

Outside Work Policy – For Managers FAQ

Please read this FAQ in conjunction with the Outside Work Policy – General FAQ for all staff

Question	Answer
General	
<p>When should a staff member seek approval to work outside the University and how do they do it?</p>	<p>This will depend on the activity, as outlined below:</p> <p><u>University Practice</u> is subject to normal performance development and management discussions. Initial discussions should be raised immediately with the Executive Dean, Director or senior manager.</p> <p><u>Private Practice</u> requires the staff member to obtain written approval using the 'Application for Approval to Conduct Private Practice' from the relevant Executive Dean, Director or senior manager before the activities commences.</p> <p><u>Outside Directorships</u> requires the staff member to obtain written approval prior to the commencement using the 'Outside Directorships Form (FS33)'. FS33 includes a flow chart clarifying when university insurance applies.</p> <p>Notes:</p> <ul style="list-style-type: none"> • An 'outside directorship' is board service that is related to a staff member's work at the university, and there might therefore be some confusion about insurance coverage. • The Vice Chancellor must approve an Outside Directorship as a University of South Australia nominee or appointee. • Where an outside directorship is not part of the staff member's university duties, the requirements of Private Practice apply. <p><u>Unrelated Outside Work</u> may be undertaken by staff without the need to seek approval provided that the work meets the criteria set out in part 10.1 of the policy.</p>
<p>When is Outside Work not allowable?</p>	<p>Outside work is not allowed where:</p> <ul style="list-style-type: none"> • the staff member has, may have, or may reasonably be perceived to have a conflict of interest; or • the use of university resources may have an adverse effect on the operations of the university or where the costs of such use cannot be appropriately reimbursed; or • the capacity of the staff member to perform their duties or organisational functions in the university competently and safely is or may be affected; or • the reputation, standing or performance of the university is or may be adversely affected; or • a significant risk for the university exists or may be created in the course of performing the work and the risk cannot be managed appropriately.

	The university recognises that casual staff can reasonably expect to be able to take work at other universities (see the explanatory notes to section 3 of the policy).
What can a Executive Dean, Director or senior manager do if a staff member notifies them of an Outside Work activity that is defined by the policy as 'not allowable'?	<p>The staff member is responsible for advising their Executive Dean, Director or senior head of school, and taking appropriate steps to remedy the situation in conjunction with them. If a remedy is not available, an Executive Dean, Director or senior manager may withdraw approval for the activity if necessary.</p> <p>In the case of an actual, potential or perceived conflict of interest arising from any type of outside work, the Executive Dean, Director or senior manager is responsible for determining appropriate duties and processes to avoid the conflict of interest.</p>
How do Executive Deans, Directors or senior managers assess whether there is risk in the Outside Work?	<p>Outside work may expose the university to risks, including unauthorised use of university resources, breaches of the Code of Ethical Conduct such as conflict of interest, potential legal liability and damage to the university's reputation. To review the risks, consider the details outlined in part 6 of the policy.</p> <p>Outside work must be undertaken in a way that appropriately addresses any risks associated with such arrangements.</p>
What if a staff member is already participating in Outside Work?	<p>The staff member should notify the Executive Dean, Director or senior manager and seek confirmation or approval for continuing with the same arrangement.</p> <p>For Unrelated Outside Work, the staff member only needs to notify the relevant senior manager if the work appears to breach the policy.</p>
What if a staff member receives a request to undertake outside work on a once off occasion and in a staff member's own time?	Staff should still consider their obligations outlined in the policy. For example, whether the work is related or unrelated to university work and whether there are any factors as included in clause 6.1 that would fit the 'not allowed' category.
Where can managers seek guidance on whether an activity is within scope of the policy?	Managers can seek guidance from their local People, Talent and Culture Business Partners, or the Employee Relations team in the People, Talent and Culture Unit.
What if a staff member does not comply with the policy?	<p>A breach of the policy may be dealt with by the relevant senior manager and can include:</p> <ul style="list-style-type: none"> • placing conditions on the approval for the outside work • withdrawing approval to conduct the outside work • referring the matter to the Executive Director: People, Talent and Culture to consider whether action should be taken under the misconduct/serious misconduct provisions in the relevant enterprise/collective agreement • or by any other action considered necessary by the Vice Chancellor.

<p>How do I deal with staff on Small work fractions :</p> <ul style="list-style-type: none"> • appointments (e.g. 0.2 FTE) who have professional activities outside the university or • who have to undertake outside employment to maintain their professional registration? 	<p>This may be best dealt with in the contract of employment – see explanatory notes to clause 8.4.</p>
<p>Directorship</p>	
<p>What's the difference between service on a board and an Outside Directorship?</p>	<p>Service on a board can be any service on a board or committee of management with some sort of governance function. For example, it might be being a member of the board of a local sporting club.</p> <p>For the purpose of this policy, an Outside Directorship is service on a board that is related to the staff member's university duties.</p>
<p>When is an Outside Directorship considered part of a staff member's duties?</p>	<p>An Outside Directorship is considered part of a staff member's duties if:</p> <ul style="list-style-type: none"> • It has been approved by the Vice Chancellor under clause 9.2 of the policy OR • It has been approved by the relevant Executive Dean, Director or senior manager and recorded in the staff member's performance management plan (the position would fit with the staff member's position description/role, and attendance at meetings may be paid on University time).
<p>When should a staff member seek approval for Outside Directorship and how?</p>	<p>Please note: An outside directorship is service on a board or committee of management which is <i>related to the staff member's duties at the university</i>. Other board service is 'unrelated outside work'.</p> <p>For an Outside Directorship to be considered part of the staff member's role, the staff member must obtain written approval using the 'Outside Directorships Form (FS33)'. Normally, this would be done as part of Performance Development and Management discussions and prior to commencing the position.</p> <p>Please note: The Vice Chancellor must approve an Outside Directorship where the staff member will be a University of South Australia nominee or appointee.</p> <p>Where an outside directorship is not part of the staff member's university duties, the requirements of Private Practice apply. The staff member will need to obtain written approval using the '<i>Application for Approval to Conduct Private Practice</i>' from the relevant Executive Dean, Director or senior manager before the activities commences.</p>

<p>What if the staff member already holds an Outside Directorship?</p>	<p>The staff member should notify the Executive Dean, Director or senior manager and seek confirmation or approval for continuing with the same arrangement.</p>
<p>What can be used to assess the risks involved in an Outside Directorship?</p>	<p>An Outside Directorship carries the risks normally associated with outside work, but also the liabilities associated with being a member of a board with a governance function. To review the risks, consider the details outlined in part 6 of the policy together with the <i>Finance form F33</i>, which enables staff members and managers to assess the risks involved in an outside directorship and to decide if there is an appropriate level of insurance coverage.</p> <p>To determine appropriate risk:</p> <ul style="list-style-type: none"> • Is the company financially stable? • Does the company currently have any claims against it? • Does the company provide insurance to protect its directors? • Is the company trading stocks in the USA?
<p>When does university insurance cover Outside Directorships?</p>	<p>University insurance only covers Outside Directorships where:</p> <ul style="list-style-type: none"> • the staff member is a University Nominee (VC approval) or • it is part of the staff member's performance plan (Executive Dean, Director or senior manager approval) <p>University insurance does not apply to Outside Directorships undertaken as Private Practice.</p> <p>University insurance does not apply to board service that is not related to university duties.</p>
<p>Where can I find out more?</p>	<p>You can ask your local PTC Business Partner, but the policy also has a series of explanatory notes that give useful examples.</p>