



# Egerton University Consultancy Policy

*Transforming Lives through Quality Education*



**EGERTON UNIVERSITY**

# **University Consultancy Policy**

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## **PREAMBLE**

Consultancies are professional services by experts that have influence on local and national development. They are avenues through which Universities involve their faculties directly into socio-economic development. Egerton University recognizes the crucial link between consultancies and national development. Therefore, it has embedded consultancies in its Strategic Plan 2018-2025, which form a key component to fits Strategic Goal Two; Strategic Objective Eight (So8): Increase consultancy and public policy analysis undertaken by staff.

Egerton University has an extensive wealth of knowledge and experience that can be tapped and use d for achieving development objectives. It has resources that can be utilized to offer consultancy services toward solving societal problems. This policy provides the necessary institutional framework under which all consultancies will be executed. It shall ensure that all consultancies are well coordinated and implemented in a professional, ethical, and efficient manner.

**his Policy is guided by the Vision, Mission, Philosophy and the Core Values of Egerton University stated as below:**

**Vision**

A world class University for the advancement of humanity.

**Mission**

To generate knowledge and offer exemplary education and training to society for national and global development.

**Philosophy**

Egerton University innovatively influences human development through generation, acquisition, preservation and dissemination of knowledge and skills in Agriculture and related disciplines, guided by the core values.

**Core Values**

The university's activities and decisions will be guided by the following core values: National unity and social fairness. Integrity, transparency and accountability Professionalism Internationalism, Passion for excellence and devotion to duty teamwork, Passion for environmental conservation Innovativeness and creativity

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## ARTICLE 1: Definition of Terms

- 1.1 **Consultancy:** A service executed through an agreement between two parties. It is a contract where a consultant (member of university staff or the University as a corporate body) provides a defined service to a client (external party) based on the client's articulated need. The service provided produces a set of deliverables for which the client pays for a negotiated fee.
- 1.2 **Consultancy Professional Fee:** This is the fees paid for professional services rendered in the contractual engagement.
- 1.3 **Consulting:** Remunerated application of a staff member's professional expertise for the benefit of a third party, typically an industrial, commercial, governmental, or other professional institution. The work might, for example, involve advice, problem-solving, direction of research, or teaching.
- 1.4 **Corporate Consultancy:** It is where by a university staff has university legal support in bidding and execution of the services.
- 1.5 **Direct Costs:** All non professional costs incurred in rendering the consultancy service.
- 1.6 **Individual Consultancy:** It is whereby a University staff or student operates in a private capacity.
- 1.7 **Staff Administration Services:** This is incentives payable to staff who directly offer administrative support services in the implementation of the consultancy.

## ARTICLE 2: Policy Objectives

The objectives of this Policy are to:

- 2.1 Facilitate staff participation in consultancies which are beneficial to the University, staff and students.
- 2.2 Facilitate the negotiation and entry into consultancy contracts with potential clients where there are benefits to the University and its staff and students at full cost recovery.
- 2.3 Define the University's management strategies and quality control expectations for consultancy contracts involving or implicating the University, including those relating to risk management and

accountability.

- 2.5 Provide guidance for implementing a consultancy service.
- 2.6 Provide guidelines on benefits sharing between the University and the consultants.

### **ARTICLE 3: Scope of the Policy**

- 3.1 This Policy applies to all Egerton University staff, students and their collaborators. It sets for the principles and guidelines that should be followed in the execution of consultancies.
- 3.2 This Policy should be read together with the University Research Policy and the University Intellectual Property Rights Policy that are in use.

### **ARTICLE 4: Management of University Consultancies**

- 4.1 All University consultancies shall be co-ordinated from the Division of Research and Extension.
- 4.2 All consultancy agreements shall be signed on the advice of the University's Legal Officer.
- 4.3 University resources shall not be used for the execution of private consultancies.

### **ARTICLE 5: Principles Guiding Consultancies**

While consulting, Egerton University staff and their collaborators will be guided by the following principles:

- 5.1 The Consultant(s) will safeguard the University against conflicts of interest and indemnify it against financial risks.
- 5.2 Any funds advanced to the Consultant(s) for the purposes of implementing the consultancy shall be repaid in full.
- 5.3 A staff will be permitted to engage in a consultancy which enhances his or her professional development and does not negatively affect his or her work at Egerton University.
- 5.4 At all times, the name of Egerton University must be protected against litigation or any other detrimental action by a client or a staff.
- 5.5 The consultant(s) shall adhere to the contractual agreement.

- 5.6 The consultant(s) shall report any extra consultancy sub-awards to the Deputy Vice-Chancellor (Research & Extension) within 14 days after award.
- 5.7 Approval documents indemnifying the University against financial risks shall be lodged with the Deputy Vice Chancellor (Research and Extension) before any consultancy is undertaken.
- 5.8 All consultants and their collaborators shall be required to submit quarterly, annual and final reports to the Deputy Vice-Chancellor (Research and Extension) or at the end of the consultancy if it is shorter than three months.
- 5.9 Any consultancies not covered by this policy shall be referred to the Vice-Chancellor for determination.

## **ARTICLE 6: Ethics and Integrity**

Following are the ethical and integrity conditions under which this Policy will operate:

- 6.1 Consultancies shall be conducted in an open and transparent manner as indicated in the consultancy agreements.
- 6.2 Where appropriate, an ethical clearance shall be obtained from the Egerton University Ethics Committee and/or Institutional Animal Care and Use Committee.
- 6.3 All consultancies shall not be in conflict with human rights, dignity, health or ethical standards.
- 6.4 All consultants shall be required to observe high ethical standards and comply with all obligations imposed by the codes of practice of the client.
- 6.5 Consultant(s) shall ensure that consultancy property entrusted to their care is used for the intended purpose(s) and adequately protected.
- 6.6 Respect of gender, religion, culture, disability, age and any other diversity shall be upheld by all consultants
- 6.7 Consultant(s) shall work in a manner that maintains their integrity, confidence and professionalism.
- 6.8 Compliance with all applicable institutional, national, international, policies, laws and regulations.

## **ARTICLE 7: Costing of Corporate Consultancies**

- 7.1 The cost of consultancy service shall reflect market rates.
- 7.2 The cost of consultancy service shall cover
  - a) Consultancy professional fee.
  - b) Direct cost of implementing the activities for the contractual deliverables.
  - c) Relevant government tax.
  - d) An administrative services at 15% of the total project cost.
- 7.3 The sum of consultancy professional fee and Staff Administrative Services shall be apportioned as follows:
  - a) 60% to the team of consultants, distributed in proportions agreed upon in assigning the contractual deliverables
  - b) 25% to the University Research Reserve Fund
  - c) 15% to the Staff Administrative Services

## **ARTICLE 8: Consultancy Knowledge Management**

- 8.1 Consultants shall handle the data generated from consultancy per the contractual terms.
- 8.2 The University shall keep a copy of all data and reports generated from consultancies securely in the University Repository.
- 8.3 All consultancy data shall be treated confidentially where the client has restricted public consumption.
- 8.4 A non-disclosure data agreement document(s) shall be signed by the consultant at the point of contract initiation.

## **ARTICLE 9: Consultant Misconduct**

- 9.1 Failure to comply with the Terms of this Policy shall be considered a breach of contract and may result in disciplinary action being initiated under the Disciplinary Procedures of the University as specified in the Egerton University Statutes.
- 9.2 All allegations of misconduct shall be reported to the DVC (R&E) for action.
- 9.3 A consultant who contravenes the provisions of Article 9.6 and 9.5 shall be held personally liable for losses resulting from the contravention.

- 9.4 A consultant who violates acceptable consultancy practices shall be blacklisted and stopped from benefiting from University support for a period of five (5) years.
- 9.5 Where a consultant violates ethical standards in a way that seriously harms the University reputation or compromises the consultant's ability to work effectively, the University Disciplinary Procedures and/or the relevant Laws of Kenya shall apply.
- 9.6 A consultant shall not engage in acts that include, but not limited to, dishonesty, fraud, embezzlement and misappropriation of consultancy funds, falsification, plagiarism and non-compliance with the conditions as stated in this Policy.

## **ARTICLE 10: Governing Law**

This Policy shall be operationalized in accordance with relevant national laws and the Universities Act No.42 of 2012.

## **ARTICLE 11: Dispute Resolution**

Any arising dispute in the course of consultancy service shall be resolved in the following order.

- 11.1 The matter shall first be referred to the DVC (R&E)
- 11.2 Where the party is still dissatisfied the matter shall be referred to the UMB and then to the council for final University determination.
- 11.3 Disputes not resolved by the University Council shall be subject to arbitration rules of the Laws of Kenya.

## **ARTICLE 12: Citation of the Policy**

This Policy shall be cited as the Egerton University Consultancy Policy No.EU/RE/POL/01C, of May 2021.

## **ARTICLE 13: Policy Implementation and Approval**

13.1 The Deputy Vice-Chancellor (Research and Extension) shall be responsible to the Vice-Chancellor for the implementation of this policy.

13.2 This policy is approved for implementation under the authority of

\_\_\_\_\_  
Vice-Chancellor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Chair, University Council

\_\_\_\_\_  
Date

## **ARTICLE14: Policy Review**

This Policy shall be reviewed after every five (5) years or earlier as deemed necessary.



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