



Delegations of Authority Policy

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Custodian: General Counsel and University Secretary

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In developing this policy the University had regard to the provisions of section 40B(1)(b) of the Human Rights Act 2004 (ACT).

1. PURPOSE:

This policy sets out a framework for the delegation of authority, and the principles which apply when exercising a function under a delegation.

Delegations are a mechanism by which the University:

- a. enables officers of the University to act on the behalf of the University by providing the formal authority to commit the University and make decisions on behalf of the University; and
- b. defines limits and establishes accountability of officers of the University.

Source of Authority

The [University of Canberra Act 1989](#) (the Act) establishes the **University Council** (Council) as the governing authority of the University. Council has the entire management of the University and is to act in all matters concerning the University in the way it considers will best promote the interests of the University.

The exercise of powers reserved to the Council are listed in the [Reserved Powers of Council](#). These Reserved Powers cannot be delegated.

Under section 17 of the Act, Council may delegate its functions (except the power to make Statutes) to:

- a. A member of the Council;
- b. A committee that includes a member of the Council;
- c. A member of the staff of the University; or
- d. Any other person approved by the Council.

As at the effective date, this document replaces all previous delegations set out by Council, unless specified under the University Legislation, Statute or Rule.

Through [Statutes](#) and [Rules](#), Council has appointed powers to the **Vice-Chancellor** and the **Academic Board**, making them the source of authority for these functions.

2. SCOPE:

This delegations policy combines delegations across all functions of the University, including delegations set out in Legislation, Statutes, Rules and Reserved Powers of Council.

This delegations policy applies to the Council, staff and committees of the University. This policy outlines the delegations of authority relating to the following matters:

- Administrative delegations;
- Financial delegations;
- People delegations; and
- Academic delegations (coursework and research).

A University controlled entity has the right to set their own delegations or follow the University's delegations as outlined in this Policy - refer to the [Controlled and Related Entities Governing Policy](#).

3. PRINCIPLE:

Context

1. Delegates must exercise delegations in the best interests of the University, in accordance with the [Charter of Conduct and Values](#).
2. Delegations are to be exercised in accordance with relevant law, including but not limited to, the *University of Canberra Act 1989*, University Statutes and Rules, and policies and procedures. Where there is a conflict between the delegations in the schedules to this document and a University policy, the delegations in the schedules will apply.

Delegates

3. Delegations are conferred on a position, not to an individual occupying the position. A delegated authority extends to any person officially appointed to a position on a temporary basis, unless otherwise specified in the appointment to act.
4. If a position is abolished or re-named, the delegation should be taken to be a reference to the principal successor to the functions of that position or committee.
5. No delegate can sub-delegate unless specified in a Statute or Rule.
6. Unless stated otherwise, a delegation to a specific delegation band applies to any officer within or above the delegation band.

Exercise of Delegations

7. Authority should be exercised by the lowest level delegate which holds responsibility in the first instance and escalated to a higher-level delegate if the lower level delegate is unavailable (i.e. on leave/away for business), does not hold entire management responsibility for the functions or has an actual or perceived conflict of interest e.g. delegates may not approve with respect to their own appointment, including any form of remuneration of payment, promotion, transfer or secondment, travel, absence or termination pertaining to themselves or to officers with whom they have a close personal relationship or external business relationship.
8. Any delegation must be exercised in accordance with the relevant financial delegation limit, approved budget or source of funds except where stated otherwise. The aggregation of expenditure commitments for any one Capital Expenditure or Major Project must not exceed a delegate's financial limit.
9. The budget owner is responsible for monitoring the exercise of delegations within their area.

10. The exercise of a delegation must be evidenced in writing or exercised electronically within a computerised system (which has secured login access and a unique username) and include the person's name, position and date of decision. This assists in providing an adequate auditable record of the delegates approval of transactions e.g. UC staff email account or specified form.

11. Where a power or authority is delegated to a person to exercise a function, that power or authority extends to the execution of the documents necessary to give effect to that exercise of that function e.g. contracts, agreements or deeds. Execution of the document must be in accordance with the Contracts Management Policy and the [University of Canberra \(University Seal\) Statute 2019](#) unless a specific delegation states otherwise.

12. All documentation must be stored in accordance with records and contract management requirements, this includes all contracts and agreements being registered in the appropriate contracts management database i.e. OpenWindows, Pure, HPRM (TRIM), the Partnerships Database and the Customer Relationship Management (CRM) system.

Principles specified for a controlled entity (e.g. UCX)

13. Where the delegate for the controlled entity is not specified, the controlled entity's Board defaults as the delegate for that function.

Reporting and Investigation

All alleged breaches or misuse (whether accidental or deliberate) of delegation must be reported immediately to the relevant manager, supervisor or senior employee. The relevant manager is required to immediately report a breach notification to their respective Senior Manager – Band 4 (*Refer Section 6 – Delegation Bands*). The Senior Manager is to determine whether the breach is a notifiable breach of delegations and if so, escalate as per below, so appropriate action can be taken by the University to investigate and remedy the situation:

- **Fraud related breaches** must be reported to the University's Public Interest Disclosure Officer, in accordance with the [Fraud and Corruption Control Plan](#).
The Public Interest Disclosure Officer, in collaboration with People and Diversity, will assess, manage and determine whether a formal investigation is to be conducted, either internally or by an external party.
- **Other breaches related to delegations** must be reported to People and Diversity in accordance with the University's [Enterprise Agreement](#).

A breach will be investigated in accordance with the applicable procedures, by the relevant area e.g. Finance and Business Services (FBS), People and Diversity.

Where an alleged breach or misuse of delegation constitutes misconduct or serious misconduct, the relevant section of the Enterprise Agreement will apply and may impact the individual's employment with the University.

Should a breach or misuse of delegation be determined under an investigation process, it must be reported immediately to the University Secretary and to the Audit and Risk Management Committee.

Complaints in relation to alleged breaches will be handled in accordance with the *Grievance Resolution Procedure* contained in the Enterprise Agreement.

For further advice and assistance please contact governance@canberra.edu.au.

Delegation Bands

The delegation bands for the University of Canberra and relevant controlled entities are specified below.

| Band | Delegate | Roles | Example Positions |
|---------------|---|--|---|
| Band 0 | Council | Council Council Sub-Committees | Chancellor Audit and Risk Management Committee Finance Committee |
| Band 1 | Vice-Chancellor | Vice Chancellor and President Chief Executive Officer | Vice-Chancellor |
| Band 2 | Executive Management | Deputy Vice-Chancellor and Vice-President | Deputy Vice-Chancellor Academic Vice-President Finance and Infrastructure |
| Band 3 | Senior Management | Pro Vice-Chancellor Executive Dean General Counsel Associate Vice-President Chief Finance Officer Chief Digital Information Officer | Pro-Vice Chancellor, Students Partnerships and International Executive Dean, Faculty of Health Associate Vice-President Campus Estate Chief Finance Officer |
| Band 4 | Senior Managers of Faculties, Business Units and Research Institutes | Dean Deputy Dean Associate Dean Director of Business Unit Director of Research Institute Heads of School Faculty General Manager | Dean of Students Associate Dean Research Director, Student Connect Director, UC Health Research Institute Head of School, Design & the Built Environment Faculty General Manager, Arts and Design Director, UCX Commercial Operations and Campus Life |
| Band 5 | Academic and Professional Leadership | Director of Research Centre Deputy Director* | Director, UC Research Institute of Sport and Exercise Science** Director, STEM Education Research Centre Deputy Director, Projects and Innovation |

| Band | Delegate | Roles | Example Positions |
|---------------|---|--|---|
| Band 6 | Academic and Professional Management (with management responsibilities of teams and/or functions) | Heads of Discipline Executive Officer Associate Director Manager Specialist | Associate Director, Risk and Audit Manager, Student Centre Manager, Finance Operations and Compliance |
| Band 7 | Employee (academic or professional staff without management responsibilities) | Senior Coordinator Senior Advisor Coordinator Officer Advisor Sessional staff Casual staff | Governance Coordinator Senior Project Coordinator Outbound Advisor, UC Study Abroad All other UCX Staff not identified above |

* Note: where a Deputy Director reports directly to a Band 2, the Deputy Director is allocated Band 4.

**Note: Although name includes 'Research Institute' this is recognised at the Research Centre level

4. RESPONSIBILITIES:

| Role | Responsibilities |
|-------------------------------------|---|
| Council | The University Council approves the Delegations of Authority Policy. The exercise of powers reserved to the Council are listed in the Reserved Powers of Council. These Reserved Powers can not be delegated. |
| Audit and Risk Management Committee | The Committee advises Council on the Delegations of Authority Policy and proposed amendments. The Committee is responsible on the delegated authority of the Council for monitoring the exercise of delegations. |
| Academic Board | The Academic Board is responsible on the delegated authority of the Council for monitoring the exercise of academic delegations and proposing amendments to the Delegations of Authority to the Council, as necessary. |
| UCX Board | The Board is responsible on the delegated authority of the Council for monitoring the exercise of delegations within its remit. The UCX Board may delegate any of their powers and functions to a committee, a Director, an employee of UCX Ltd, or any other person. |

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|--|---|
| Vice-Chancellor | <p>The Vice-Chancellor may recommend amendments to the Delegations of Authority policy to Council.</p> <p>Framework where the authority to delegate the functions sits with the Vice-Chancellor, for example changing the delegated authority from the DVC, Academic to the DVC, Research and Innovation.</p> |
| People and Diversity | <p>People and Diversity is responsible for investigating non-fraud related notifiable breaches in accordance with the University's Enterprise Agreement and applicable procedures.</p> |
| Office of the General Counsel and University Secretary | <p>The Office of the General Counsel and University Secretary is responsible for:</p> <ul style="list-style-type: none"> • maintaining and coordinating the annual review of the Delegations of Authority Policy and Schedule in consultation with relevant areas; • maintaining a central register for notifiable breaches of delegations, which contains details of alleged breaches and outcomes of the investigation; • reporting on the functions performed outside of these delegations and proven breaches to the ARMC as required and as an attachment to the annual review of the Delegations of Authority Policy and Schedule; and • coordinating delegations training, promoting awareness and providing advice. |
| Staff | <p>All staff have a duty to carry out responsibilities in line with these delegations in respect to the Charter of Conduct and Values and the Enterprise Agreement.</p> |

5. LEGISLATION:

- The [University of Canberra Act 1989](#) (the Act) establishes the **University Council** as the governing authority of the University.

6. SUPPORTING INFORMATION:

- [Reserved Powers of Council](#)
- [Statutes](#)
- [Rules](#)
- [Controlled and Related Entities Governing Policy](#)
- [Enterprise Agreement](#)
- [Charter of Conduct and Values](#)
- [Fraud and Corruption Control Plan](#)
- [Policy Database](#)

7. DEFINITIONS:

| Terms | Definitions |
|-------|-------------|
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8. LINKS:

Access the [Delegations of Authority Schedule and FAQs](#).