

DELEGATIONS POLICY



Current version in effect from: 17 Jul 2024
Approved by Council: 14 Mar 2012
Revised by Council: 28 Aug 2013, 9 Mar 2016, 21 Sep 2016, 4 Oct 2017, 15 Aug 2018, 9 Oct 2019, 17 Jun 2020, 10 May 2023

Related Documents

Australian Charities and Not-for-profits Commission Act (2012)

Corporations Act (2001)

University of Divinity Act (1910)

Governance Policy

Fees Policy

University Employment Policy

Regulation 1 Council

Travel Policy

1. Introduction

1.1 This Policy sets out the general principles governing the delegation of the University of Divinity Council's powers and authority in accordance with Section 18A 'Delegation' in the *University of Divinity Act (1910)*. A Schedule of Delegations is provided.

2. Authority of the Council

2.1 Under the *University of Divinity Act (1910)*, the Council is the governing authority of the University and its primary responsibilities include:

- a) Approving and monitoring systems of control and accountability of the University in accordance with section 50AA of the Corporations Act [section 6 (2) (i)]
- b) Overseeing and monitoring the assessment and management of risk across the University, including commercial undertakings [section 6 (2) (j)]
- c) Approving any significant commercial activities of the University [section 6 (2) (l)].

2.2 The Council, both directly and via its Committees and Academic Board, directs its attention to matters of governance and delegates to the Office of the Vice-Chancellor the authority necessary for operational management, within an appropriate control framework.

2.3 The Council does not delegate the authority:

- a) To enter into strategic commitments, and
- b) To commence or conclude litigation, other than that associated with the recovery of debts.

3. Principles of Delegation

- 3.1 The principles by which the Council delegates its authority to exercise powers are set out below.
- 3.2 The Council retains control over its statutory obligations and key strategic decisions, and monitors issues that significantly impact the University.
- 3.3 The law requires the Council to remain accountable for matters for which it has delegated authority. The Council must implement an appropriate level of control over all delegates who exercise authorities on behalf of the Council.
- 3.4 The Council may delegate authority in operational matters, to limits specified in this document, to its Finance and Risk Committee, the Vice-Chancellor and members of the Vice-Chancellor's Leadership and OVC Management Teams to facilitate efficient decision making.
- 3.5 Except for the matters always reserved for the Council and any other matter delegated to the Vice-Chancellor and the Leadership and OVC Management Teams above the specified limits, the Council delegates its powers to the Vice-Chancellor to manage and operate the University on a day-to-day basis.
- 3.6 The Council delegates specific powers to the Finance and Risk Committee and the Vice-Chancellor, up to the delegation limits as set out in the Delegation Schedule below, and other supporting policies. The Vice-Chancellor may delegate aspects to management and staff of the Office of the Vice-Chancellor, to facilitate efficient day-to-day management of the University.

4. Framework of Control

- 4.1 The Council is responsible for the framework of control within the University. In this regard it has established various Committees and the Academic Board, and has developed comprehensive policies, procedures and practices to assist it in its overall control. In exercising a delegated authority to either approve a transaction or to execute a document, a delegate must observe the following principles.
- 4.2 The delegate must exercise their authority subject to and in accordance with the law, the University's policies and procedures, and within any limits of their delegation.
- 4.3 In exercising their delegated authority a delegate must ensure that:
- a) There is provision in the budget for any proposed expenditure, or it is otherwise approved by the Council, or as otherwise stated in this instrument of delegation
 - b) The decision is for a proper purpose in the conduct of business for the University
 - c) The delegate would not personally benefit, or create an actual or perceived conflict of interest
 - d) The authority is associated with the delegate's normal function and area of responsibility.
- 4.4 Delegations are to positions, not to individual persons. Acting appointees may exercise the same powers as the permanent appointee to a position, subject to the approval of the Vice-Chancellor.

- 4.5 No delegate may delegate a delegation.
- 4.6 Authority should be exercised at the lowest level delegate in the first instance and escalated to a superior level delegate if the lower delegate is unavailable or has a conflict of interest.
- 4.7 Delegation limits apply to the total value of the transaction (not to instalments). Any variation to the transaction value is subject to re-approval by an appropriate delegated authority.
- 4.8 The Schedule of Delegations must be reviewed annually by the Council.

5. Exercise of Delegations

- 5.1 The exercise of a delegation must be evidenced in writing. For routine transactions such as operational expenditure and travel, the signing of the relevant form or similar document by an authorised delegate is sufficient evidence of the exercise of the delegation as long as the purpose for which the exercise was made is clearly described in the document.
- 5.2 Approval exercised online within a computerised system, which has secured login access and a unique username for tracking the delegate's approval against transactions, is sufficient to meet the requirements of this section.

6. Roles, Responsibilities and Accountabilities

- 6.1 The Council is responsible for establishing delegations of powers conferred upon the Council under the *University of Divinity Act 1910*.
- 6.2 The Vice-Chancellor is responsible for granting and approving any delegations relating to the powers conferred upon the Vice-Chancellor under the *University of Divinity Act 1910*.
- 6.3 Delegates must exercise their powers in accordance with:
- a) any conditions to which the delegation is subject; and
 - b) this Policy and any other relevant policies and procedures.
- 6.4 The University Secretary:
- a) acts as the central point of contact for delegations within the University
 - b) liaises with relevant officers and committees to review and update delegations
 - c) maintains the Schedule of Delegations
 - d) may amend the Schedule of Delegations only insofar as delegations conferred by other Policies of the Council or the Academic Board are amended by approved changes to those Policies
 - e) coordinates reports to the Vice-Chancellor on the exercise of delegated powers as required by the Vice-Chancellor.

7. Definitions

- 7.1 **Operational Expenditure:** Running costs of the University providing immediate value to the organisation and expensed in total when incurred.

7.2 **Capital Expenditure:** Purchases of fixed and intangible assets that are expected to provide value to the University for a period greater than twelve months and are depreciated or amortised over their useful life.

7.3 **Abbreviations:**

CFRC = Chair of the Finance and Risk Committee

COS = Chief of Staff

FRC = Finance and Risk Committee

NA = No Authority

OVC-MT = OVC Management Team. The membership of OVC-MT is determined by the Vice-Chancellor. As at 31 March 2023:

- a) Chief of Staff (Chair)
- b) Academic Compliance Manager
- c) Financial Controller
- d) Information Technology Manager
- e) Operations Manager
- f) Student Services Manager
- f) University Secretary

LT = Leadership Team. The membership of the LT team is determined by the Vice-Chancellor. As at 31 March 2023:

- a) Chief of Staff
- b) Dean of Academic Programs
- c) Dean of the School of Graduate Research
- d) Head of the School of Professional Practice

VC = Vice-Chancellor

8. Date of Next Review

8.1 This Policy must be reviewed no later than 31 December 2026.

Schedule 1: General Financial Delegations						
General Rules:						
1. All payments (whether electronically or by cheque) must be dually signed by authorised bank signatories with at minimum one signatory from Category A Signatories: Vice-Chancellor, Chief of Staff, and Chair of the FAC; Category B Signatories: Financial Controller and Accountant. Where required the VC can authorise another member of staff to be registered as a Category B signatory with the banking institution						
2. All decisions with financial effect are subject to whether necessary funds are/will be available						
3. Except for Petty Cash transactions, up to a limit of \$50, the University does not make payments in cash						
Activity	Council	FRC	VC	LT	OVC-MT	Approval Rules
Operating Expenditure within Council Approved Budget	Unlimited	Unlimited	Unlimited	< \$10,000	< \$5,000	LT and OVC-MT authorised to approve operating expenditure within areas of responsibility
Operating Expenditure outside Council Approved Budget	Unlimited	< \$50,000	< \$30,000	NA	NA	VC must notify FRC of transactions exceeding budget by \$10,000 or more. FRC may only approve one transaction of \$30,000 or greater in any one year.
Capital Expenditure within Council Approved Budget	Unlimited	Unlimited	Unlimited	< \$10,000	< \$5,000	VC must notify FRC of any transactions above \$10,000
Capital Expenditure outside Council Approved Budget	Unlimited	< \$20,000	< \$10,000	NA	NA	VC must notify FRC of any transactions exceeding budget. FRC may only approve one transaction of \$10,000 or greater in any one year.
Open and maintain bank accounts including cheque signatories, authorisations for electronic transfers, payment and receipting processes	NA	NA	Approve	Approval by VC's delegate only	NA	
Approve finance forms and authorisation approval processes prescribed for use in accounting procedures	NA	NA	Approve	Approval by VC's delegate only	NA	
Disposal and write-off of assets	Unlimited	Unlimited	< \$20,000	By VC's delegate only <\$10,000	NA	VC must notify FRC of any disposal or write-off of assets that affect the annual operating result.
Schedule 2: Specific Financial Delegations						
Activity	Council	FRC	VC	LT	OVC-MT	Approval Rules

Project variations with a financial impact	Unlimited	Unlimited	< \$10,000	NA	NA	Decision is subject to limits in Schedule 1.
Reimbursement of Council or Committee member expenses	Unlimited	> \$1,000 (FRC) < \$1,000 (CFRC)	< \$1,000	NA	NA	Decision is subject to limits in Schedule 1. VC may only approve a reimbursement request from the CFRC within stated limits.
Reimbursement of staff expenses	Unlimited	Unlimited	< \$5,000	< \$1,000	< \$1,000	Decision is subject to limits in Schedule 1.
Approve the issue of and credit limits associated with corporate credit cards	NA	NA	Approve	Approval by VC's delegate only	NA	<i>Note:</i> Chancellor to approve VC credit card.
Special functions and entertainment	Unlimited	Unlimited	< \$5,000	< \$2,000	< \$2,000	Decision is subject to limits in Schedule 1.
Staff development expenditure	Unlimited	Unlimited	< \$5,000	< \$2,000	< \$2,000	Decision is subject to limits and delegations in Schedule 1 and Schedule 3.
Payroll	Approve	Approve	Approve	Approval by VC's delegate only	NA	Approval of payroll requires any two stated authorised delegates.
Debt recovery by court action	Approve	Approve	NA	NA	NA	
Declaration of indebtedness where debtor is declared insolvent	Approve	Approve	NA	NA	NA	
Tuition fee distributions	Approve	Approve	Approve	Approval by VC's delegate only	NA	Decision must be in accordance with the Fees Policy and the Collegiate Agreements.
Industry funding distributions	Approve	Approve	Approve	Approval by VC's delegate only	NA	Decision must be within terms and limits of relevant funding agreement or annual declaration by College, Library or sponsor.
Donation distributions	Approve	Approve	Approve	Approval by VC's delegate only	NA	Decision must be within terms and limits of Regulation 10 Fund Record and approved projects.
Schedule 3: Employment Delegations						
Activity	Council	FRC	VC	LT	OVC-MT	Approval Rules
Position creation including approving terms of employment	Approve	Approve	Approve	NA	NA	Decision is subject to limits in Schedule 1. Council must be notified of any decision. Authority for appointment of VC resides solely with Council.
Employment of staff	Approve	NA	Approve	NA	NA	VC may delegate employment procedures to other OVC staff

						but may not delegate signing Employment Agreement
Promotion or reclassification of staff	NA	NA	Approve	NA	NA	Decision is subject to University Employment Policy
Engagement of consultant or temporary employees	Unlimited	Unlimited	Unlimited	NA	NA	Decision is subject to limits in Schedule 1.
Approval of Staff Salary Scale	Approve	NA	Approve	NA	NA	Decision is subject to University Employment Policy
Approval of leave	Approve	Unlimited	Unlimited	Direct reports only	Direct reports only	VC leave is approved by the Chancellor.
Staff development activities	Approve	NA	Unlimited	Direct reports only	Direct reports only	VC development is approved by the Chancellor.
Schedule 4: Academic Delegations						
Activity	Officer		Policy		Approval Rules	
Approval of procedures or forms	VC		All		VC may approve procedures or forms for implementation of a Policy	
Academic documents	Chancellor and VC		Regulation 1.6.2		Approval to affix seal to and sign a testamur, diploma or certificate	
Academic staff accreditation: unit delivery	Dean Academic Programs		Academic Staff 7.2			
Academic staff accreditation: honorary researchers	Dean Research Strategy		Academic Staff 7.5			
Academic staff accreditation: supervisors	Dean School of Graduate Research		Academic Staff 7.4			
Academic staff classification and promotion	VC		Academic Staff 9.3 and Regulation 8		VC approves Level A and B; Academic Promotions Committee approves Level C and D; Council approves Level E	
Admissions: coursework students	Dean Academic Programs		Admissions		Admit or refuse to admit applicants to coursework programs on recommendation of College	
Admissions: HDR students	Dean School of Graduate Research		Admissions		Admit or refuse to admit applicants to HDR programs on recommendation of School of Graduate Research Committee	
Code of Conduct	VC		Regulation 9.3.3		Appointment of authorised officers for Code of Conduct and associated policies	
Credit and RPL	Dean Academic Programs		Credit 12.8		Approve or reject applications for credit or RPL	
Leave of Absence	Dean Academic Programs; Dean School of Graduate Research		Enrolment 10.5, 11.4		Approve or reject applications for leave of absence	

Research Grants	Research Grants Panel	Research Grants	Award of research grants (within Council approved budget)
Research Scholarships	School of Graduate Research Committee	Research Scholarships	Award of research scholarships (within Council approved budget)
Results release	Dean Academic Programs	Assessment 12.4	DAP authorises release of final grades for assessment tasks and units
Thesis examinations	Dean School of Graduate Research	Minor Thesis 13	Approve forms to support thesis examinations
Unit Record approval	Dean Academic Programs	Unit 9.1, 10.3	Approval or revision of Unit Records