

Outside Work Policy

Section 1 - Definitions

(1) For the purpose of the policy:

- a. 'Outside work' means private outside work and University-sponsored work undertaken by an employee, during their University employed hours of work, for an outside body in return for payment to the employee and/or the University and includes activities such as teaching at other institutions, consultancies, directorships, partnerships and contract research.
- b. 'Private outside work' means work undertaken through a contract between an outside organization and an employee and the work for the external organisation or company is not covered by the University's insurance or the insurance of one of its controlled entities and:
 - i. the name of the University or one of its controlled entities is not used; and
 - ii. the resources of the University or one of its controlled entities are not used in any way, e.g. computers or other office equipment; and
 - iii. administration and accounting of the work is not handled by the University or one of its controlled entities.
- c. 'University-sponsored work' means work undertaken through a contract between an outside organization and the University or one of its controlled entities and:
 - i. the work for the external organisation or company is covered by the University or one of its controlled entities' insurance, and/ or
 - ii. the name of the University or one of its controlled entities will be used; and/or
 - iii. the resources of the University or one of its controlled entities are to be used in any way; and/or
 - iv. employees refer to their University position and rank in the application for or execution of the contract; and/or
 - v. administration and accounting for the work is handled by the University or one of its controlled entities.

Section 2 - Policy Statement

Part A - Policy Declaration

(2) This policy defines the conditions and arrangements under which an employee of the University may undertake paid employment with an outside body during their University employed hours.

Part B - Policy Description

Objectives

(3) The University recognises that benefits can accrue to staff and the University where employees are permitted to undertake work for outside bodies. Maximum mutual benefit is gained where the work for outside bodies is negotiated and carried out as University-sponsored outside work.

(4) Whilst outside work that is University-sponsored is the preferred mode, academic employees, and certain specialist employees in professional categories may apply to undertake a limited amount of paid Private outside work.

Scope

(5) This policy applies to full-time employees and, where involvement in outside work may affect their ability to fulfil the duties of their employment, to part-time employees.

(6) This policy does not apply to casual employees.

(7) This policy does not apply to other work or 'a second job' which is outside their University employed hours of work provided that the time involved does not interfere with the performance of their University duties and responsibilities, that University resources are not used and that there is no potential conflict of interest.

Part C - Content and Implementation

(8) It is the employee's responsibility to ensure that outside work does not adversely impact on the University's resources and operational requirements, expose the University to litigation or undue financial liability, or in any way damage the reputation of the University.

(9) Outside work must not interfere with the efficient discharge of an employee's University responsibilities. An application will not be approved where engagement in outside activities would prohibit an employee from carrying out the full range of duties for which they are employed, unless the employee relinquishes an appropriate portion of their employment with the University and this can be accommodated without the workplace being adversely affected.

(10) Approval for outside work in accordance with this policy will be considered for activities that are of a professional nature within a field relevant to the employee's teaching, research, professional or employment expertise and which may enhance the prestige of the employee and the University. However, involvement in private practice will normally be considered only where such practice is required for initial and/or on-going professional accreditation.

(11) Examples of activities that would not be deemed acceptable within this policy include:

- a. activities that could lead to a conflict of interest.
- b. activities in competition with the University's endeavours.
- c. coaching/tutoring of University students by academic employees.

(12) Participation in outside work in accordance with this policy is a privilege and not a right.

Directorships/Partnerships

(13) Employees should avoid engagements that create for them conflicts of interest. Where there is a perceived or actual conflict of interest, employees involved in directorships and/or partnerships that are not with a University controlled entity, either solely or as a partner or member of the board, must declare their interest. Where their involvement requires attention during their University employed hours of work they must seek approval in accordance with the provisions of this policy.

Conflict of Interest

(14) Engagement in outside work should not create a conflict of interest, perceived or actual, for employees.

(15) A conflict of interest might arise where an employee engages in outside work at the expense of the University's interests or the interests of other employees or students. Staff should not place themselves in a situation where there is or may reasonably be perceived to be a conflict of interest. Examples of where a potential for conflict of interest

may occur include work undertaken for a major supplier of goods or services to the University, or work for an organization to which the University supplies significant goods or services. Conflicts of interest are described in more detail in the University's [Code of Conduct](#).

(16) It is the express responsibility of employees who wish to engage in paid outside work to ensure and declare that there is no potential or actual conflict of interest between the outside work and the interests of the University.

Private Outside Work

(17) The time allowance for private outside work will be up to a maximum of 48 days per calendar year for full-time employees.

(18) Employees undertaking private outside work are required to ensure:

- a. that they fulfil the requirements of their University employment contract and maintain a satisfactory level of performance as evidenced in their annual performance review.
- b. that the outside body for whom the work is to be performed is advised that the employee and not the University will undertake the work and that the University has no responsibility or liability for work undertaken. To assist in this the employee must:
 - i. not use University's notepaper or letterhead in the course of the outside work;
 - ii. not use the University's stationery, postal address, phone number, fax number, e-mail address or web-address, nor any other information that in any way might associate the University;
 - iii. not refer to their University position in correspondence related to the outside work;
 - iv. make it clear to the outside body that the employee is acting in a private capacity; and
 - v. direct postal, telephone and other communications to a place other than the University.
- c. that all claims, legal actions and liabilities whatsoever arising out of or in the course of the outside work shall be the employee's responsibility only and the University and its controlled entities accept no liability or responsibility for any matters arising out of these arrangements.
- d. no University or one of its controlled entities equipment or other resources will be used for the activity. Resources include accommodation, technical or secretarial staff, facilities, equipment, telephone, computing or network links in connection with the outside work.
- e. the outside work will be undertaken at times that do not inhibit an employee fulfilling the requirements of their University employment contract.
- f. that the employee will comply with all other aspects of this policy.

(19) Employees undertaking Private outside work are entirely responsible for their own legal liability, insurance cover, professional responsibility and workers' compensation as appropriate in respect of that outside work. Staff undertaking private outside work must advise their clients, etc. that:

- a. the work will not be carried out by the University;
- b. the work is to be carried out by the employee in their private capacity; and
- c. the University is not responsible for the work nor is it liable for the work.

(20) Employees undertaking Private outside work must take out insurance cover and provide evidence of this to the University prior to commencing the outside work. It is recommended that employees obtain their own independent advice about the insurances required for the private outside work to be undertaken.

Part D - Exclusions

(21) Some activities, even though they may attract income, are not subject to the provisions of this policy:

- a. occasional lectures, performances or exhibitions, speaking engagements and conference presentations;
- b. examining theses;
- c. refereeing of books, preparation of papers for journals;
- d. writing or publishing scholarly works;
- e. membership of editorial boards or external review committees;
- f. research grants funded by the [Australian Research Council](#), the [National Health and Medical Research Council](#) and others classified as national competitive grants.

(22) The above exclusions are not exhaustive and other categories of work for outside bodies may also be appropriately exempted from the provisions of this policy by the Deputy Vice Chancellor (Research) or the Executive Director, Financial and Human Resources [see application approval delegations in [Outside Work Procedure](#) clause 2].

Status and Details

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Head of Work Unit	Kath Drew Director, Human Resources
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