

1. Purpose of policy

This policy provides a framework and clear principles for the delegation of authority within the University of the Sunshine Coast (USC) and should be read in conjunction with the associated Delegations Manual and Schedules (staff access only).

2. Policy scope and application

2.1 This policy applies to all University staff and members of the University decision-making or advisory bodies.

2.2 Delegations outlined in this policy and the supporting Delegations Manual and Schedules apply to all University activities across all campuses and locations, excluding Third-Party Managed Campuses.

2.3 By their nature and in accordance with the Act, delegations may only be made to natural persons, either persons within the University's Council or being a member of the University's staff.

3. Regulatory background

3.1 In accordance with the University of the Sunshine Coast Act 1998 (the Act), the University Council is the University's governing body (section 8(1)) and has been empowered to do anything necessary or convenient to perform its functions (section 9(1)). In particular, Council has been given the power to appoint the University's staff, to manage and control the University's affairs and property, and to manage and control the University's finances (section 9(2)).

3.2 Under the Act:

(a) Council may delegate its powers to appropriately qualified members of Council, members of staff, or to committees that include at least one member of Council (section 11(1)).

(b) Council may not delegate its power to adopt the University's annual budget or to make an election policy.

3.3 In accordance with the Act, the Vice-Chancellor and President (VCP) is the chief executive officer of the University and may exercise the powers and perform the functions conferred by the Act, the Council or another Act (section 32(4)).

3.4 The Vice-Chancellor and President may delegate the powers of the vice-chancellor under the Act or another act of Parliament to an appropriately qualified member of staff (section 11(3) and section 32(5)).

4. Definitions

Please refer to the University's Glossary of Terms for policies and procedures. Terms and definitions that are specific to this policy and are critical to the effectiveness of it, which are not already included in the Glossary, are listed below:

Delegate (noun) means the position/committee of the University who has been authorised to carry out the delegation.

Delegation means the conveyance of authority to a position or committee to act on behalf of the University, or to bind the University within the scope of authority to a legally enforceable obligation. For the purposes of this policy the term 'delegations' is generally used to cover both delegations and authorisations. Further details on the difference between delegations (conferring a statutory power or function) and authorisations (conferring powers or functions on a non-statutory basis) can be found in the Delegations Manual.

Source means the relevant legislative or University authoritative reference that permits the delegation.

5. Policy statement

5.1 The University considers that Delegations are a critical component of the University's governance framework in order to ensure strong, effective and efficient governance and management of the University. This commitment to sound corporate governance, academic governance, and administrative practices represents a significant responsibility for those who hold delegations of authority.

5.2 Delegations are the mechanisms by which the University enables its officers to act on behalf of the University. Delegations provide formal authority to staff to commit the University and/or incur liabilities for the University.

5.3 Delegations of authority should:

(a) Support the implementation of objectives and the achievement of goals in the University's strategic plan;

APPROVAL AUTHORITY

Council

RESPONSIBLE OFFICER

Vice-Chancellor and President

DESIGNATED OFFICER

Director, Governance and Risk Management

FIRST APPROVED

7 December 2010

LAST AMENDED

5 February 2020

REVIEW DATE

6 December 2023

STATUS

Active

- (b) Provide authority to University staff, committees and bodies in accordance with the University's policies, procedures and guidelines;
- (c) Be officially recorded and accessible to the University community;
- (d) Align responsibility and accountability in a way that facilitates efficiency and effectiveness, and also increases the accountability of staff for their performance;
- (e) Reflect the University's commitment to probity and equity in all of its activities; and
- (f) Place decision-making powers as close as possible to the point of service delivery within the University, thus allowing decisions to be made more efficiently and effectively in response to stakeholder needs.

6. Delegations Framework

6.1 The Delegations Framework is guided by principles set out in the Governance Framework – Governing Policy.

6.2 The Delegations Framework comprises:

(a) Powers and functions ensconced in Legislation, including

- University of the Sunshine Coast Act 1998 (the Act)
- Other relevant legislation

(b) This legislative power is vested in either the Council or the Vice-Chancellor and President.

(c) The Council or the Vice-Chancellor and President may, in accordance with the Act or other relevant legislation, delegate the authority, where it is legally able to be re-assigned or delegated.

(d) The delegation of authorisations are conferred in Instruments of Delegations, such as –

- formal instruments of specific delegation to senior officers
- Council codes, policies, procedures and plans
- terms of reference for Boards or committees
- formal written agreements
- other instruments as Council sees fit (including the University's Delegations Manual and Schedules).

(e) Delegation may be for a specific occasion or on a continuing basis. All continuing Instruments of Delegations must be recorded in the University's Delegation Manual and Schedules.

(f) The University's Delegations Manual and Schedules are the official records of any functions, duties or powers that have been delegated by the Council, Vice-Chancellor and President or under the Act or other relevant legislation, to a position, committee or entity, and will identify the source document to which the delegation relates (being the Act, policy, procedures or so forth).

7. Authorities and responsibilities

7.1 Council gives authority to the Director, Governance and Risk Management to maintain the Delegations Manual and Schedules.

7.2 Regarding the USC Financial Management Schedule, Council gives authority:

- (a) to the Vice-Chancellor and President to amend the Schedule for sub-delegations up to and including A\$500,000;
- (b) to the Chief Financial Officer to amend the Schedule for sub-delegations up to and including A\$100,000; and
- (c) to the Chief Financial Officer to maintain the Schedule.

7.3 Regarding the USC Human Resource Management Schedule Council gives authority to:

- (a) the Vice-Chancellor and President to delegate in writing, authority for specific Human Resource activities to an appropriately qualified staff member; and
- (b) the Director, Human Resources to maintain this sub-schedule.

7.4 From the date approved by the Council, this policy and the supporting Delegations Schedules will supersede and revoke all previous delegations of authority. Acts performed under previous delegations of authority are not invalidated by this policy and the supporting Delegations Manual and Schedules.

8. Review

The Director, Governance and Risk Management is to review the policy and make available to Council the related Delegations Manual and Schedules at least every 12 months.

Appendix

Delegations Manual and Schedules (staff access only)

usc.edu.au/policy

END

RELATED DOCUMENTS

Conflict of Interest - Governing Policy

Financial Management Practices - Operational Policy

Governance Framework - Governing Policy

Management of Contracts and Memoranda of Understanding (MOUs) - Governing Policy

Policy Framework - Governing Policy

Staff Code of Conduct - Governing Policy

RELATED LEGISLATION / STANDARDS

University of the Sunshine Coast Act 1998

Crime and Corruption Act 2001 (Qld)