their application via the attachment function available in EC:
- 11.1 Correspondence from the client organisation stating the nature of work, period and remuneration;
- 11.2 An anticipated time schedule; and
- 11.3 Letter of Non-Liability [HR 139/07-A](#), duly completed by an authorised person of the client organisation. This is not required for teaching<sup>5</sup> consultancies for external organisations and for all Internal Consultation Work.
12. Approval will be conveyed via EC.
13. Any vacation leave to be taken for consultation work should be submitted by the staff member via EC.
14. Application and approval for each piece of consultation work should not generally be for more than 1 year at a time. Any request for exception by the staff member should be accompanied by supporting reasons and will be considered on a case-by-case basis.

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<sup>5</sup> The following activities are classified as teaching:

- Conducting training courses;
- Presenting seminars;
- Giving talks;
- Facilitators at workshops; and
- Any other type of presentations before audiences.

### **Extension**

15. A staff member must submit a fresh application for approval via EC on any extension of the consultation work which is on the same terms as approved currently. Where the extension is on the same terms:
  - 15.1 Correspondence from an authorised person of the client organisation (for External Consultation Work)/ Client Department (for Internal Consultation Work) reflecting the request for extension should be uploaded by the staff member together with his/her application via the attachment function available in EC.
  - 15.2 The Letter of Non-Liability [HR 139/07-A](#) is not required.

### **Early Completion or End of Consultation Work**

16. A staff member must provide an update via EC as and when he/she has completed or ended a consultancy before the current approved end-date. The staff member's update should include the revised end-date of the consultancy and corresponding changes to time spent and remuneration received, as applicable. In such a case, supporting correspondence and documents on the change in end-date and corresponding changes should be uploaded by the staff member together with his/her update via the attachment function available in EC.

### **Change in Terms and Conditions of Consultation Work**

17. A staff member must also provide an update via EC immediately if there are changes in the terms and conditions of an approved consultancy, as well as seek approval to continue to undertake the work under the revised terms and conditions, with the same client organisation/ Client Department. In seeking approval, the staff member should upload the following together with his/her application via the attachment function available in EC:
  - 17.1 Supporting documents from an authorised person of the client organisation/Client Department which should include the request to renew the appointment on the revised terms and conditions; and
  - 17.2 Letter of Non-liability [HR 139/07-A](#) (applicable only to External Consultation Work).

### **Consultation Earnings**

18. Staff members shall receive consultation earnings, which may be in the form of fees, stocks and shares or stock options, directly from their clients.
19. The OFN will report staff members' earnings from Internal Consultation Work to the Income Revenue Authority of Singapore (IRAS).
20. However, staff members, and not the OFN shall be responsible for reporting their outside earnings to the IRAS.

### **Levy on Consultation Earnings**

21. University facilities and materials are not to be used for consultation work without prior approval of the RM. Facilities, materials and any other resources used must be properly itemised in the staff member's application.

22. Staff members shall pay a levy on their consultation earnings to the University as overheads and other charges:
  - 22.1 10% for:
    - 22.1.1 All Internal Consultation Work; and
    - 22.1.2 External Consultation Work that does not involve University facilities.
  - 22.2 15% for External Consultation Work that involves use of normal University facilities, equipment or software; and
  - 22.3 20% for External Consultation Work that involves use of premium University facilities, equipment or software.
23. The levy shall not be absorbed by the client organisation either by adjusting the consultation fee to take into account the levy to be paid by the staff member or in the form of direct reimbursement by the client organisation to the staff member for the levy to be paid by the latter.
24. Staff members should be aware that failure to declare and/or pay the levy is considered as a breach of University policies and will result in disciplinary action being taken.
25. The RM shall determine what constitutes normal or premium University facilities, equipment or software and where appropriate, decide on a levy higher than the stipulated 15% or 20%. The imposition of this levy shall be a matter between the University and the staff member concerned and not with the staff member's client. The OFN should be consulted on the proper procedures, if in doubt.
26. The revenue from the levy shall be divided on the basis of 50% to the staff member's Department and 50% to the staff member's Faculty.
27. Consultation earnings levied at 10% may be waived if the following conditions are met:
  - 27.1 Save for the exception set out in Section 27.2, the RM may waive the Faculty share of the levy and, with the agreement of the RM, the Department's share of the levy; and
  - 27.2 The levy shall not be waived for any paid teaching<sup>6</sup>.
28. For payment in the form of stocks and shares, the levy shall be imposed on the book value or on the actual value of the stocks and shares if sold. It is the responsibility of the staff member to find out the book value. For payment in the form of stock options, the levy shall be imposed on the difference between the market price of the share when the staff member exercises the option and the price paid for by the staff member.
29. Except for consultation work in Section 30, staff members should liaise with their respective Department to issue tax invoices for the levy. The tax invoice should be issued to the staff member in accordance with the University's guidelines.
30. For Internal Consultation Work, Departments shall pay staff members consultant fees net of levy imposed<sup>7</sup>. Invoices will not be issued for the levy. The Department paying the consultant fees to the staff member should liaise with the staff member's Faculty/

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<sup>6</sup> Teaching is defined in footnote 5.

<sup>7</sup> Refer to circular [OFS/2010/014](#).

School and Department to determine the WBSs where the levy is to be credited.

### **Liability**

31. The staff member shall ensure that –
  - 31.1 The persons (including any individuals or organisations) engaging or making use of his/her services understand that the staff member is acting solely in his/her personal capacity and not as employee, agent, or representative of the University;
  - 31.2 The University's letterheads should not be used in any correspondence or reports in connection with any External Consultation Work;
  - 31.3 The University's name and the staff member's affiliation to the University is not used directly or indirectly in advertisements or for other publicity purposes by the client;
  - 31.4 He/She has adequate personal and professional indemnity and third party insurance against any risks from the consultation work undertaken; and
  - 31.5 He/She complies with any applicable code of conduct and regulations governing his/her profession, such as those prescribed under the Architects Act, the Professional Engineers Act and Rules for Engineers.
32. In applying to undertake consultation work, the staff member acknowledges that he/she will not hold the University or its officers responsible or liable in any way for, and that no right of action shall arise from, any loss or damage (including, without limitation, personal injury or property damage) caused by or sustained as a result of his/her providing consultation services, whether through neglect on the part of the University or its officers or otherwise.

### **Staff Members assisting in another staff member's consultation work**

33. Staff members should not be asked to assist in consultation work, except where a faculty member requires an E&A staff member's assistance in his/her consultancy and where the prior approval of the RM and RM1 of the E&A staff member has been obtained. The faculty member is responsible for seeking the approval. In such a case, the E&A staff member should assist outside office hours and be adequately remunerated. Payment of the remuneration due to the E&A staff member is the sole responsibility of the faculty member concerned. Faculty members shall advise such staff members who receive payment for their assistance in the Faculty member's consultancy that they are personally responsible for reporting their earnings to the IRAS. The assistance of the E&A staff member will not be treated as consultation work, therefore the other rules of this Scheme e.g. time limits and levy will not apply.

### **Other Rules**

34. Staff members should not solicit consultation work by any means or in any form of advertisement or public announcement.
35. Prior to undertaking consultation work, staff members should also review and comply with other existing University policies relating to conflicts of interest and commitment. These include but are not limited to the Conflict of Interest Policy for NUS Staff, Code of Conduct for NUS Staff, Policies Relating To University Intellectual Property, other rules and guidelines in the Staff Handbooks and any rules imposed by their respective Faculties/ Schools.



36. Staff members should ensure that their staff consultation records are up-to-date and correctly reflected. They may verify their staff consultancies via EC.

**Review**

37. The University may review an approval for consultation work previously granted to a staff member if in its opinion the work adversely affects the discharge of his/her teaching, research or administrative duties, the staff member's performance has not been satisfactory or there are other negative implications which have arisen after the approval was given.
38. The University may revise the terms of this Scheme from time to time in its absolute discretion.

39. **Reference Documents**

No.	Name of Document
1	<a href="#">Rules on Acceptance of Non-Executive Directorships and Executive Directorships/ Managerial Positions</a>
2	<a href="#">Consultation Work Manual-Administrator Guide</a>
3	<a href="#">Conflict of Interest Policy for NUS Staff</a>
4	<a href="#">Code of Conduct for NUS Staff</a>
5	<a href="#">Policies Relating To University Intellectual Property</a>

6 July 2020

In Process