

# Delegations of Authority



*We acknowledge the Noongar people as Traditional Custodians of this land and pay our respects to all Elders past and present*

# Peel Harvey Catchment Council (Inc.)

## Delegations of Authority

Endorsed

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### Document History

Date	Version	Author	Comments
2 October 2011	1.0	Jane O'Malley	Initial recording of delegations and conventions in place or desired
31 October 2013	2.0	Jane O'Malley	Input from F&A; PHCC; Exec Group and Staff incorporated (2001-13)
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# Peel Harvey Catchment Council

## Delegations of Authority

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### Table – Colour Coding

Board (PHCC Association Member)
Executive Committee
Finance and Audit Committee
Steering Committee (Project or Organisational)
Chairman
Treasurer
CEO
Program Manager
Project Manager
Project Officer
Supervisor
Finance Manager
Office Manager
Administration Assistant
Graphic Designer
Authorised user (primary or temporary)
Independent Selection Committee (Constitution 6.1.5)

## Section 1 Introduction

The Register is a statement of the functions that the Board of Management authorises particular officers and bodies of the organisation to carry out regularly. However, this register is not a complete list of all delegated authority. Some delegations of Board authority are and will be, from time to time, stated in other resolutions of the Board and in Policy documents.

This Register of Delegations is a resolution of the Peel Harvey Catchment Council of Management detailing the delegations of authority in place. It is a living document that will be updated as required with changes recorded and approved through subsequent Board resolutions as detailed in the document history.

The delegations in this Register revoke all previous corresponding delegations to the extent that they are inconsistent with those previous delegations. This includes the revocation of inconsistent delegations which are currently stated in any PHCC organisational Policy, Procedure or Guidelines with the exception of the PHCC Constitution which remains the primary governing document.

Previously delegated authority is not revoked unless it is inconsistent with this Register.

### 1.1 General Principles of Delegation

The following principles apply to a delegate's level and scope of authority under any delegation of authority:

- 1.1.1. A delegation under this Register ordinarily relates to the delegate's office or position, not to the individual in that position. Similarly, where a delegation is to a body by reference to the body's title, it relates to the body acting as a body, not to individual members of the body.
- 1.1.2. A reference to a delegation to a position or to a body is, if the position or the body is abolished, restructured or re-named, to be taken to be a reference to the principal successor to the functions of that position or body.
- 1.1.3. A person duly appointed as a temporary or acting occupant of a position has the authority delegated to the position in which he or she is acting, unless otherwise determined, in writing at the time of delegating acting responsibilities.
- 1.1.4. An employee may only commence delegated authority when;
  - i) Written authorisation is received, from the CEO, that the employee is deemed ready to take on these responsibilities (i.e., following successful probation, or otherwise, and with the written agreement of their direct supervisor); and
  - ii) Written confirmation is received that the employee understands and will abide by their obligations.
- 1.1.5. The CEO may rescind delegated authority of any staff member, if the CEO feels that there is reason to do so. Delegated authority may be reinstated, at the discretion of the CEO (in accordance with 1.1.4).
- 1.1.6. A delegate may sign any document which is necessary to give effect to his or her function or authority. Except for the legally binding agreements specifically delegated to others in this Register, this includes, for example, the execution of a binding legal agreement such as a contract.

- 1.1.7. In some instances, a delegation of authority is given to several officers, including instances where a delegate has a direct reporting relationship to one of the other delegates. In addition to those cases, as a general principle, (unless noted specifically to the contrary in the Register), a delegate's Supervisor may exercise the delegated authority given to the delegate even if not explicitly mentioned by title.
- 1.1.8. If a delegate appoints or instructs another officer or body to give advice or make recommendations about the exercise of delegated authority, the delegate nevertheless remains responsible and accountable for the decision or action.
- 1.1.9. Unless expressly required to do so by this Register or otherwise by the CEO and/or Council, no delegate is authorised to nominate another officer to perform his or her delegated authority or function. Where nomination is permitted, the nominating officer cannot exercise the same authority in a particular case if the Nominee has already exercised it.
- 1.1.10. Unless the context requires otherwise, a delegation ordinarily relates only to authorities or functions within the delegate's area of accountability.
- 1.1.11. Nothing in this Register authorises a delegate to do anything which is, or is likely to be, a breach of any law or approved code of conduct of the organisation.
- 1.1.12. A delegation cannot be exercised where the officer holding the delegation would be put in an unacceptable position of conflict of interest. In particular, this includes where the officer would obtain a personal benefit of some material kind. In such circumstances the conflicted delegate must refer the decision to his or her Supervisor and must not exercise the delegated authority without the counter signature of his or her Supervisor.

## Section 2 Powers Conferred by the Constitution

### 2.1 Powers of the Association

#### POWERS OF THE ASSOCIATION (Constitution Section 5.0)

The Association may do all things necessary or convenient for carrying out its objects and purposes, and in particular, shall:

- 5.1 Acquire, hold, lease, deal with and dispose of any property both real and personal
- 5.2 Appoint, employ or remove staff in order for the Association to meet its objectives
- 5.3 Open, operate and close bank accounts
- 5.4 Apply for and receive grants, loans or other monies from public or private sources
- 5.5 Invest monies in any manner in which trust monies may be invested

### 2.2 Powers of the Chief Executive Officer

#### POWERS OF THE Chief Executive Officer (Constitution Section 7)

The Chief Executive Officer is responsible to the Association for all operational tasks of the Association including but not limited to:

- 1. The provision to undertake any financial, administrative and operational functions and processes pursuant to ensuring the organisation's effective and efficient functioning including the employment, engagement, hiring or contracting of staff and the performance management of staff, as defined in this Register.
- 2. Recording the use of delegations on a Delegations Register.
- 3. Providing accurate and timely reports to Board meetings to reflect the current and projected status of key financial, administrative, legal and other essential operational matters deemed appropriate by the Chief Executive Officer or as directed by the PHCC.

DUTIES OF OFFICE BEARERS  
(Constitution Section 9 and 10)

The following roles of the Office Bearers of the Peel Harvey Catchment Council are delegated as indicated:

**Secretary (9)** *The following roles of the Secretary, as defined in sub clause 9, 12 and 15 of the PHCC Constitution shall be delegated to the Chief Executive Officer:*

- 9.1 Coordination of correspondence
- 9.2 Keep full and correct minutes of the proceedings of Council
- 9.3 Have custody of all books, documents, records and registers of the Association; other than those required to be kept and maintained by the Treasurer (sub clause 9.3)
- 12.3 Notice of the Annual General Meeting (12.3.1; 12.3.2; 12.3.3)
- 15.1 Ensure proper minutes of all annual meetings, general meetings and sub-committee meetings

**Treasurer (10)** *The following roles of the Treasurer, as defined in sub clause 10 of the PHCC Constitution shall be delegated to the Chief Executive Officer:*

- 10.1 The receipt of all moneys paid to or received on behalf of the Association
- 10.2 The payment of all monies referred to in paragraph 10.1 into such account or accounts of the Association as the Council may from time to time direct
- 10.4 The custody of all securities, books and documents of a financial nature and the accounting records of the Association.



## Section 4 Financial Delegations – Budgeting and Accounting

### FINANCIAL DELEGATIONS – Budgeting and Accounting

The Association delegates authority for purchasing activities, as detailed below, provided these activities are in accordance with the:

Budget and investment		Recommendations	Approval
4.1	Oversee and review the preparation of the annual accounts and financial reports	Finance and Audit Committee	Finance Manager
4.2	Endorse and present the monthly and annual accounts to the Board	Finance Manager with Treasurer	Board (bi-monthly)
4.3	Accept the annual accounts (audit)	Finance and Audit Committee	Board
4.4	Approve the annual organisational budget	Finance and Audit Committee	Board
4.5	Approve intention to invest equity	Finance and Audit Committee	Board
4.6	Approve investment of equity – term deposits for best interest rate	Finance Manager with CEO	Treasurer
4.7	Approve Project Budget	Project Steering Committee	CEO
4.8	Approve a credit card holder and issue of a credit card to the CEO	Finance and Audit Committee	Executive Committee
4.9	Approve a credit card holder and issue of a credit card to the staff other than the CEO	Finance and Audit Committee	CEO
4.10	Establish an additional credit card holder (banking process to create a new credit card authority)	CEO	Treasurer & Chairman
4.11	Set credit facility limit (overall credit limit) through a master limit or combined card limits	Finance and Audit Committee	Executive Committee

## Section 5 Financial Delegations – Purchasing & Payments

### FINANCIAL DELEGATIONS - Purchasing

The Association delegates authority for purchasing activities, as detailed below, provided these activities are in accordance with the:

- levels provided for within the organisational budget endorsed by the PHCC
- levels provided for within the project budget, recommended by the Steering Committee and endorsed by the Executive Group (projects over \$1million) – or CEO (under \$1million)
- purchasing and contracting policies previously adopted by Executive

Purchasing – Administrative / Capital Items		Approve	Authorise
(approve expenditure for any one transaction up to and including):			
5.1	\$250	Office Assistant	Office Manager
5.2	\$10,000	Office Manager	Finance Manager
5.3	\$100,000 (excluding assets)	CEO	Chairman
5.4	\$100,000 (ATO/GST only)	Finance Manager	CEO
5.5	>\$100,000 (excluding assets)	CEO	Chairman
5.6	> \$200,000 (ATO/GST only)	Finance Manager (with CEO)	Treasurer
5.7	\$450,000 (payroll only)	Finance Manager	CEO
5.8	>\$250,000 (excluding payroll)	CEO	Chairman
5.9	Purchase of Assets up to \$10,000	CEO	CEO
5.10	Purchase of Assets >\$10,000	CEO	Chairman
5.10	Approve Petty Cash claims up to \$50	Supervisor	Office Manager

Purchasing – Project Expenditure within contract/budget		Approve	Authorise
(approve expenditure for any one transaction up to and including):			
5.11	\$1,000	Project Officer	Project Manager
5.14	\$15,000	Project Manager	Program Manager
5.15	\$250,000	Program Manager	CEO
5.17	>\$250,000	CEO	Chairman
5.18	Purchase of Project related assets up to \$20,000	Program Manager	CEO
5.19	Purchase of Project related assets >\$20,000	CEO	Chairman

### FINANCIAL DELEGATIONS - Payments

The Association delegates authority for payment activities, as detailed below, when authorised in accordance with Section 5 – Financial Delegations, Purchasing.

Authorised Members as at 16 February, 2017 are: Treasurer (Marilyn Gray); Chairman (Andy Gulliver); Deputy Chairman (Jan Star); Member (Peter Hick).

Payment – Online Banking Approvals		Approve	Authorise
5.20	Online payments and signing of cheques	As per Section 5 (5.1 to 5.19)	<ol style="list-style-type: none"> <li>1. Treasurer and one other delegated Member; or if not available;</li> <li>2. Chairman and one other delegated member; or if not available;</li> <li>3. Deputy Chairman and one other delegated member</li> </ol>

## Section 6 Contractual Delegations

CONTRACTUAL DELEGATIONS		
The Association delegate authority as detailed below, provided they are in accordance with an approved budget and approved purchasing and contracting policies:		
External Contracts (Grants, goods and services)		
6.1	Contract Template	CEO (with recommendation of Program Manager)
6.2	Contracts, contract variations & acquittals up to \$10,000	Project Manager (with Program Manager or CEO)
6.3	Contracts, contract variations & acquittals up to \$50,000	Program Manager (or CEO)
6.4	Contracts, contract variations & acquittals up to \$250,000	CEO
6.5	Contracts, contract variations & acquittals > \$250,000	Board (under signature of Chairman & recommendation of CEO)
6.6	Authorise Sole Supplier status up to \$25,000 (for any one (1) transaction)	CEO
6.7	Authorise the termination of a contract / contractor < \$250,000	CEO (with report/advice from Executive Group)
6.8	Authorise the termination of a contract / contractor >\$250,000	Chairman (with recommendation from CEO and Executive Group)
PHCC Community Grants / Landholder Agreements / Landholder MOU's		
6.9	Landholder Agreement Template	CEO (with recommendation of Program Manager)
6.10	Landholder MOU's (non-financial, e.g. access through property)	Project Manager
6.11	Contracts/Agreements, contract variations & acquittals up to \$10,000	Project Manager
6.12	Contracts/Agreements, contract variations & acquittals up to \$50,000	Program Manager
6.13	Contracts/Agreements and contract variations & acquittals up to \$250,000	CEO
6.14	Contracts/Agreements and contract variations & acquittals > \$250,000	Board (under signature of Chairman)
6.15	Authorise the termination of a contract/agreement <\$250,000	CEO (with recommendation Program Manager)
6.16	Authorise the termination of a contract/agreement >\$250,000	Chairman (with recommendation CEO)

## Section 7 Human Resource Delegations

HUMAN RESOURCE DELEGATIONS		
The Association delegate authority for Human Resource functions of the organisation as detailed below:		
<b>Organisational Structure</b>		
7.1	Recommend changes to the organisational chart and associated staff positions	Executive Committee/Operational Team/Board
7.2	Approve changes to the organisational chart and associated staff positions	CEO
<b>Chief Executive Officer</b>		
7.3	Approve engagement of CEO	Executive Committee
7.4	CEO Contract (conditions, duties, remuneration)	Executive Committee
7.5	Approve CEO Leave and/or TOIL	Chairman
7.6	CEO Performance	Chairman
7.7	Resolve dispute over CEO performance	Executive Committee
7.8	Declare CEO redundant and terminate CEO appointment	Board (with recommendation from Executive Group)
<b>Organisational Personnel (all staff except CEO)</b>		
7.9	Create a new position (including volunteers and work experience)	CEO
7.10	Approve engagement of permanent or contract staff (within budget)	CEO
7.11	Vary employment contracts (conditions, duties and remuneration)	CEO
7.12	Approve Leave	Supervisor (Line Manager)
7.13	Approve Leave without pay	CEO
7.14	Approve TOIL	Supervisor (Line Manager)
7.15	Approve use of personal vehicle for work use and mileage reimbursement	Program Manager or CEO (for staff directly reporting to the CEO)
7.16	Performance development reviews and support	Supervisor (Line Manager)

7.17	Resolve dispute over staff performance development review	CEO
7.18	Declare position redundant	CEO
7.19	Approve work outside of contract hours i.e weekend and after hours (insurance)	Supervisor (in consultation with Ops Manager and/or CEO with CEO making final decision if required)
7.20	Conflict resolution (outside of staff performance)	Supervisor (in consultation with Ops Manager or CEO with CEO making final decision if required or Chairman if conflict involves CEO)
7.21	Terminate employment (outside of end of contract timeframe)	CEO (in consultation with the Chairman)

## Section 8 Other Delegations

### OTHER DELEGATIONS

The Association delegate authority as detailed below:

#### Constitution / Governance / Board Appointments / Representation on External Committees

8.1	Recommend changes to the Constitution	Board and / or Executive Committee
8.2	Approve changes to the Constitution (in accordance with Section 16 of Constitution)	Board
8.3	Approve use of the Common Seal (in accordance with Section 17 of Constitution)	Board
8.4	Approve Governance frameworks	Board
8.5	Approve representation of Member on external committee/organisation	Board
8.6	Approve representation of staff on external committee/organisation	CEO
8.7	Recommend an individual for membership on PHCC	Independent Selection Committee (Constitution 6.1.5)
8.8	Appointment of individual for membership on PHCC (including co-opting)	Board
8.9	Approve a request for a leave of absence from the Board	Chairman
8.10	Manage Board Performance (including breach of code of conduct)	Chairman
8.11	Approve the removal/dismissal of Board Members (Section 6.1.7 of Constitution)	Board
8.12	Accept a Members resignation	Chairman
<b>Board Remuneration</b>		
8.13	Set Members Remuneration Rate (Stipends and similar)	Board
8.14	Authorise Members payment within approved rate	CEO
<b>Audit and Auditor</b>		
8.15	Authorise appointment of the Auditor (organisational and project)	Board (on recommendation of F&A – under CEO signature)
8.16	Authorise representation of Auditor (to access records on behalf of PHCC)	CEO

8.17	Authorise Statement by Members of the Committee – Financial Report (receipt of audit)	Chairman
8.18	Authorise Fraud Check List	Chairman and Treasurer
8.19	Make an assessment of the PHCC’s assets, in accordance with AASB136.9 to determine if any assets are deemed to be “impaired” as defined under AASB9136.9	CEO
8.20	Project Audit – Authorise Financial Audited Statement	Treasurer
8.21	Project Audit – Authorise Financial Statements requesting carryover funding	Treasurer and CEO
<b>Budgets and Policies</b>		
8.21	Approve Strategic Plan	Board
8.22	Approve NRM Strategy	Board
8.23	Approve/modify/remove Organisational Policies/procedures	CEO
8.24	Approve/modify/remove Governance Policies	Board
<b>Publications</b>		
8.25	Approve miscellaneous PHCC publications representing PHCC views	Board (on recommendation of appropriate Steering Committee and/or Executive Committee)
<b>Media (all forms) and correspondence</b>		
8.26	Make statements / speak to the media on behalf of PHCC	Chairman
8.27	Approve media of all kinds (news, radio, youtube etc. – excluding social media posts)	Chairman
8.28	Approve outgoing correspondence	CEO (with authority to delegate to appropriate staff)
8.29	Maintain correspondence register	Office Manager
<b>Branding / Marketing / Sponsorship</b>		
8.30	Approve publications for printing in accordance with PHCC style guide	PHCC Graphic Designer
8.31	Approve modifications to the website layout and content	CEO
8.32	Approve sponsorship up to \$2,500	CEO
<b>Intellectual Property</b>		
8.33	Authorise Intellectual Property of PHCC contracted projects/documents to be referenced	CEO



	other than PHCC	
<b>Asset Management</b>		
8.34	Maintain and administer the asset register	Finance Manager
8.35	Maintain and administer the equipment register	Finance Manager
8.36	Approve the destruction/sale/gifting of an asset	CEO
8.37	Destruction of records (financial post 10 years + other as deemed appropriate)	CEO
8.38	Approve the allocation and/or use of permanent vehicle (other than CEO)	CEO
8.39	Approve the allocation of a temporary vehicle	Program Manager (with CEO)
8.40	Control of a vehicle	Authorised user (primary or temporary)
<b>Work Health and Safety</b>		
8.41	Administer the Work Health and Safety Register	Program Manager CEO
8.42	Administer the Contracts Register – Projects under Program Manager	Program Manager
8.43	Administer the Contracts Register – Projects not under Program Manager	Office Manager
8.44	Administer the Contracts Register – Combined 8.42 and 8.43	Office Manager
<b>Partnerships and Collaborations</b>		
8.45	Enter into MOU's or similar partnership agreements (other than defined elsewhere)	CEO with the Executive Committee
<b>ATO</b>		
8.46	Manage ATO Portal	Treasurer
8.47	Manage ATO Reporting	Finance Manager
<b>ACNC</b>		
8.48	Submit ACNC Reports <i>[Finance Manager to prepare the annual ACNC report with the CEO. On recommendation of the Executive Group the report to be presented for endorsement by the Board. The CEO to remain as signatory when submitting the report (with record on recommendation of Executive and endorsement of the Board).]</i>	Board (PHCC Association Members)

Banking and authorising payments		
8.49	Managing General Banking needs	Finance Manager with CEO
Paypal and Online Payment Procedures		
8.50	Managing Paypal Account	Treasurer
8.51	Managing Paypal Needs	Finance Manager with CEO