



CONSULTANCY SERVICES POLICY

CCTU P NO. 41





**CAPE COAST
TECHNICAL
UNIVERSITY**

GAZETTE

CONSULTANCY SERVICES

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1 INTRODUCTION

1.1 Background

Higher Educational Institutions have the capability to cultivate skills and facilitate the acquisition of knowledge, therefore contributing to the advancement of lifelong learning. Universities are driven by three primary interconnected objectives, namely education, the creation of new knowledge, and active with society and the community.

Engagement in consultancy services provides Cape Coast Technical University (CCTU) a unique opportunity to build long-term relationships with business, government, and the public sector. However, this must be done in a systematic manner in accordance with University regulations. This policy seeks to guide and regulate staff members engagement in consultancy services.

1.2 Definition of Consultancy

This refers to the provision of services, such as research, training and advisory activities, that are requested by either an internal or external organisation from the University or a member of the University staff, in exchange for a fee.

The fundamental characteristics that define consultancy within this context are:

- a) These are professional services supplied by University staff members in their respective field of expertise.
- b) These services are offered outside the University for some financial return;

- c) The primary purpose of consultancy is to apply knowledge or expertise to solve social problem;
- d) Consultancy services include the creation of contractual deliverables that may be partially or entirely owned by the client.

1.3 Exclusions to Consultancy Services

This Policy does not apply to paid or unpaid services performed for the primary purpose of teaching and research. It does not apply to traditional academic activity or to appointments as a University nominee on private or public boards. Conventional academic activities that are excluded from this Policy include:

1. Guest lecturing;
2. Membership on research assessment or evaluation panels;
3. external examiner duties;
4. teaching quality assessments
5. Assessment of application for promotion
6. student supervision;
7. development of academic curriculum
8. appointments to private or public sector boards or committees
9. Publication of academic book or chapters,
10. conference presentations or attendance;
11. editorship of academic books and journals; and
12. scholarly criticism.

2 PURPOSE OF THE POLICY

The purpose of this Policy is to provide a comprehensive framework that outlines the principles and procedures

governing the engagement of University staff members in consultancy services.

3 POLICY STATEMENT

Cape Coast Technical University (CCTU) is committed to encouraging consultancy services as an effort to fulfill its Vision and Mission, by utilising the expertise of the human resource for promoting and attaining professionalism and excellence in serving the Society.

4 SCOPE OF THE POLICY

This Policy covers both University and Private consultancies services.

5 GUIDING PRINCIPLES

The following guiding principles govern this Policy:

1. Engaging in consultancy services is a privilege, not a right.
2. The consulting should not contravene the University's policies on employment and code of conduct.
3. It should align with the functions, aims and interests of the University.
4. It should not bring the name of the University into disrepute.
5. It must show financial or reputational gain for the University, or increased staff expertise.
6. A staff member may engage in Private Consultancy so long as their obligations to the University are not compromised.

7. The University assumes no liability for Private Consultancy performed by staff members.

6 RESTRICTIONS

6.1 Conflict of Commitment

1. A staff member's primary obligation is to the University. Therefore, the time and effort devoted to consulting activities by a staff should not interfere with his/her professional commitment to the University.
2. In order to monitor such commitment conflicts, all staff members must obtain approval from their Department, Unit or Sectional Heads prior to engaging in any consultancy service.

6.2 Use of Students

1. The engagement of students in consultancy services provided by staff members has the potential to enhance the educational experience of students. Nevertheless, the engagement in such activities may give rise to possible conflict of interest in cases when a faculty member has the responsibility of supervising the student's research, courses, or graduate teaching assignments.
2. In such situation, the student's participation in the consulting services may only be allowed upon disclosure to and permission from the Head of Department. The HOD /Dean must promptly inform the Vice Chancellor of all such approvals through DRIC.

6.3 Use of University Resources

Staff may not perform consultancy services with significant use of University facilities and equipment, unless the staff

- (i) receives prior written approval of the proposed use from the Head,
- (ii) academic and administrative uses of such facilities and equipment have priority, and
- (iii) the staff reimburses the University for the fair market value of such usage. The use of University money and University controlled funds for consulting services is strictly prohibited.

6.4 Conflict of Interest

Consultancy assignment must not result in perceived or actual conflict of interest, as defined by the University's Conflict of Interest Policy. Any conflict of interest (actual or perceived) must be reported to DRIC for resolution.

A member of staff shall not accept or retain employment that would place him/her in any capacity, in conflict with the University's interests. If the proposed employment could result in a conflict of interest, he/she must inform DRIC through the Head and Dean/Director.

6.5 Use of University Name

The name of the University shall not be used in connection with a private consultancy except to describe the credentials of the staff member or as otherwise permitted in writing by University.

6.6 Intellectual Property Right

The ownership of Intellectual property (IP) resulting from consultancy services resides with the client, or as may be contained in the consulting agreement.

7 TYPES OF CONSULTANCY SERVICES

For the purpose of this Policy, Consultancy is categorised as follows:

7.1 University Consultancy

1. This refers to the provision of consultancy services under contractual agreement between the University or one of its subsidiaries and a third party.
2. The consultancy work is carried out by a staff member within his or her areas of academic, research or administrative expertise.
3. This consultancy is typically supported by the University and may utilise University resources.
4. The University Management is responsible for ensuring that the service generates the highest financial returns and delivers high-quality outputs in a timely manner.

7.2 Staff Consultancy

1. This refers to consulting services that are developed and carried out University staff making use of the staff time and other University resources like office space, computers and laboratory equipment.
2. The responsibility for maintaining the integrity, ethics, and conduct of the consulting service lies exclusively with the staff member (s).
3. However, the members of staff involved are responsible for maintaining the University's image and branding.

7.3 Private Consultancy

This refers to University staff-developed and -executed consulting services, but the engagement has no formal legal connection to or obligation to the university or staff time.

7.4 Essential Private Consultancy

1. This refers to professional members of staff (Accountants, Auditors, Architects, Lawyers, Surveyors and Engineers) who are licensed to engage in private practice.
2. The scope of such practice should align with their primary responsibility of teaching, research and extension services.

7.5 Internal Consultancy

1. This refers to the provision of professional services, excluding teaching, research and outreach, which are provided by staff members at the request of University Management.
2. These services need specific skills and expertise and are exclusive to the activities that can normally be performed through the University's Committee System.

8 WHO CAN UNDERTAKE CONSULTANCY SERVICES

1. All University staff who are employed under fulltime or contract basis.
2. Consultancy services can also be provided by both academic and non-academic outfits such as Schools,

Faculties, Institutes, Directorates, Centres, Departments, and academic Units.

9 PERMISSIBLE CONSULTANCY DAYS

1. The provision of consultancy services is limited to a maximum of three (3) days per business week and a maximum of forty-eight (48) days of consultancy activity per academic year.
2. This The duration may be extended upon obtaining permission from the relevant approving authority.
3. The restrictions on the maximum duration of consultancy services do apply to staff members of DRIC and Centres of Excellence whose job responsibilities involve consultancy.

10 Financial Matters

10.1 Budgeting and pricing

1. All consultancy services must be based on fully-costed budgets that have been reviewed and approved by the appropriate authorities.
2. The budget must include staff time, operational expenses, and University overheads.
3. Provision should be made for VAT at the prevailing rate.
4. Charges for the use of the University's resources should be based on the market value of the resources as determined by the appropriate authority.

10.2 Administration of Consultancy Funds

1. The DRIC will be solely responsible for managing all financial matters related to the engagement of

- staff members in University and Staff consultancy assignments.
2. The DRIC shall submit an audited annual financial statement on consultancy services to the Vice-Chancellor through the Directorate of Finance.
 3. Members of staff engaging in consultancy services shall be responsible for the budgeting. However, DRIC shall provide the needed support.
 4. Consultancies equal to or more than Fifteen Thousand Ghana Cedis (GH¢15,000.00) or its equivalent in United States Dollars should include an overhead cost of 10 per cent of the contract sum. This amount should be transferred to DRIC for disbursement.
 5. Members of staff engaged in consultancy services with a contract sum of less than Fifteen Thousand Ghana Cedis (GH¢15,000.00) or its equivalent in United States Dollars shall be exempted from the payment of overheads. The exemption shall be applicable once per staff member in a given financial year.

10.3 Distribution of Income from Consultancy

1. The 10 per cent overhead charge shall be shared as follows:
 - a) Central Administration – 2.0 per cent;
 - b) DRIC – 4.0 per cent;
 - c) Faculty/School – 1.0 per cent and
 - d) Department 3.0 per cent.
2. The DRIC shall accumulate and transfer the overhead funds on quarterly basis.

10.4 Use of Income from Consultancy

1. DRIC: income should be used to fund Research and Innovation activities in the University.
2. Faculties/Schools and Departments: income should be used to support only research activities. The Dean or Head of Department shall submit an annual report of such expenditures to the Vice- Chancellor through DRIC.

11 IMPLEMENTATION PROCEDURES

11.1 Authority for Approval

1. Approval to undertake consultancy rests with the Vice-Chancellor (VC). However, this authority may be delegated to the Director of Research, Innovation and Consultancy, Directors of Centres, and Deans of Schools and Faculties.
2. The Vice-Chancellor retains the authority to revoke this delegation at any time, without prior notification.
3. The approving authority may revoke or amend permission for consulting work at any stage if, in their opinion, an employee's external commitment is no longer compatible with his contractual obligations.

11.2 Application for Approval

1. Before engaging in any consultancy services covered by this policy, prior approval must be sought from the appropriate authority of the University.

2. A distinct approval request is required for each individual consultancy service.
3. It is a breach of University policy to engage in Consultancy service without prior approval.
4. Staff should seek advice from the Head of their Administrative Unit if they are unclear about whether their proposed work constitutes consultancy service. Where necessary, the Heads of the Administrative should seek advice from the Director of Research, Innovation and Consultancy (DRIC).
5. Approval to undertake all consulting work will be given on the basis that:
 - a) It does not exceed the limitations imposed under section 8 (Permissible Consultancy Days);
 - b) The activities are related to the academic and professional interests of staff;
 - c) The Consultancy does not interfere with the performance of normal academic duties of the staff member;
 - d) It gives rise to no conflict of interest for the individual member of staff or for the university.
6. The DRIC will notify staff members annually via email of the need to request permission before engaging in consultancy service.

11.3 Approval Process

1. The standard process for applying for approval to undertake consultancy is as follows:
 - a) When a staff member submits an application, it goes directly to the Administrative Head for

- review and forwarded to the Dean/Director for approval.
- b) When an administrative head submits an application, it goes directly to the Dean/Director for approval.
 - c) When a Dean/Director submits an application, it goes directly to the Vice-Chancellor through the Director, DRIC for approval.
 - d) When the Director, DRIC submits an application, it goes directly to the Vice-Chancellor.
2. A flow diagram of the procedure for applying for approval to undertake consultancy services is presented as Figure 1.

11.4 Reporting

This Policy provides for reporting of consulting activities as follows:

1. Staff members must report their consultancy service to the DRIC, and to the extent required, make disclosures required by the Conflict of Interest Policy.
2. Members of staff engaged in internal consultancy have discretionary rights of informing DRIC about the activity.
3. Members of staff engaged in private external consultancy services have discretionary rights in notifying University Management on their engagement.
4. Members of staff engaged in national assignment shall notify the University Management.

5. The DRIC shall review the consulting report and ensure that the consulting all activities are not in violation of the provisions of the prevailing Consultancy Policy.
6. The DRIC shall in turn report on all consultancy activities of the University.
7. If the DRIC determines that a staff’s consulting activity violates this Policy or if the staff fails to report promptly, the individual may be subject to disciplinary action pursuant to University Policy.

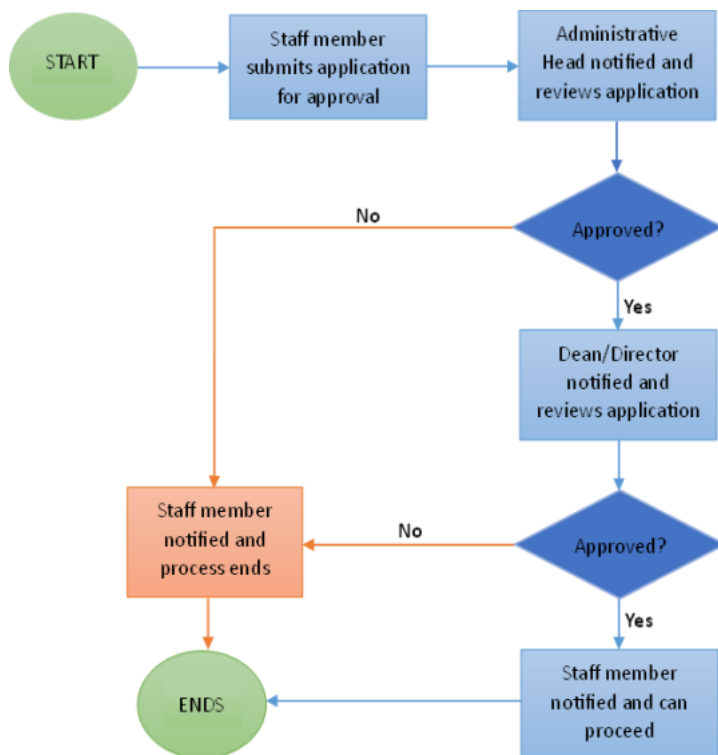


Figure 1. Procedure for applying for approval to undertake consultancy services

11.5 Implications of Non-Disclosure of Staff Consultancy Services

Members of staff who fail to disclose their engagement in consultancy services shall be:

1. Obligated to pay 30 per cent of the contract sum to DRIC upon verification of their engagement. The verification process shall be initiated by the Vice-Chancellor and conducted using the Committee System.
2. Incapable of holding a management position in the University within the first two years of being found culpable.

12 RESPONSIBILITIES

12.1 Staff engaged in University and Staff Consultancy

Members of staff engaged in University or staff consultancy shall:

1. Register the intent to engage in a Consultancy assignment with DRIC.
2. Declare all the direct and indirect financial and non-financial benefits to the University.
3. Indicate to DRIC all the direct and indirect as well as tangible and intangible reputational risks associated with the consultancy assignment.
4. Seek approval from the Vice-Chancellor through their Head and Dean.
5. Undertake the Consultancy assignment upon receipt of explicit approval from the Vice-Chancellor.
6. Adhere to the stipulated allowable time for engaging in consultancy services.

7. Complete a Consultancy Code of Conduct, and Integrity and Ethics forms, obtainable from DRIC.

12.2 Staff engaged in Private and Essential Private Consultancy

Members of staff engaged in private and essential private consultancy should:

1. Request for approval from the Vice-Chancellor through the Head of Department and Dean/Director.
2. Undertake such consultancy services only after receiving approval from the Vice-Chancellor.
3. Be fully responsible in negotiating his/her terms and conditions with the client.
4. Insert in all contracts the following disclaimer: “The work undertaken under this contract is not performed on behalf of the Cape Coast Technical University and, therefore, the University bears no responsibilities or liabilities in connection with such work”.
5. Avoid entering into competition with the University.
6. Desist from signing an agreement, which gives the client rights to the use of the University’s Intellectual Property.
7. Collect the fees from the client.
8. Be solely responsible for all the procurement rules and tax implications associated with the engagement of the consultancy assignment.

12.3 DRIC

The Directorate of Research, Innovation and Consultancy (DRIC) shall:

1. Provide advisory services to members of staff involved in the consultancy.
2. Advise the Vice-Chancellor on any potential conflicts of interest and commitment as well as the financial and reputational worthiness of consultancy services.
3. Document and publicise consultancy services.
4. Ensure that the approval process for consultancy services do not exceed a turnaround period of five working days.
5. Manage all financial matters related to the engagement of staff members on University and Staff consultancy assignments.
6. Submit an audited annual financial statement on consultancy services to the Vice-Chancellor through the Directorate of Finance.

REFERENCES

1. University of Cape Coast Consultancy Services Policy, Vol. 58 No. 2, December 2019.
2. University of Professional Studies Consultancy Policy, January 2017.
3. University for Development Studies Policy on Consultancy Services, June 2017.
4. DPU Consultancy Policy Document, DPU/1134/2018, October 2018.