Delegations Policy

1 Purpose

To set out the principles for all Delegations conferred by the University of Southern Queensland Council (the Council) under the *University of Southern Queensland Act 1998* (UniSQ Act) as well as those Delegations conferred on Employees by other Acts of Parliament. The Delegations constitute the legal authority conferred on Delegates to perform particular functions assigned to them.

This policy is enacted to meet the requirements of the Higher Education Standards Framework (Threshold Standards) 2021 issued under the *Tertiary Education Quality and Standards Agency Act 2011* which requires the Council to ensure that its financial, academic and managerial Delegations are appropriate, documented, observed and regularly reviewed and the Financial and Performance Management Standard 2019 which requires the University to establish a Delegations system which supports its objectives and operations.

2 Scope

This policy applies to all Council members, Employees, Students, members of Council committees, other University committees, subsidiaries of the University and unincorporated bodies of the University such as joint ventures, centres, associations and institutes.

Nothing in this policy invalidates past acts validly performed by Delegates.

3 Policy Statement

Under the authority of Section 11(1) of the UniSQ Act, Council may Delegate powers to:

1. an appropriately qualified member of the Council
2. an appropriately qualified committee that includes one or more members of the Council
3. an appropriately qualified Employee.

Council may not Delegate its powers to:

1. make or change a policy relating to the election of Council members

Failure to comply with this Policy or Policy Instrument may be considered as misconduct and the provisions of the relevant Policy or Procedure applied. A hard copy of this electronic document is uncontrolled and may not be current as UniSQ the University regularly reviews and updates its Policies and Policy Instruments. The latest controlled version can be found in the UniSQ's Policy and Procedure Library.

2. adopt the University's annual budget.

The Delegations contained in the Schedules to this policy constitute a Delegations framework which record all Delegations and is a tool designed to enhance standards of accountability and responsibility in making Decisions. It reflects the University's organisational structure and provides a mechanism for the assignment of authority. It comprises:

1. Delegations existing under the UniSQ Act and other legislation
2. Delegations approved by Council pursuant to this policy and under the UniSQ Act
3. Delegations to Council Members pursuant to resolutions of Council
4. Delegations contained in Terms of Reference of Council Committees and the Academic Board.

This policy aligns with:

- *Higher Education Standards Framework (Threshold Standards) 2021*: Standard 6.1 Corporate Governance

4 Principles

The following principles apply to all Delegations set out in the Schedules.

Any Decision to make a Delegation will:

- be free of any actual or potential conflict of interest
- include input from relevant University members which includes suitable recommendations.

4.1 Council authority

Under the UniSQ Act, Council is vested with the ultimate authority for all University functions and can Delegate all powers except those specifically stated in the Act to be non-delegable. Even when Council has lawfully delegated its powers, it still retains and can exercise any and all of the powers and authorities delegated.

4.2 Vice-Chancellor's general Delegation

The Vice-Chancellor has the power and authority to exercise any Delegation conferred by Council on an Employee or University body except Delegations:

1. made to a member of Council
2. made to a Council or other University committee
3. that would exceed the financial Delegation granted to the Vice-Chancellor
4. made to the University Secretary in respect of that officer's duties to Council or its members
5. pertaining to the Vice-Chancellor's appointment, resignation, or retirement.

Under Section 32(5) of the UniSQ Act, the Vice-Chancellor may Delegate powers of the Vice-Chancellor to any appropriately qualified Employee.

4.3 Sub-Delegation

A Delegation of a power under Section 11(1) of the UniSQ Act to the Vice-Chancellor may permit the sub-delegation of the power to an appropriately qualified Employee.

Delegates may sub-delegate powers granted under other Acts only if those Acts expressly permit sub-Delegation.

4.4 Authorisation of routine functions

Although Delegates may not sub-delegate a function, the Delegate may authorise in writing a person or group, such as a committee, to advise on the exercise of a delegated function or to perform routine tasks or actions under a Delegation that do not require significant independent judgement. However, the Delegate always remains responsible for the exercise of the delegated power and for any Decision made pursuant to such Delegation.

Without requiring additional approval, a financial or human resources Delegate may temporarily authorise an appropriately trained Employee within the relevant organisational unit to utilise a financial or human resources Delegation during any absence of the Delegate. Responsibility for the exercise of the Delegation continues to remain with the Delegate, who on return will confirm that the Delegation has been appropriately exercised.

The Delegation of certain functions may not be authorised if:

1. the Delegation requires the Delegate to personally come to a significant and independent Decision (e.g. whether an Employee has successfully completed their probation period)

Failure to comply with this Policy or Policy Instrument may be considered as misconduct and the provisions of the relevant Policy or Procedure applied. A hard copy of this electronic document is uncontrolled and may not be current as UniSQ the University regularly reviews and updates its Policies and Policy Instruments. The latest controlled version can be found in the UniSQ's Policy and Procedure Library.

2. the Decision would significantly affect the rights of an individual (e.g. termination of employment)

3. the Decision requires the University to expend funds in excess of $5000

4. the Decision requires the signing of University contracts, agreements, or other legally binding documents.

4.5 Delegation hierarchy

Levels of authority are hierarchical following the relevant reporting lines of the University (but not academic levels) up to and including Council.

Provided there is no legal reason why a particular named Delegate must exercise a particular Delegation, the Delegate's supervisor or line manager and each officer in line of organisational authority superior in turn to that officer are deemed to hold the same delegated power and function as the original Delegate.

Delegates with management responsibility are ultimately subject to the direction and supervision of the Vice-Chancellor through established reporting lines.

4.6 Delegations by position

Delegations may be conferred on a job position rather than a named individual and any person occupying that position from time to time is responsible and accountable for Decisions made under the relevant Delegation. It is also appropriate to include an end date for any position-based Delegation.

4.7 Acting positions

An Employee who has been formally appointed to act in a position can exercise any Delegation attached to that position unless the appointment to act specifies otherwise.

4.8 Delegation to a committee

Where a Delegation is to a committee, the Delegation refers to the committee acting as a whole, not to individual members of that committee.

4.9 Restructured positions or committees

If a position or a committee is abolished or re-named so that there is a reassignment of responsibility for a particular function, the Delegation is automatically reassigned to the restructured or re-named committee.

Failure to comply with this Policy or Policy Instrument may be considered as misconduct and the provisions of the relevant Policy or Procedure applied. A hard copy of this electronic document is uncontrolled and may not be current as UniSQ the University regularly reviews and updates its Policies and Policy Instruments. The latest controlled version can be found in the UniSQ's Policy and Procedure Library.

4.10 Limits on Delegations and financial transaction restrictions

No Delegate can exercise a power or authority that Council is not legally authorised to exercise under the UniSQ Act or any other applicable Act, or that the Vice-Chancellor, under the UniSQ Act or any other such Act, is not legally authorised to exercise.

All Delegations are to be exercised subject to budgetary limitations and in accordance with the Financial Delegations Schedule. Monetary limits set out in the Financial Delegations Schedule are exclusive of GST, where applicable.

Employees may not commit the University to any action unless they hold a current Delegation which empowers them to make such a commitment.

Delegations can only be exercised by a position holder within their respective management or portfolio responsibility for that delegated power or function unless the instrument of Delegation specifies otherwise.

Where an authority or question of Delegation is dependent on the cost of a transaction or value of a contract or other commitment, for the purposes of determining whether the Decision-maker holds the requisite Delegation, an estimate must be made as to the likely cost or value of the transaction as a whole over the entire term of the transaction.

When valuing a transaction for the purpose of exercising a Delegation, the transaction must not be separated into different parts, tranches, contracts, or orders to the reduce the overall value. The total cost or value of a transaction cannot be offset or reduced by trade-ins.

4.11 Option not to exercise a Delegation

The fact that a Delegate holds a Delegation does not oblige the Delegate to exercise it. When, in the opinion of the Delegate, special or unusual circumstances exist which would make it more transparent or ethical for the matter to be dealt with by another Employee, the Delegate should escalate the Decision to a person more senior in the Delegate's reporting line, or to the Vice-Chancellor.

4.12 Conflicts of interest

A Delegate must not exercise a Delegation if there is an actual, potential or perceived conflict of interest (e.g. making a financial commitment for a matter in which the Delegate has a personal interest).

Delegates must always act in accordance with the University's Code of Conduct Policy.

4.13 Breach of Delegations

Failure to comply with this Policy or Policy Instrument may be considered as misconduct and the provisions of the relevant Policy or Procedure applied. A hard copy of this electronic document is uncontrolled and may not be current as UniSQ the University regularly reviews and updates its Policies and Policy Instruments. The latest controlled version can be found in the UniSQ's Policy and Procedure Library.

A breach of this policy or of a Delegation may be treated as misconduct and will be dealt with under the relevant University Policy Instruments and (where applicable) the Delegate's terms and conditions of employment. Breach of a Delegation may result in disciplinary action.

4.14 Reporting misuse of Delegations

Employees who believe that a Delegation has or is being improperly exercised have an obligation to refer the matter to a senior Employee, the Director (Governance and Compliance), or the Vice-Chancellor.

4.15 How Delegations must be exercised

A Delegation must be exercised in accordance with any conditions attached to the Delegation and in accordance with the UniSQ Act, other applicable legislation, all University policies and procedures, and the then-current University of Southern Queensland Enterprise Agreement.

4.16 Review of Delegations

All Delegations are subject to review according to the schedule prescribed by the Policy Framework.

4.17 Effective date of Delegations

A Delegate may exercise a Delegation from the date of approval of the Delegation.

5 References

Charles Sturt University, *Policy on Delegations and Authorisations*, July 2013

University of Melbourne, *Delegations Policy*, 6 June 2013.

University of Southern Queensland Act 1998. S. 11 (Austl.).

6 Schedules

This policy must be read in conjunction with its subordinate schedules as provided in the table below.

7 Policy Information

Accountable Officer	Vice-Chancellor

Responsible Officer	University Secretary
Policy Type	Governance Policy
Policy Suite	Council Delegations Schedule Financial Delegations Schedule Human Resources Delegations Schedule
Subordinate Schedules	Council Delegations Schedule Financial Delegations Schedule Human Resources Delegations Schedule
Approved Date	2/1/2026
Effective Date	2/1/2026
Review Date	26/6/2028
Relevant Legislation	*Financial Accountability Act 2009* Financial and Performance Management Standard 2019 Higher Education Standards Framework (Threshold Standards) 2021 *Statutory Bodies Financial Arrangements Act 1982* *Tertiary Education Quality and Standards Agency Act 2011* *University of Southern Queensland Act 1998* Enterprise Agreement
Policy Exceptions	Policy Exceptions Register
Related Policies	Code of Conduct Policy Conflict of Interest Policy Policy Framework Privacy Policy
Related Procedures	Conflict of Interest Procedure Privacy Procedure
Related forms, publications and	Academic Delegations Register

Failure to comply with this Policy or Policy Instrument may be considered as misconduct and the provisions of the relevant Policy or Procedure applied. A hard copy of this electronic document is uncontrolled and may not be current as UniSQ the University regularly reviews and updates its Policies and Policy Instruments. The latest controlled version can be found in the UniSQ's Policy and Procedure Library.

websites	
Definitions	**Terms defined in the Definitions Dictionary**
	Council Council means the governing body, the University of Southern Queensland Council. Decision A determination made by an Employee, contractor or other authorised delegate in the course of their duties on behalf of the University. Delegate (noun) Delegate (noun) means the officer, Employee or committee of the University to whom, or to which, a delegation of authority has been made under this Policy. Delegate (verb) Delegate (verb) means to authorise an officer, Employee or committee of the University with decision-making power or authority to decide to take action in a specified area. Delegation A formal authority or power granted to Council members, Employees and Council committees to make Decisions on behalf of the University. Employee A person employed by the University and whose conditions of employment are covered by the Enterprise Agreement and includes persons employed on a continuing, fixed term or casual basis. Employees also include senior Employees whose conditions of employment are covered by a written agreement or contract with the University. Policy Instrument A Policy Instrument refers to an instrument that is governed by the Policy framework. These include Policies, Procedures and Schedules. Student

	A person who is enrolled in a UniSQ Upskill Course or who is admitted to an Award Program or Non-Award Program offered by the University and is: currently enrolled in one or more Courses or study units; or not currently enrolled but is on an approved Leave of Absence or whose admission has not been cancelled. Vice-Chancellor The person bearing the title of Vice-Chancellor and President, or as otherwise defined in the University of Southern Queensland Act 1998 , including a person acting in that position.
	Definitions that relate to this policy only
Keywords	Authority, Delegate, Delegation, Schedules, Framework, Authorised
Record No	13/948PL

Failure to comply with this Policy or Policy Instrument may be considered as misconduct and the provisions of the relevant Policy or Procedure applied. A hard copy of this electronic document is uncontrolled and may not be current as UniSQ the University regularly reviews and updates its Policies and Policy Instruments. The latest controlled version can be found in the UniSQ's Policy and Procedure Library.