

Delegations

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1.0 Purpose

This policy establishes the Framework for the delegation of authority within the University.

2.0 Scope

This policy applies to all University officers and to committees with delegated authority and to all functions delegated or sub-delegated in accordance with this Framework.

3.0 Policy statement

In accordance with the [Griffith University Act 1998](#) (the Act) Council is the ultimate authority for all University duties, powers and functions. Under Section 11(1) of the Act, Council may discharge its accountabilities via delegation of those duties, powers and functions to appropriately qualified members of Council, University officers or University committees that include at least one member of Council.

3.1 Principles

Delegations provide formal authority to Council members, University officers and to University committees to make decisions and act on the University's behalf. The following principles apply to the delegation of duties, powers and functions:

- a. Council may exercise all of the powers, functions and duties of the University, regardless of delegations assigned to Council members, University officers and University committees.
- b. Delegations are formally recorded, are transparent and accessible to University staff.
- c. Authorities held by a delegate are included in those held by the delegate's line manager, subject to any professional qualification requirements. The delegate's line manager may exercise the delegated authority in the absence of the delegate, subject to compliance with legislation and University policy.
- d. Delegations apply to a position or a committee rather than to a person. Unless otherwise stated, persons formally acting in a position may exercise the delegations assigned to the position.
- e. Delegations are devolved to an appropriate level to support efficient and effective administration and sound decision-making by aligning authority, accountability and capability.

3.2 Delegations Framework

The University's Delegation Framework supports good governance arrangements to ensure delegations of authority are properly allocated, exercised, recorded and reviewed in accordance with legislation and University policies and procedures. From the date approved by Council, this policy and the Delegations Register and linked delegation schedules will replace all previous delegations. The superseding and revocation of previous delegations will not invalidate prior acts of delegated authority.

The University's Delegations Framework comprises:

- [Griffith University Act 1998](#)
- Other relevant legislation
- Committee constitutions
- Other formal instruments including employment contracts
- University policies, including the Delegations Policy and Delegations Procedure
- Delegations recorded in the Delegations Register and may also include delegations incorporated in policy documents, including approved schedules of specified delegations, linked to the Delegations Register.
- **Schedule A** of the Delegations Register, which is approved by Council and sets out the powers, functions and duties that are non-delegable by Council under the *Griffith University Act 1998* or other legislation or that Council has chosen to:
 - Reserve to itself; or
 - Delegate to University committees; or
 - Delegate to the Vice Chancellor who is an official member of Council and appointed by Council as the University's Chief Executive Officer.
- **Schedule B** of the Delegations Register, which lists University policies and respective approving authorities and is approved by the Vice Chancellor (except where Council or a University Committee is listed as approving authority in which case authority is reserved to Council).

3.3 Vice Chancellor's Authority to Sub-delegate

The Vice Chancellor as Chief Executive Officer of the University (Section 32(4) of the Act) exercises the powers and performs the functions conferred on the Vice Chancellor by the Act or other legislation or by Council as set out in **Schedule A** of the Delegations Register to support the efficient and effective day to day management, operations and administration of the University.

Consistent with Sections 11(3) and 32(5) of the Act, Council authorises the Vice Chancellor to sub-delegate to an appropriately qualified University officer any delegations made to the Vice Chancellor under Section 11(1) of the Act. The Vice Chancellor has authority to determine any financial or other limits of a sub-delegation up to and including but not exceeding any limit stated in the delegation.

Any other sub-delegation is not permitted under the Act or under this policy.

The Vice Chancellor will submit an annual compliance report to Council on compliance with delegations and sub-delegations. The annual compliance report will incorporate an update about sub-delegations authorised by the Vice Chancellor during the previous calendar year.

3.4 Delegations Register

The University's Delegations Register is a searchable online database of sub-delegations formally assigned by the Vice Chancellor to University officers. Variations to the Delegations Register (excluding Schedule A and Schedule B as defined in 3.2 above) are approved by the Vice Chancellor.

The General Counsel will review the Delegations Register at least biennially to ensure ongoing relevance, appropriateness and consistency with University strategy and policy.

3.5 Exercise of Delegations

- a. The exercise of delegations must reflect University strategy and values and comply with relevant legislation and be in accordance with University policy documents.
- b. Disciplinary action may include revocation of a delegation.
- c. The exercise of delegations is confined to the portfolio area for which the delegate has management and administrative responsibilities, and within the limits of the delegation.
- d. Delegates are not compelled to exercise delegations and may refer the matter to a more senior officer for decision.
- e. Only the Vice Chancellor has the authority under the Act to sub-delegate a power. All other sub-delegation is strictly prohibited by the Act and this policy.
- f. Sub-delegates cannot act beyond the scope of power delegated to them.
- g. Unless otherwise determined by the delegator, where a position is re-named or disestablished, the delegation is assigned to the principal successor to the functions of the position.
- h. The exercise of a delegation must be formally recorded either in writing or via system workflow.
- i. University officers must complete required training as specified in the Delegations Procedure.

3.6 Breaches or misuse of delegations

Suspected breaches or misuse of delegations must be reported immediately to Your Call, a supervisor or head of element who will report instances to the Chief Operating Officer for investigation. The University will adhere to the principles of natural justice when investigating such a complaint and will follow [Public Interest Disclosure Policy](#) procedures where a disclosure has been made. Confirmed breaches or misuse of delegations will be dealt with under the [Code of Conduct](#) policy and will be reported by the Chief Operating Officer to the Audit Committee together with advice about remedial actions taken.

4.0 Roles, responsibilities and delegations

ROLE	RESPONSIBILITY
Vice Chancellor	<p>Approving authority of the Delegations Register.</p> <p>Oversight of delegations made to University officers under this policy.</p> <p>Report to Council about compliance with delegations and sub-delegations as part of annual compliance reporting.</p>
Chief Operating Officer	<p>Investigate suspected breaches or misuse of delegations and report confirmed breaches or misuse of delegations, and actions taken to address the breach or misuse, to the Audit Committee.</p>
General Counsel	<p>Maintain Delegations Register and associated policies and procedures.</p> <p>Coordinate annual assurance and compliance reporting process on behalf of the Vice Chancellor.</p>
Delegate	<p>Ensure exercise of delegation is compliant with legislation and with University policy.</p> <p>University Officers must complete required training prior to commencing exercise of delegations.</p>
Staff	<p>Immediately report suspected breaches or misuse of delegations to Your Call, a supervisor or head of element.</p>

5.0 Definitions

For the purposes of this policy and related policy documents, the following definitions apply:

The Act means the Griffith University Act 1998.

Delegate means a Council member, University officer or committee authorised to carry out a delegation or act on behalf of the University.

Delegations - The Act authorises Council to delegate a function or power to a specified officer or committee, or the holder of a specified office, by reference to the title of the office. Delegations may be general or limited; made from time to time and be revoked, wholly or partly, by the delegator to make decisions or otherwise act on the University's behalf. Delegations as a term refers to both conferring a statutory power or function and to conferring functions and powers (including making a decision) on a non-statutory basis.

Delegator means:

- a. Council for delegations to the Vice Chancellor or other University officer or to a University Committee.
- b. Vice Chancellor for sub-delegations of Council delegations and all other delegations to University officers

Reserved duties, powers and functions means those not delegated by Council.

Sub-delegation means where Council delegates a function or power to the Vice Chancellor and the Vice Chancellor confers the capacity to exercise the delegated power or function to an appropriately qualified member of the University staff. See Section 3.3 and in Section 3.5e and 3.5f of this policy.

University officer refers to a staff member of the University.

INFORMATION		Printable version (PDF)	Downloadable version (Word)
Title	Delegations Policy		
Document number	2020/0000005		
Purpose	This policy establishes the Framework for the delegation of authority within the University.		
Audience	Public		
Category	Governance		
Subcategory	Corporate Governance		
Effective date	10 August 2020		
Review date	2021		
Policy advisor	General Counsel		
Approving authority	University Council		
RELATED POLICY DOCUMENTS AND SUPPORTING DOCUMENTS			
Legislation	Griffith University Act 1998		
Policy	Conflict of Interest Policy Code of Conduct Policy Delegations Register incorporating: Schedule A – Reserved Council Powers and Delegations of Authority to Committees and Vice Chancellor Schedule B – Council reserves to itself the authority to amend approving authorities of University policies listed in this Schedule where either Council or a University Committee is the approving authority. Policy Governance Policy Public Interest Disclosure Policy		
Procedures	Delegations Procedure Policy Governance Procedure		
Local protocols	N/A		
Forms	N/A		