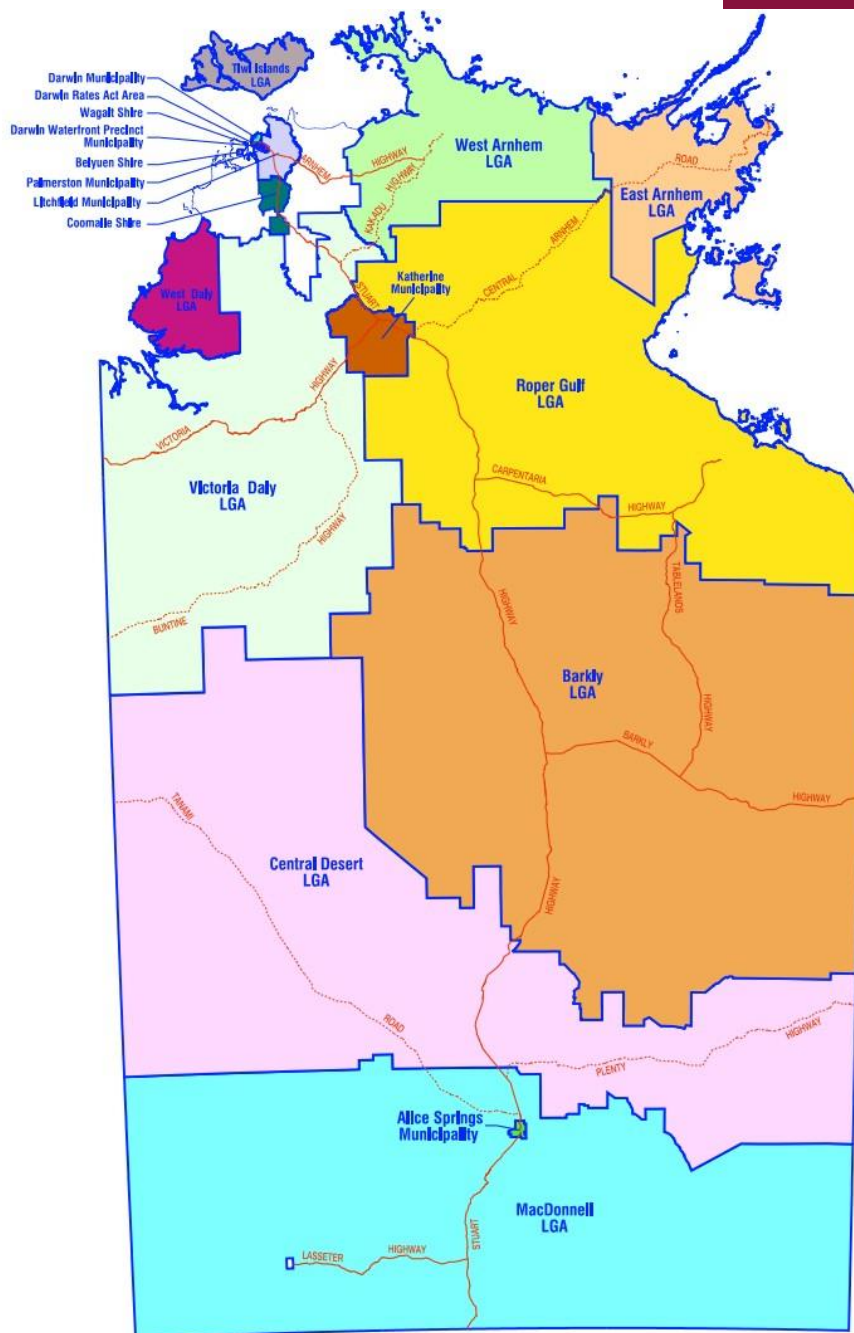


CouncilBIZ

CouncilBIZ Delegations Manual



*V3 Amended
01 July 2021*

VERSION CONTROL

| VERSION | DECISION NUMBER | ADOPTION DATE | HISTORY |
|----------------|------------------------|----------------------|--|
| 1 | 41/20 | 15 October 2020 | Update of delegations |
| 2 | 15/21 | 16 February 2021 | Market Allowance added |
| 3 | | 01 July 2021 | Administrative amendment authorised by the Acting General Manager to comply with LG Act 2019 |
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1. Delegation of Authority for Policy and Procedures

1.1 Policy

General Provisions:

The delegations of CouncilBIZ are contained this CouncilBIZ Delegations Manual (the “*Delegations Manual*”) (15 October 2020).

The power of delegation provided to the Chief Executive is in accordance with Rule 16.3 of the CouncilBIZ Constitution (19 July 2018).

16.3 Delegation to the Chief Executive

- a) *The Members may by passing a majority resolution, and with the consent of the Chief Executive, delegate powers to the Chief Executive.*
- b) *A Chief Executive to whom any powers have been delegated must exercise the powers delegated in accordance with any directions given by the Members.*

The power of delegation provided to the Executive Committee is in accordance with Rule 26.2 a) of the CouncilBIZ Constitution (19 July 2018).

26.2 Roles, functions and procedures of Executive Committees

- a) *The roles, functions and procedures of the Executive Committee (including the procedure for filling vacant position in the Executive Committee) must be contained in a policy as resolved by majority resolution of the Members.*

The power of the Executive Committee to act under delegation from the Board is contained in the Executive Committee Policy, B004 (13 June 2019).

1.2 Purpose of this Document

Delegations are a fundamental component of good governance and are the mechanism by which CouncilBIZ enables lawful action to be undertaken on its behalf to ensure the efficient and effective operation of the organisation.

The purpose of this policy is to provide clear and lawful delegations.

1.3 Principles

1. Powers delegated to the Chief Executive can only be sub-delegated by the Chief Executive.
2. A sub-delegation must be in writing and signed by the Chief Executive.
3. The Chief Executive may at any time wholly or partly revoke a sub-delegation.
4. No sub-delegate is authorised to further sub-delegate any of their delegated functions.
5. A function that has been sub delegated may, notwithstanding the sub-delegation, be exercised by the Chief Executive.
6. Sub-delegations are to a position and individuals occupying that position are responsible and accountable for their decisions made under the approved sub-delegation.
7. A person formally appointed to act in a position can exercise any sub-delegation attached to that position unless the appointment to act specifies otherwise.
8. In exercising a sub-delegation, a delegate must act in the interests of CouncilBIZ and not for any improper purpose and must immediately advise the Chief Executive and not exercise the sub-delegation if a real or perceived Conflict of Interest exists.
9. Powers delegated to the Executive Committee can only be sub-delegated by the Executive Committee by resolution of the Executive Committee.

1.4 Definitions

Positions

The Board – The persons nominated to represent the Members in accordance with the CouncilBIZ Constitution and the Local Government Act and Regulations.

Chair – The principal member of The Board

Chief Executive – The person appointed by and responsible to the Board for the day to day management of the affairs of CouncilBIZ.

Manager – A person appointed as a Manager who reports to the Chief Executive has overall responsibility for specified functions as per the organisational structure.

Staff – Employees of the organisation not otherwise identified

Budget

Organisational Budget – The annual budget as resolved by the Board

2. Human Resource Delegations

2.1 DA1: Staff: Salary, Conditions, Packages and Contracts

| Function | Amount and/ or Qualification (Where applicable) | Delegated Authority |
|---|--|--|
| DA1.1 Set and approve salaries within approved budget | <i>For all staff</i> | CE |
| DA1.2 Set and approve salary | <i>For CE</i> | Executive Committee |
| DA1.3 Set and approve annual salary increments and any higher duties payments | <i>For all staff</i> | CE |
| | <i>For CE</i> | Executive Committee |
| DA1.4 Approve salary packaging content | <i>For all staff</i> | CE |
| | <i>For CE</i> | Executive Committee |
| DA1.5 Approve the issue and withdrawal of credit cards and credit limits in accordance with Finance and Accounting Policy Manual | <i>For all staff</i> | CE |
| | <i>For CE</i> | Chair |
| DA 1.6 Approve/sign staff contracts | <i>For all staff</i> | CE |
| | <i>For CE</i> | Executive Committee |
| DA1.7 Approve conditions of employment | <i>For all staff</i> | CE |
| DA1.8 Appointment of Acting Chief Executive for a period of absence of the Chief Executive of not greater than 30 days. | <p>1. The CE must be satisfied that the person appointed as Acting CE is suitably qualified and competent for the position</p> <p>2. The CE must advise The Chair when an appointment is made.</p> <p>Greater than 30 days</p> | <p>CE</p> <p>Executive Committee</p> |

**DA 1.9 Market Allowance
(Decision No. 15/21 -16/12/2020)**

1. Chief Executive may apply a Market Allowance of up to \$10,000 for key positions where special consideration needs to be applied. Chief Executive must review the Market Allowance every 12 months.
2. Market Allowance must be accommodated within the overall approved CouncilBIZ budget.

CE

2.2 DA2: Staff: Organisational Structure and Position Descriptions

| Function | Amount and/ or Qualification (Where applicable) | Delegated Authority |
|---|---|----------------------------|
| DA2.1 Approve Organisational Structure and Staffing Budget | <i>For Organisation Annually</i> | Board |
| DA2.2 Approve changes to existing position descriptions, position titles | <i>For all staff</i> | CE |
| | <i>For CE position</i> | Board |
| DA2.3 Add additional position during year or modifications to approved organisational structure | <i>Within Budget with notification to the Board</i> | CE |
| | <i>Outside Budget</i> | Board |
| DA2.4 Approve a staff member accepting outside employment or consultancies, additional to and separate from their normal duties. | <i>For all staff</i> | CE |
| | <i>For CE</i> | Executive Committee |

2.3 DA3: Staff: New Positions, Advertisements, Selection, Appointment and Probation

| Function | Amount and/ or Qualification (Where applicable) | Delegated Authority |
|---|--|----------------------------|
| DA3.1 Approve requests for filling positions | <i>For other staff positions</i> | CE |
| | <i>For CE position</i> | Executive Committee |
| DA3.2 Approve new staff positions | <i>For all staff position, within Budget</i> | CE |
| | <i>For all staff position, outside Budget</i> | Board |
| DA3.3 Appoint staff to positions | <i>For all staff positions</i> | CE |
| | <i>For CE position</i> | Board |
| DA3.4 Confirm successful completion or otherwise of new staff probationary periods | <i>For staff positions</i> | CE |
| | <i>For CE position</i> | Executive Committee |

2.4 DA4: Staff: Dismissal and Redundancy

| Function | Amount and/ or Qualification (Where applicable) | Delegated Authority |
|---|--|---------------------|
| DA4.1 Decisions to make a position redundant | <i>For all staff Within budget and employment contract, with notification to the Board</i> | CE |
| DA4.2 Approve the offer and acceptance of redundancy for all staff | <i>For all staff Within budget and service contracts, with notification to the Board</i> | CE |
| DA4.3 Decisions to dismiss a staff member | <i>For all staff</i> | CE |
| | <i>For CE</i> | Board |

2.5 DA5: Staff: Leave, Overtime, Training, Conference Attendance, Travel and External Consultancies

| | Amount and/ or Qualification (Where applicable) | Delegated Authority |
|--|--|----------------------------|
| DA5.1 Approve staff overtime | <i>For staff</i> | CE |
| DA5.2 Approve staff annual leave | <i>For staff CE to notify Chair</i> | CE |
| DA5.3 Approve staff annual leave in advance or in excess of entitlements. | <i>For all staff</i> | CE |
| | <i>For CE</i> | Executive Committee |
| DA5.4 Approve staff long service leave | <i>For staff</i> | CE |
| | <i>For CE</i> | Executive Committee |
| DA5.5 Approve staff special leave | <i>For staff</i> | Managers |
| | <i>For CE</i> | Executive Committee |
| DA5.6 Approve staff leave without pay | <i>For staff</i> | CE |
| | <i>For CE</i> | Executive Committee |
| DA5.7 Approve fee assistance for staff study | <i>For Staff</i> | CE |
| | <i>For CE</i> | Executive Committee |
| DA5.8 Approval of attendance at external Training courses/conferences including travel costs within approved budget | <i>For all staff</i> | CE |
| | <i>For CE</i> | Executive Committee |
| DA5.9 Approve travel outside of Australia | <i>For all staff</i> | Board |
| | <i>For CE</i> | Board |

2.6 DA6: Staff: Performance Management

| Function | Amount and/ or Qualification (Where applicable) | Delegated Authority |
|---|--|----------------------------|
| DA6.1 Appraise performance of staff | <i>For staff</i> | CE |
| | <i>For CE</i> | Executive Committee |
| DA6.2 Management of unsatisfactory staff performance | <i>For staff</i> | CE |
| | <i>For CE</i> | Executive Committee |

3. .Contracts

3.1 DA7: Contracts: Contracts, Agreements and Submissions

| Function | Amount and/ or Qualification (Where applicable) | Delegated Authority |
|---|--|----------------------------|
| DA7.1 Approve the lease of new premises and sub leases of existing premises | <i>Signature of Chair & CE</i> | Board |
| DA7.2 Approve renewal of existing land / building leases | <i>Signature of Chair & CE</i> | Board |
| DA7.3 Cancel existing land / building leases | <i>Signature of Chair & CE</i> | Board |
| DA7.4 Authorise appointment of external consultants (total value of contract <\$100,000) within approved budget | <i>Total value of contract <\$100,000</i> | CE |
| | <i>Total value of contract >\$100,000</i> | Board |
| DA7.5 Approve tenders and contracts with suppliers of goods and services | <i>Total value of contract <\$100,000</i> | CE |
| | <i>Total value of contract >\$100,000</i> | Board |
| DA7.6 Formation of tender evaluation committee (for opening and evaluation of tenders) | <i>Circular Resolution if required</i> | Executive Committee |
| DA7.7 Authority to select successful tender for supply of goods or services | <i>For all of organisation</i> | Executive Committee |
| DA7.8 Approve funding submissions or tendering activity for work | <i>Total value <\$100,000 and less than 3 years</i> | CE |
| | <i>Total value >\$100,000 and <\$500,000 and less than 3 years</i> | Executive Committee |
| | <i>Total value >\$500,000 or more than 3 years</i> | Board |
| DA7.9 Authority to negotiate agreements and contracts. | <i>Total value <\$100,000 and less than 3 years</i> | CE |
| | <i>Total value >\$100,000 and <\$500,000 and less than 3 years</i> | Executive Committee |
| | <i>Total value >\$500,000 or more than 3 years</i> | Board |
| DA7.10 Authority to sign agreements, contracts or tenders obtained (unless common seal required). | <i>Total value <\$100,000</i> | CE |

| | | |
|---|---|--------------------------------|
| | <i>Total value >\$100,000 Chair & CE to Sign</i> | Executive Committee |
| DA7.11 Authority to prepare and submit performance reports to funding departments/organisations. | <i>For Organisation</i> | CE |
| DA7.12 Approve and submit financial reports to funding departments/organisations. | <i>For Organisation</i> | CE |

4. Legal

4.1 DA8: Legal: Legal Matters

| Function | Amount and/ or Qualification (Where applicable) | Delegated Authority |
|--|--|----------------------------|
| DA8.1 Authority to purchase, legal advice and/or expertise. | <i>For all staff</i> | CE |
| DA8.2 Authority to settle court, legal or any other formal proceedings and bind CouncilBIZ. | <i><\$10,000</i> | CE |
| | <i>>\$10,000 but <\$100,000</i> | Executive Committee |
| | <i>>\$100,000</i> | Board |
| DA8.3 Authority to approve expenditure on legal matters, which are outside approved budget. | | Executive Committee |

5. Policies and Procedures

5.1 DA9: Policies and Procedures: Policies and Procedures

| Function | Amount and/ or Qualification (Where applicable) | Delegated Authority |
|-------------------------------------|--|---------------------|
| DA9.1 Approval of Procedures | <i>For all of Organisation</i> | CE |
| DA9.2 Approval of Policy | <i>Governance and External Policies</i> | Board |
| | <i>Staff and Internal Policies</i> | CE |

6. Documents, Correspondence and Minutes

6.1 DA10: Documents: Public Statements, Media and Comments on Strategic Issues

| Function | Amount and/ or Qualification (Where applicable) | Delegated Authority |
|---|---|---------------------|
| DA10.1 Approve the use of CouncilBIZ's name or logo by parties external to CouncilBIZ. | <i>For all of organisation</i> | CE |
| DA10.2 Authorised to release public or media statements. | <i>For all of organisation Consult with Chair</i> | CE |
| DA10.3 Authority to speak to the media | <i>Only Chair and CE to speak to media</i> | CE |
| DA10.4 Authority to respond to ministerial and contentious issues. | <i>For all staff</i> | Board |

6.2 DA11: Public Relations: Correspondence

Correspondence primarily refers to emails, letters, reports, memos, facsimiles and other documents.

| Function | Amount and/ or Qualification (Where applicable) | Delegated Authority |
|-----------------------------------|--|---------------------|
| DA11.1 All correspondence: | <i>For all staff</i> | CE Chair |

7. Complaints

7.1 DA13: Complaints: Complaints

| Function | Amount and/ or Qualification (Where applicable) | Delegated Authority |
|---|--|---|
| DA13.1 External complaints about Staff | | CE |
| DA13.2 External complaints about the CE | | Executive Committee |
| DA13.3 Internal complaints | | As per EBA and HR Policies and procedures |

8. Financial Delegations

8.1 DA14: Financial: Budgets

| Function | Amount and/ or Qualification (Where applicable) | Delegated Authority |
|---|--|---------------------|
| DA14.1 Submit draft budgets to the Board. | <i>For organisation By end of February</i> | CE |
| DA14.2 Approve the budget. | <i>By end of June</i> | Board |
| DA14.3 Authority to override all staffing delegations and make expenditure decisions to ensure approved budgets can be achieved. | <i>For organisation</i> | CE |
| DA14.4 Authorise variations to the annual operational and capital budgets. | | Board |

8.2 DA15: Financial: Expenditure

| Function | Amount and/ or Qualification (Where applicable) | Delegated Authority |
|-----------------------------------|--|----------------------------|
| DA15.1 Approve expenditure | <i>For service/s \$250,000 (Up to) - Within approved budget</i> | CE |
| | <i>For expenditure over \$250,000</i> | Executive Committee |
| | <i>For unbudgeted expenditure that requires an urgent decision, up to \$50,000 maximum</i> | Executive Committee |
| | <i>For unbudgeted expenditure that requires an urgent decision, over \$50,000</i> | Board |

8.3 DA16: Financial: Salaries and Deductions

| Function | Amount and/ or Qualification (Where applicable) | Delegated Authority |
|---|--|----------------------------|
| DA16.1 Approve staff reimbursement for expenditure on behalf of CouncilBIZ | <i>For all staff</i> | CE |
| | <i>For CE</i> | Executive Committee |
| DA16.2 Approve for payment all payroll related transactions | <i>For all staff Including but not limited to: group tax remittal, payroll tax settlement, superannuation contribution payments, and transfers of employee payroll deductions to authorised entities and payment of GST and PAYG payments.</i> | CE |

8.4 DA17: Financial: Investment

| Function | Amount and/ or Qualification (Where applicable) | Delegated Authority |
|---|--|---------------------|
| DA17.1 Approve investment of funds | <i>For organisation in accordance with Finance and Accounting Policy Manual</i> | CE |
| DA17.2 Approve draw down of investment funds for deposit into operational accounts | <i>For organisation in accordance with Finance and Accounting Policy Manual</i> | CE |
| DA17.3 Approve banking and investment account arrangements, including the authorising the opening of new accounts. | <i>For all of organisation in accordance with Finance and Accounting Policy Manual</i> | CE |

8.5 DA18: Financial: Petty Cash

| Function | Amount and/ or Qualification (Where applicable) | Delegated Authority |
|--|--|---------------------|
| DA18.1 Authority to operate, control and reimburse petty cash to \$500. | <i>As per Finance and Accounting Policy Manual</i> | CE |

8.6 DA20: Financial: Bad Debts

| Function | Amount and/ or Qualification (Where applicable) | Delegated Authority |
|--|--|----------------------------|
| DA20.1 Approve write-offs of bad debts | <i>As per Rule 24.2 of the CouncilBIZ Constitution</i> | Board |
| DA20.2 Approve write-offs of cash losses; thefts or shortages; furniture, plant or equipment losses, thefts or destruction. | <i>As per Rule 24.1 of the CouncilBIZ Constitution</i> | Board |
| DA20.3 Approve debt recovery payment terms | <i>\$50,000 (May not exceed)</i> | Executive Committee |
| | <i>\$50,000 (In excess of)</i> | Board |

8.7 DA21: Financial: Disposal of Property

| Function | Amount and/ or Qualification (Where applicable) | Delegated Authority |
|--|--|---------------------|
| DA21.1 Approve of disposal of plant and equipment | <i>As per Finance and Accounting Policy Manual</i> | CE |