

MINISTRY OF CONSTITUTIONAL AND LEGAL AFFAIRS

THE LAW SCHOOL OF TANZANIA



CONSULTANCY POLICY AND OPERATIONAL PROCEDURES

Consultancy Policy and Operational Procedure, 2021

@ 2021, The Law School of Tanzania

First Published in 2021



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PREFACE

The Law School of Tanzania (LST), like any other Law School elsewhere, has an essential role for the development of national legal profession through training, research, consultancy and services to the community. The status and prestige of institutions including that of the School is determined by the quality and quantity of their research and consultancy work.

Engagement in such an enterprising activity is encouraged by the School management. Consultancy undertaken by members of staff have many benefits for both the individual and the School including contributing additional income, providing opportunities for industrial collaboration, improving personal skills, enhancing the reputation of the School, enabling the Schools knowledge transfer and impacting the socio-economic development of the country.

LST is proud to establish a Consultancy Policy and Operational Procedure (CPOP) to govern the consultancy and services offered by the School. The main objective of CPOP is to provide a framework that guides and enables academic and non-academic staff and other stakeholders of LST to contribute effectively to LST's Core Mission. The CPOP represents statements of intent by the LST regarding the quality of its consultancy and service activities to the general public. I hope the CPOP will be a useful guide to the School staff in undertaking consultancy and other related activities and to all stakeholders in improving their understanding of the LST's CPOP and thus enhancing their collaboration and association with it.

Hon. Justice. Dr. Benhajj Masoud
Principal
Law School of Tanzania
Sptember, 2021

ACKNOWLEDGMENTS

I wish to acknowledge the support of the Coordinator, Mr. Nicodemus N. Nditi who prepared the first draft of LST - CB Consultancy Policy and Operational Procedure, together with other important documents, i.e., Trust Deed and Rules for purpose of forming LST-CB under support of Hon. Justice Dr. Benhajj Masoud, Prof. Hamud Majamba, Prof. William Pallangyo and Prof. Sist Mramba.

I also wish to take this opportunity to advance my heartfelt appreciations to the team that shouldered the task of revising the draft Policy. In particular, I wish to thank Mr. Hillary Lubengo, Dr. Natujwa Mvungi, Mr. Edward Chuwa, Mr. Joel Laurent, Mr. Kisakisa Kiwala, Ms. Belinda Mollel, Mr. Humphrey Shonga, Mr. Paul Rambau, Mr. Kheri Sanga, Mr. Emil Lukiko, Mr. Magaluda, Ms. Farida Jawewa, Ms. Esther Mwanri, Mr. Eristeric Maro, Ms. Florian, Mr. Dominick and Mr. Setabe.

I also wish to thank Ms. Felista Mramba for typesetting and other secretarial duties. Additionally, I wish to thank the Governing Board of LST for vigilant scrutiny on this policy and its eventual approval.

Dr. Zakayo N. Lukumay,
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Law School of Tanzania,
September, 2021

ABBREVIATIONS AND ACRONYMS

ACT	- The School of Tanzania Act. No. 18 of 2007
BoT	- Board of Trustees of Law School of Tanzania Consultancy Board
CPOP	- Consultancy Policy and Operational Procedure
DPPFA	- Deputy Principal
DPTRCP	- Deputy Principal-Training, Research, Consultancy and Publication)
HEI	- Higher Education Institutions
IP	- Intellectual Property
IPR	- Intellectual Property Right
LST	- Law School of Tanzania
LST-CB	- Law School of Tanzania Consultancy Bureau
MDGs	- Millennium Development Goals
MoU	- Memorandum of Understanding
POLICY	- Consultancy Policy and Operational Procedure
TL	- Team Leader
ToR	- Terms of Reference

PART I
CONSULTANCY POLICY

1. INTRODUCTION

1.1 About LST

1.1.1 The Law School of Tanzania “the School” was established by the Law School of Tanzania Act. No. 18 of 2007 (the Act) that came into force on 2nd May, 2007. The School is a body corporate. It is an independent organ with its own Governing Board. As body corporate the core functions of the School include teaching, research and public services (including consultancy and relating services) to the community. Section 5 (h) of the Act provides as follows:

S.5 The functions of the School shall be to-

(h) provide consultancy services in legal matters to the Government public and private organizations, individuals and other clients within and outside Tanzania.

1.1.2 The School is richly endowed with a high concentration of well-trained lawyers that can be used for consultancy and related services. Recognizing these potentials, strengths and the prevailing conducive environment, the School coordinates and helps to identify and solicit consultancy and service jobs which will be undertaken by the School staff.

1.2 About the Policy

This Policy describes and explains the consultancy service and procedures for the School. The Policy guides the delivery of consultancy services embedded into the functions of teaching and learning, research and publications. This Policy document shall be used together with the Act, Constitution Trust Deed and Trust Rules as well as all other policies and regulations promulgated by the School.

The Policy shall facilitate the School to achieve its Mission of becoming a committed institution of higher learning in terms of performance and empowerment of its employees, students and the surrounding communities with competencies in consultancy services. The consultancy work at the School shall assist in the delivery of quality services to all, as well as, to clearly distinguish the special competence and geographical strength of School compared to other Higher Learning Institutions in Tanzania. Indeed, this Policy shall enable academic and other School’s staff to provide quality consultancy services for the benefit of the nation. The consultancy services shall further link the industry, business communities, legal services providers and the

government of Tanzania with the School. In return, the School shall develop its resource capacity for sustainable contribution to the country's economic development.

1.2.1 Advantages of Consultancy Services

Amongst many, the following are some of the benefits that the School seeks to receive by effectively participating in consultancy work:

- 1.2.1.1 Enhance the income generation by its staff thereby increasing its capacity to fund its own incentive Schemes and motivations as approved by School's Governing Board;
- 1.2.1.2 Rekindle its staff expertise in consultancy and professional skills;
- 1.2.1.3 Contribute to the School's strategic Plan;
- 1.2.1.4 Demonstrate its special advantage over other Tanzanian Higher Learning Institutions;
and
- 1.2.1.5 Contribute to the realization of the National Vision 2025.

1.2.2. The Rationale of Consultancy Services

The rationale for undertaking consultancy services at the School includes, but not limited to:

- 1.2.2.1 Providing an efficient, reliable and competitive service to the community for free or for a fee;
- 1.2.2.2 Developing and enhancing contacts with commercial organizations and other organizations in a manner that will lead to collaborative consultancy and educational ventures;
- 1.2.2.3 Maintaining up-to-date expertise among staff and the social, legal industrial and commercial relevance of their research and teaching;

- 1.2.2.4 Enabling staff whose expertise has a commercial value to benefit financially as well as professionally from their external work. It is in this way that enables income generation;
- 1.2.2.5 Enhancing the School's programs, courses, teaching, research and publications through provision of case studies and practical problems drawn from successful consultancies;
- 1.2.2.6 Providing an alternative income stream to the School and its staff and financial returns on capital investment;
- 1.2.2.7 Enhancing the profile of the School within and outside the country;
- 1.2.2.8 Providing opportunities for staff promotion resulting from registered consultancy reports; and
- 1.2.2.9 Assisting international, national, and regional in improving the quality of people lives, including achieving of the goals of the Years Development Plans and Vision 2025.

1.3 Mission and Vision Statements of the LST-CB

- 1.3.1. The Mission of the LST-CB is *“To provide excellent consultancy services in legal and other related areas to the Government, private organisations, individuals and other clients within and outside Tanzania”*.
- 1.3.2. The vision of LST-CB is *“To be a leading Higher Learning Institution in providing consultancy services within and outside Tanzania”*.

1.4. Objectives of the Policy

1.4.2 Main Objective

The main objective of the Policy is to provide guidance to the School community and other stakeholders in addressing challenges in the consulting area. This will lead to contributing more effectively to income generations, addressing social problems and enhancing quality of teaching and learning as well as research.

1.4.3 Specific Objectives

The School aims at achieving the following specific objectives in respect of provision of consultancy and services to the community:

- 1.4.3.1. Mapping out the consultancy capacity in various branches of law;
- 1.4.3.2. Identifying potential consultancies that could be undertaken by the School, and guide in the choice of relevant consultancy areas;
- 1.4.3.3. Improving the overall consultancy capacity utilization of the School by improving contacts with relevant government bodies, donor agencies and other interested parties in Tanzania and overseas;
- 1.4.3.4. Promoting the School's expertise and capabilities in areas of consultancy and services to the wider community;
- 1.4.3.5. Working out schemes which will motivate staff of the School to undertake consultancy activities;
- 1.4.3.6. Providing guidance to enable proper implementation of results from consultancy activities executed by the School;
- 1.4.3.7. Advising the School administration on appraising consultancy work output for purposes of staff development;
- 1.4.3.8. Addressing potential of outside partners for joint consultancy and services activities;
- 1.4.3.9. Organizing and keeping custody of consultancy and services reports and related issues for academic and others users;
- 1.4.3.10. Addressing critical social and economic problems in the country as expressed in the National Vision, 2025 and Millennium Development Goals (MDGs).

1.5 Definitions of key terms relevant to this Policy

1.5.1 Consultancy

It is the provision of expert advice and work which, while it may involve a degree of analysis, measurement of or testing, is crucially dependent on a high degree of intellectual input from Higher Education Institutions (HEI). Such advise is work of a professional nature, undertaken by staff in their fields of expertise, for external clients and for which payment is usually made. It may include a range of activities such as material testing, documentation and publication, professional and continuing education, and training development. Unlike research, consultancy does not have, as its prime purpose, the generation of new knowledge but rather its application in resolving society problems. The following undertakings are not included within the definition of consultancy at the School:

- 1.5.1.1. Academic book publications;
- 1.5.1.2. Contract research;
- 1.5.1.3. External examining;
- 1.5.1.4. Guest lecturing;
- 1.5.1.5. Conference attendance/presentations;
- 1.5.1.6. Ad hoc broadcasting or other interactions with the media;
- 1.5.1.7. Teaching quality assessments;
- 1.5.1.8. Private and public sector board appointments;
- 1.5.1.9. External committee membership; and
- 1.5.1.10. Normal inter-institutional academic activities.

1.5.2 School Consultancy

It is a professional work carried out by a member(s) of staff acting as an employee(s) of the School. The work may be additional to normal duties for which additional payment over and above the normal salary may be made/or may be part of normal duties for which no additional payment. School consultancy can be internal or external:

1.5.2.1 Internal School Consultancy

It refers to the situation where the School contracts its staff to undertake consultancy service(s) for the School. It may involve development of a consultancy project which may benefit the School in the future through the realization of consultancy

assignments or improvement of operational guidelines in which case the School acts as a client.

1.5.2.2 External School Consultancy

It refers to consultancy services provided to a third party, i.e, external to the School, by the School employee in the course of his/her employment with the School. In this case the nature of the task arises naturally from, and is related to, his/her expertise and experience which also represents the School as service provider.

1.5.3 Private/Individual Consultancy

It is the type of consultancy which is carried out by staff of the School independently. There is no relationship between the School and the external party with regard to the work being undertaken. In this case the employee must make sure that, the external party is aware of this. The following should be taken into consideration:

- 1.5.3.1. Individual is a contracting party;
- 1.5.3.2. Individual is not engaged on School business and is not therefore covered by any of the School's insurance policies;
- 1.5.3.3. The School does not accept any liability for the work carried out;
- 1.5.3.4. The School has no obligation under the Occupational Health and Safety Act, No. 5 of 2003 for the work conducted outside its premises;
- 1.5.3.5. Individual may not use any of the School's facilities without permission nor in any way trade using the School's name or premises;
- 1.5.3.6. Individual must ensure that there is no conflict with the interests or confidentiality obligations of the School in undertaking Private Consultancy;

1.5.4 Community Service Consultancy

It refers to an arrangement for provision of professional services entirely as a contribution to the community

1.5.5 School Consultancy Activities

It includes all professional activities requiring the use of the School's name, services, space, facilities, equipment and intellectual property rights.

2 SCHOOL CONSULTANCY POLICY STATEMENTS AND STRATEGIES

The following four (4) focal issues of policy have been identified for articulation in accordance with the decision to formulate the School Consultancy Policy and associated Operational Procedure.

- 2.1 Coordination and Management of Consultancy Activities;
- 2.2 Capacity building;
- 2.3 Strategic collaboration and partnership; and
- 2.4 Monitoring and evaluation.

In the context of these areas of concern, policy statements have been articulated and strategies specified to address the stipulated policy declaration.

2.1. Coordination and Management of Consultancy Activities

2.1.1. Policy Statement

Consultancy requires a formal status in the School to allow a smooth operation in coordinating its projects within the School. Currently individual staff members conduct consultancies without the overall School coordination and oversight. Therefore, the School shall:

- 2.1.1.1 Provide clear mandate and capacity to coordinate, promote, regulate and demand accountability for consultancy performance of the School; and
- 2.1.1.2 Establish a database for consultancy activities.

2.1.2. Strategies

To effectively and efficiently deliver consultancy services, the School establishes a Law School of Tanzania Consultancy Bureau (LST-CB) that will be registered as a not for-profit entity. The LST-CB through the BoT and Management, shall be the overall custodian of all consultancy activities of the School. To that effect LST-CB shall assume the following mandates:

- 2.1.2.1 Registration and coordination of all School wide consultancy projects;
- 2.1.2.2 Capacity building of the School's staff that is relevant to the execution of consultancy projects;

2.1.2.3 Monitoring and Evaluation of all consultancies;

2.1.2.4 Promotion of the School consultancy services through aggressive marketing approaches; and

2.1.2.5 Seeking and soliciting consultancies.

2.2 Capacity Building

Consulting is one way of learning from as well as of building a pool of experience. It exposes academic and non-academic staff to the real world of life. The experience and insights gained in consulting should enrich both teaching and research, making them more relevant and problem solving oriented. Ideally, all lecturers should play some role in consulting, so as to benefit from this rich experience and insights and to bring these practical experiences and insights in course of teaching. The following are the Policy statements and strategies for upholding capacity building:

2.2.1 Policy Statements

Winning consultancy projects depends on, among other things, the competence of those who seek to undertake consultancy work to prepare and submit quality proposals including all the necessary inputs. Although some of the School's staff are already engaged in individual consultancies, there are consultancies and the importance of undertaking them for individual and School wide benefits even though competence in consultancy matters varies among the various categories of staff.

2.2.2 Strategies

To address existing gaps, the School will:

2.2.2.1 Develop and implement short term and in house capacity development programmes for staff to understand basic issues and principles of consultancy work;

2.2.2.2. Seek joint consultancy works with reputable Firms as a way of building the capacity of the School's staff.

2.3 Strategic Collaboration and Partnership

The School seeks to foster collaboration between Faculties/ Institutes/ Centers and development partners, the private sector and various other stakeholders at national, regional and international levels in consultancy activities. In this sense, the School expects to benefit from all available opportunities, such as capacity building in terms of human resources and facilities; marketing and use of its human resources; and transfer of knowledge and technology nationally and internationally.

2.3.1 Policy Statements

The School shall strive to:

- 2.3.1.1 Promote linkages, collaborative partnerships and working relationships between Faculties/Institutes/Centers and local and foreign development partners, including the Diaspora; and
- 2.3.1.2 Establish and strengthen collaboration between the School and other regional and international coordinating bodies.

2.3.2 Strategies

- 2.3.2.1 Develop a database of commissions and institutions, at national, regional and international levels that offer contract research assignments;
- 2.3.2.2 Establish working relationships with these institutions as well as others through Memorandum of Understanding (MoU) for collaborative/cooperative ventures in areas of mutual interest and/or advantage;
- 2.3.2.3 Establish collaborative consultancy;
- 2.3.2.4 Share and exchange experiences on consultancy activities by way of published brochures, newsletters and website briefs;

2.3.2.5 Continue to popularize consultancy activities and output through various means and for a general public awareness and for staff interest and participation through the School; and

2.3.2.6 Continue to popularize consultancy activities and outputs through various means and for general public awareness and for staff interest and participation through the School.

2.4 Monitoring and Evaluation

Continuous monitoring and evaluation of consultancy activities is an essential component of coordination, management and promotion of consultancy. The quality of consultancy activities and products has a direct relationship to the extent in which decision-makers in public and private-sector institutions and individual clients would decide to make use of consultancy services at the School. Any loophole at the School operations might make them decide to use consultants from elsewhere.

Conduct of consultancy requires a sound ethical framework and a strong scientific merit in terms of justification/rationale for conducting it; as well as soundness and clarity of the objectives and methodologies to be employed. So there is a need to have an institutional mechanism for assessing consultancy performance by stakeholders at the School so as to ensure consultancy output effectiveness, monitoring of the quality as guided by the policy statements and strategies.

2.4.1 Policy Statements

The School shall:

2.4.1.1 Put in place an effective mechanism for consultancy quality assurance involving monitoring, evaluation and reporting; and

2.4.1.2 Ensure consultancy provision not only satisfies clients and the School's stakeholders but also contributes significantly towards the improvement of quality of life among the target communities.

2.4.2 Strategies

2.4.2.1 Develop and formulate consultancy performance and impact indicators for use in monitoring and evaluation;

2.4.2.2 Subject the School regularly to external evaluation after every five years to ensure that Consultancy activities address mandates effectively; and

2.4.2.3 Develop an institutional mechanism for proper vetting of the consultancy proposals and reports.

3 SCHOOL CONSULTANCY POLICY CROSS-CUTTING ISSUES

3.1 Eligibility for Undertaking Consultancy at School

3.1.1. Any employee of the School may undertake consultancy activities anytime and for on agreed duration.

3.1.2 A Head of Department or any other person dully authorized as immediate supervisor shall ensure that the amount of work performed does not conflict with the staff member's core responsibilities or prejudice the wider interests of the School.

3.2 Marketing, Promotion and Branding of the School's Potential in Consultancy Work.

3.2.1 The School shall develop marketing strategies that will promote and brand the School as a credible public service provider in the area of consultancies.

3.2.2 Develop strong and enduring partnerships with top universities and other firms including reputable consultancy firms within and outside Tanzania.

3.2.3 Develop and implement an elaborate communication and information sharing mechanism that can feed back to clients and the general public on major consultancy work, and serve as marketing opportunities.

3.2.4 Develop and implement Memorandum of Understanding (MoU) with key sectors a retainer basis to provide specialised services at agreed costs.

3.3 Embracing Roles and Responsibilities

In order to increase the efficiency and effectiveness of the School's consultancy works that will provide guidance in consultancy activities within the School. The management of the LST-CB shall be undertaken by the BoT and the Administration. The general role of LST-CB through the BoT and the Administration is as follows:

3.3.1 The LST-Consultancy Bureau

3.3.1.1 It shall take lead in the initiation and implementation of consultancy activities at the School.

3.3.1.2 It shall establish and implement structures that support efficient capacity building, financial management and mobilize resources.

3.3.1.3 It shall document and publish best practices of the School's consultancy work.

3.3.1.4 It shall enforce the implementation of this Policy to all relevant Departments of the School.

3.3.1.5 It shall receive and review progress reports on consultancies from the Team Leader(s) appointed for a particular consultancy.

3.3.1.6 It shall identify key persons, i.e., Team Leader and Members of the Team to conduct consultancy works(s).

3.3.1.7 It shall source for consultancies and their implementations

3.3.1.8 It shall conduct Monitoring and evaluation of all consultancies at the School.

3.3.1.9 It shall liaise with the Board of Trustees to follow up on how revenue from consultancies is used to support its operational budgets.

3.4 Integrity Disclosure and Approval

Tracking outputs from consultancies is an uphill task especially often with challenges of information flow from those that undertake consultancies at the School.

This gap in information can undermine the School's ability to measure the contribution of consultancies to its development and in addressing national challenges. Therefore, the School shall:

- 3.4.1 Develop procedures that will enable to access consultancies in a transparent way so as to allow for public disclosure.
- 3.4.2 Develop rules and penalties in case an individual undertakes consultancies without getting approvals from relevant authorities.
- 3.4.3 Develop incentives packages that would motivate staff to disclose consultancy works.
- 3.4.4 Develop procedures which will enhance the flow of information on consultancy activities between the LST-CB and staff and vice versa.

3.5 Embracing Ethics

Consultancies like any other professional work require an adherence to ethical codes of conducts, confidentiality and obligations and agreements in terms of quality and timeliness as well as high regard to professionalism. The need to embrace ethics and ensure compliance is key to success in implementing this Policy. The School shall develop and ensure observance of the 'Ethical Code of Conduct' for consultancy work at the School including fighting corruption and bribery.

3.6 Intellectual Property Right

3.6.1 Intellectual Property Right (IPR)

Intellectual Property (IP) arising from consultancy usually belongs to the client, although care may be needed to manage the School's pre-existing IP. For instance, the existing School IP may be inadvertently given to clients or there may be opportunities to exploit or publish results with a client's approval.

3.7 Non- Discrimination Policy

This Policy provides guidance on how to deal with non-discriminatory issues such as gender equality and sexual harassment among all staff.

3.7.1 Involvement of Female Staff

The involvement of female staff in many activities at School is low. This undermines the enormous potential that exists in female staff. The School shall develop procedures and conditions that qualified female staff members shall be involved in consultancy works.

3.7.2 Involvement of Junior Staff

The School shall develop procedures and conditions by which junior staff can be involved in consultancy works.

3.7.3 Involvement of Non-Teaching Staff

The School shall develop mechanisms that will encourage non-teaching staff to participate in consultancy activities.

3.8 Institutional Framework for Undertaking Consultancy

Provision of effective and efficient consultancy services and works require a functional institutional arrangement. This functionality will be achieved through ensuring that:

- 3.8.1 That the established institutional framework is elaborate, clear, lean and non-bureaucratic;
- 3.8.2 That the institutional framework has sufficient start up human and working resources to operate effectively;
- 3.8.3 Staff are linked through the institutional framework for School-wide coordination to enable smooth regulation to safeguard the credibility of the School oversight.

3.9 Liability Issues

All other works including consultancies undertaken by School staff put a heavy liability on the School in terms of quality of output and other contractual matters. Considering that this Policy provides for individual consultancy staff, in which the School has not been fully involved in all stages of the contractual acquisition, such a burden becomes an unfair deal to the School. Therefore, the School shall:

- 3.9.1 Be held accountable and liable for any problem in a consultancy work that, it has approved and signed for by the LST-CB.

- 3.9.2 Not be liable in any consultancy work it has not approved even if the School staff members have undertaken that consultancy.
- 3.9.3 Strictly discourages staff from entering into work-related consultancy arrangements with outside agencies without the approval of the LST-CB
- 3.9.4 Ensure that staff involved in individual consultancy shall not use the School name to enclose such activity without prior written approval from the Principal.
- 3.9.5 Staff are urged to involve the LST-CB in processing consultancies as early as possible so that any issue with the contract can be identified and, where possible, either resolved or mitigated.

3.10 Distribution of Consultancy Income

- 3.10.1 The LST-CB shall operate and manage a separate bank account(s). The management of these accounts will be under the Board. To ensure compliance with the School general financial procedures, the School financial control shall comply with applied Financial Regulations. This Policy will ensure that revenue generated from consultancy projects undertaken by School staff is distributed fairly and contributes to the development of the School and LST-CB.
- 3.10.2 A uniform formula for distribution of consultancy income sharing shall be used across the whole School regardless of the entry point of the project or where the project was executed.

3.11 Payment of Taxes and Insurance fees

The School shall comply with government Regulations and Policies in matters of taxation relating to consultancy works. To facilitate this, School shall:

- 3.11.1 Develop and enforce guidelines and procedures for handling taxation issues related to consultancy projects undertaken by the School's staff in accordance with laws relating to taxes.
- 3.11.2 Develop guidelines for handling insurance matters related to provision of consultancy services by the School staff.

3.11.3 Ensure the finance office liaises with both employers and employees to have costs remitted in accordance with tax laws.

3.12 Resolution of Disputes based on Consultancies

3.12.1 In the event of any dispute between consultants, LST- CB shall have the mandate to resolve the dispute as per contract provisions.

3.12.2 Any dispute between LST-CB's consultants and consultancy awarding entity shall be handled according to terms and conditions of the relevant Consultancy Agreement. However, if the Agreement is silent, LST-CB shall have the right to resort to any cost effective method of resolving the dispute in accordance with the applicable laws.

PART II

OPERATIONAL PROCEDURES

1. ORGANISATIONAL STRUCTURE OF THE LAW SCHOOL OF TANZANIA - CONSULTANCY BUREAU (LST-CB)

The Law School of Tanzania - Consultancy Bureau (LST-CB) is a semi-autonomous body at the Law School of Tanzania. It is registered as Trust under the Trustees Incorporation Act, [Cap 375 R.E 2002] as a non-profit making organization.

1.1 Operational Structure of LST - CB

The organizational structure of the LST-CB shall entail a Board of Trustees and the Management as provided for in Figure 1 below.

1.1.1 The Board of Trustees

- 1.1.1.1. The Board of Trustees of LST-CB shall be comprised of the members who shall be appointed by the Principal after consultation with the Deputy Principal (Training, Research, Consultancy and Publications) and the Governing Board of the School.
- 1.1.1.2. The appointed members of the Board shall not be less than two and not more than ten.
- 1.1.1.3. The Principal may appoint two external members one from public sector and another from private sector.

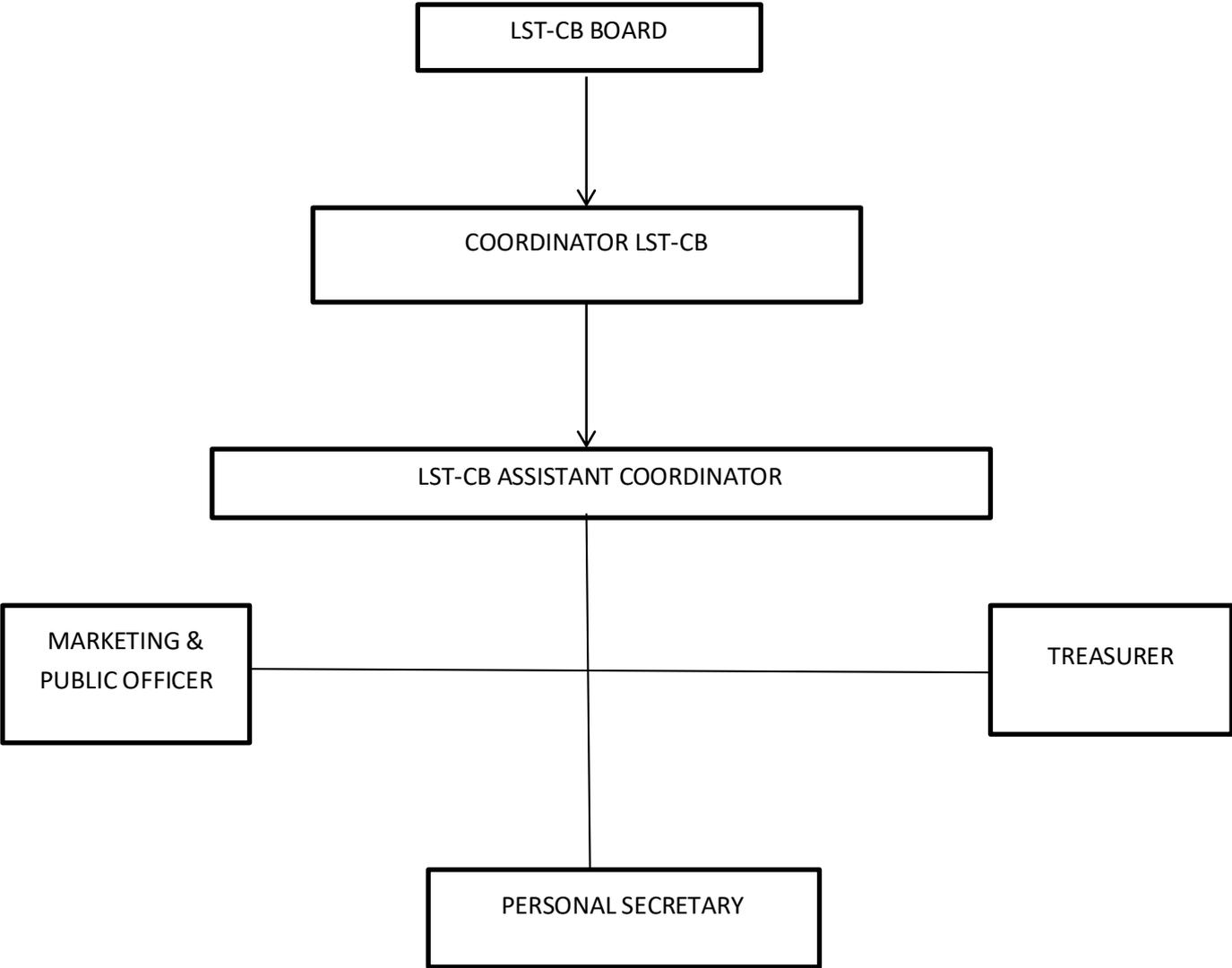
1.1.2 The Management

The Management of the LST-CB shall be under the Coordinator assisted by one academic or non-academic staff. The staff shall be an Assistant coordinator of project implementation risk management and quality control.

Apart from the Coordinator and Assistant Coordinator, there will be other three (3) administrative staff who shall consist of:

- 1.2.1.1 Treasurer;
- 1.2.1.2 Publicity and Marketing Officer; and
- 1.2.1.3 Personal Secretary

Figure 1. Organizational Structure of the LST-CB



1.2 Appointment, tenure and Duties of the administration staff

1.2.1 The Coordinator

The Coordinator shall be appointed by the Principal from among senior member of the Academic Staff. He/she shall be appointed for four years, renewable depending on performance and shall be responsible to the BoT and Deputy Principal (Training, Research, Consultancy and Publications)

1.2.1.1 Duties of the Coordinator

- (i) Advises the Board of Trustees on all matters pertaining to consultancy;
- (ii) Organizes and implements skills training courses for staff of the School who have little or no experience;
- (iii) Be secretary to the Board;
- (iv) Prepares mechanisms to ensure quality assurance;
- (v) Prepares appropriate marketing promotional materials and solicitation strategies in collaboration with Publicity and Marketing Officer; and
- (vi) Oversee Project Implementation, coordination and management from any academic member of staff.

1.2.2. Assistant Coordinator

The Assistant Coordinator shall be appointed by the Principal. He/she shall be appointed for four years renewable and shall be charged with the following duties:

- 1.2.2.1 To assist the Coordinator in running the LST-CB ensure risk management and Project Quality Control, and;
- 1.2.2.2 To assist the Coordinator in running the LST-CB quality control and project implementation.

1.2.3. Other Administrative staff

Other Administrative staff of the Bureau, i.e, a Treasurer, Publicity and Marketing Officer, and Personal Secretary shall be co-opted from the School or employed by the Board.

2. OPERATIONAL PROCEDURE FOR PROJECT IMPLEMENTATION AND MANAGEMENT

The operational procedures for implementation of consultancy services shall be as follows:

2.1 Project Implementation and Coordination

- 2.1.1 Consultancy with a client has to be registered with or through the LST-CB. The LST-CB shall keep a register of all works contracts and provide progress reports, to the Board.
- 2.1.2 Consultancy tenders shall be priced at the market rates and where necessary, LST-CB shall process the bid and provide performance bonds that would guarantee the School consultants and indemnity against professional liability as per applicable national guidelines.
- 2.1.3 All payments must be channeled through LST-CB Bank accounts. In exceptional cases, individual consultancies may be allowed to pay School staff in their accounts, but only after the consultant has sought permission from the LST-CB.
- 2.1.4 Unless otherwise proven, an individual member who shall solicit a consultancy job shall automatically be the Team Leader.
- 2.1.5 The Coordinator or the Assistant Coordinator shall follow up on the progress of the assignment through the Team Leader.

2.2 Project Management

- 2.2.1 Each consultancy service shall have a project management structure. The Management structure shall consist the Team Leader and Team Members.
- 2.2.2 The functions of the Team Leader may vary and be influenced by the demands of individual projects. However, in general, the function of the Team Leader are as follows:
 - 2.2.2.1 Project design, intellectual leadership and development of project tools;

2.2.2.2 Day -to-day management and client management;

2.2.2.3 Client liaison at key meetings and presentations to clients and other stakeholders;

2.2.2.3 Management and coordination of team members' activities;

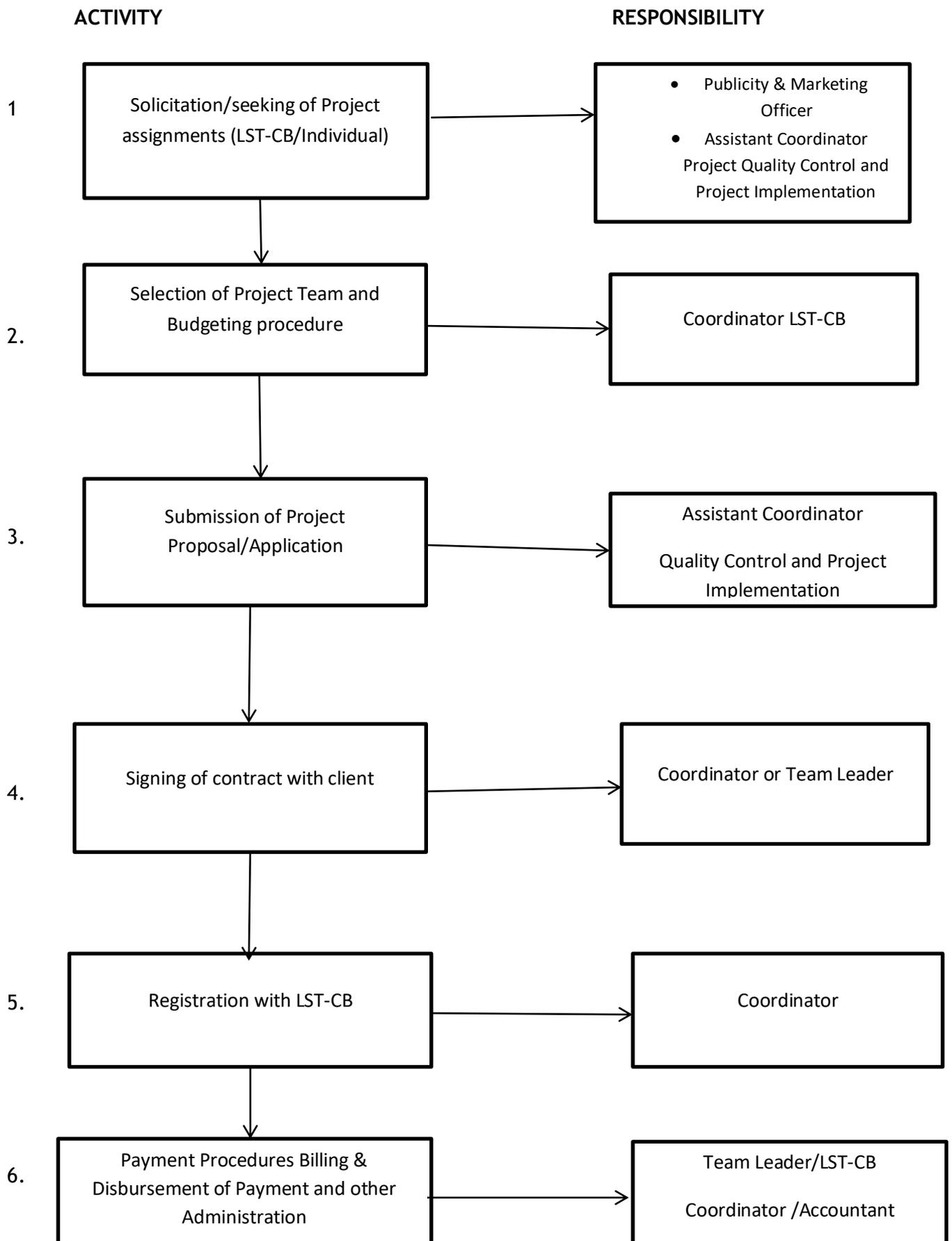
2.2.2.4 Monitoring progress and performance;

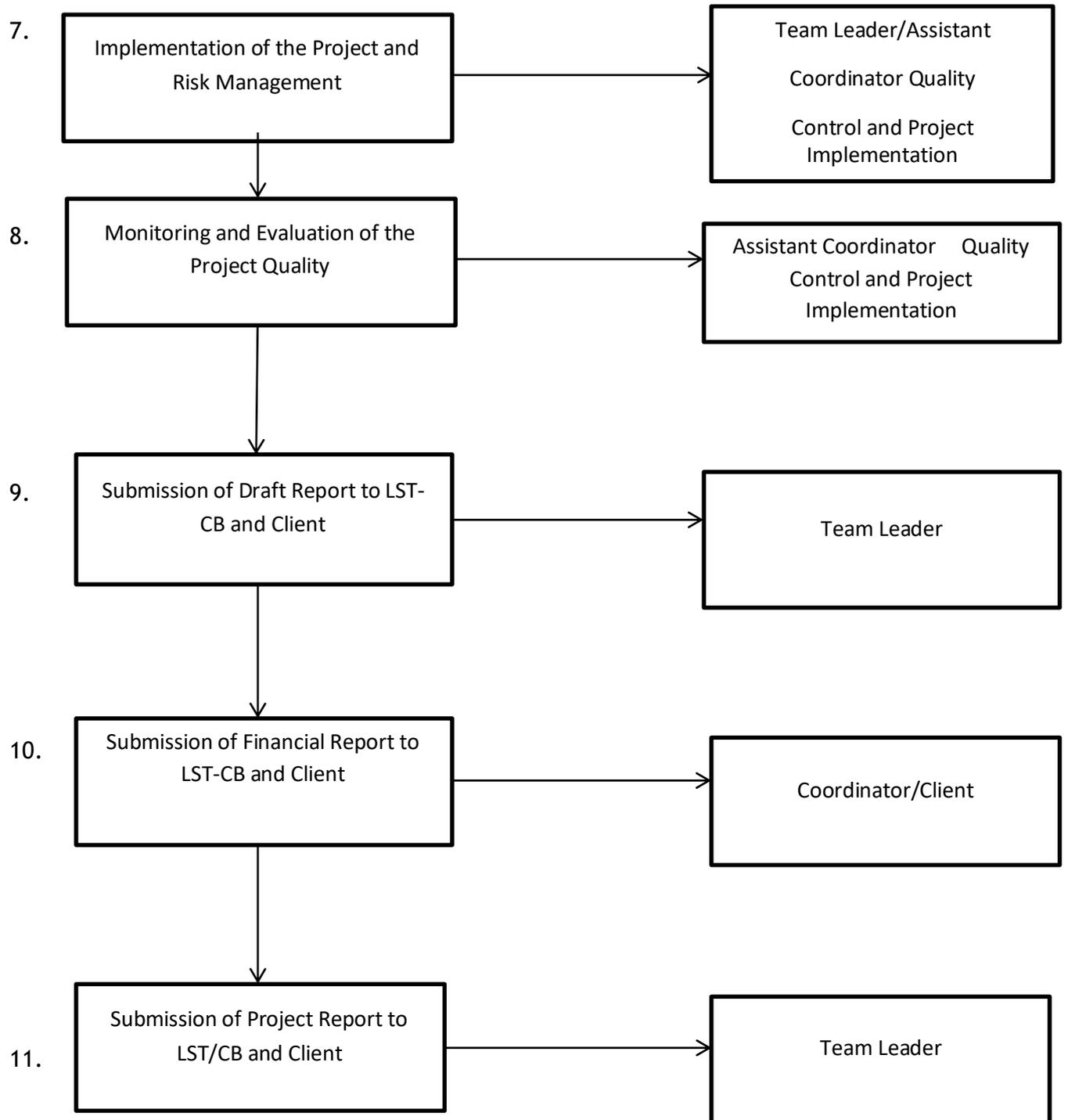
2.2.2.5 Resolving problems;

2.2.2.7 Coordinating the production of project outputs (reports, presentations, products etc.); and

2.2.2.8 Quality assurance of outputs.

Fig. 2. Processing of Consultancy service.





3. PROCEDURE FOR HANDLING AND UTILISATION OF SHARE

3.1 Guideline on Billing

Unless otherwise directed by the LST-CB, or agreed otherwise during negotiations, billing for contracted amounts shall be as follows:

- i) 50% on signing the contract;

- ii) 30% on submission of the Draft Report or its equivalent;
- iii) 20% after approval of the Final Report.

3.2 Guidelines on Disbursement of Consultancy Funds

During and after undertaking a consultancy service, the School shall disburse funds in accordance with the agreed formula. To get the appropriate formula, the following terms need to be well understood; **Gross Charges**, **Net Income** and **Gross Income**.

Gross Charges: Includes Professional fee + Direct Costs

Net Income: Consists of Professional fees

Gross Income: Consists of Net Income and Gross Charges.

3.3 The formula for the distribution of income will be based on the Net Revenue for all Activities as follows:

- (a) **Direct Costs:**
 - Operational costs (to be paid by the Client)
 - Material costs including utility costs (to be paid by the Client)

(b) **Net Income (Professional Fee)**

- Consultancy(s) 90%
- LST-CB 05%
- School 05%

4. PROCEDURE FOR MONITORING AND EVALUATION OF CONSULTANCY SERVICE

4.1. Methodology for Monitoring and Evaluation Procedure

The procedure for monitoring and evaluation of consultancy services at the School shall be regulated by three methods or methodology which are:

- 4.1.1. Preparation of detailed annual work plans showing targets and reporting the extent to which the accomplishment of the work plan has been achieved or implemented;
- 4.1.2. Physical observations and interviews/discussions between LST-CB and various stakeholders to get informed insights and clarifications; and
- 4.1.3. Conducting enquiries with the assistance of a questionnaire once every two years designed to obtain general impression of various stakeholders' views so as to obtain any early warning signs that may indicate potential problems with the implementation of the Policy.

4.2 Monitoring

The monitoring of consultancy services at the School shall be done through Monitoring Reports. Monitoring Reports will comprise:

- 4.2.1. A narrative progress report prepared annually;
- 4.2.2. Contents of the narrative report shall include, but not limited to:-
 - 4.2.2.1. Quantitative and qualitative account in terms of outputs, deviations in the planned activities and outputs.
 - 4.2.2.2. Constraints in the implementation of the consultancy services objectives; and
 - 4.2.2.3. Proposed remedial actions and the way forward.

4.3 Evaluation

There shall be two types of evaluation of consultancy activities at the School. These are:

- 4.3.1 Evaluation conducted once every two and half years using internal evaluators; and
- 4.3.2 Evaluation conducted once every five years using an external evaluation team working with one internal evaluator who is not responsible for the implementation of the Policy.
- 4.3.3 Procedurally, three months prior to the coming of the external evaluators, an internal evaluation will have been conducted and discussed during the Board Meeting. The internal and external evaluations will have similar ToRs and they will, among others focus on:

- 4.3.3.1 Assessing the reasons for success or failure of specific aspects of the Policy;
- 4.3.3.2 Assessing whether the Policy is achieving its objectives;
- 4.3.3.3 Finding out whether the effects of the Policy are contributing to a better fulfillment of the Mission and Vision of the LST-CB and the School at large;
- 4.3.3.4 Determine whether available resources are being utilized efficiently to achieve the strategic objectives of the Policy; and
- 4.3.3.5 Determining whether the process of implementing the Policy is facing any problem.
- 4.3.4 The coordinator shall prepare clear and comprehensive Term of Reference (ToRs) to guide both evaluations. The ToRs of the two evaluations shall cover, but not limited to:
 - 4.3.4.1. Subject of the evaluation;
 - 4.3.4.2. Methodology to be adopted, data collection procedures, sampling procedures, indicators to be used, basis for comparisons, etc.
 - 4.3.4.3. Analysis of the field findings;
 - 4.3.4.4. Evaluation of the achievements;
 - 4.3.4.5. Feedback of evaluation findings; and
 - 4.3.4.6. Conclusion and recommendations.
- 4.3.5. Both the internal and external evaluators will have mandate to decide on other additional issues to be included or evaluated as agreed with the Coordinator in advance. In selecting the appropriate evaluators, the School will consider relevant technical skills, evaluation skills and experience in similar organizations/assignments. The evaluation report shall be discussed by the Board and the recommendation adopted will be implemented and included in future policy revision in subsequent years.