

# Delegations Policy

## Section 1 - Purpose

(1) This Policy outlines the framework governing the granting of QUT’s authorities and the making and exercising of University delegations. Its major guiding principles are as follows:

- a. delegations are exercised in accordance with the [Queensland University of Technology Act 1998](#), other relevant legislation and QUT’s policies and procedures;
- b. authority and autonomy are devolved to the operational level necessary to allow staff to effectively and efficiently perform their duties;
- c. delegations are made to appropriately qualified officers within their portfolios and areas of competency and ability;
- d. a delegate retains the ultimate responsibility and accountability for the proper performance of any authority or delegation granted to them by legislation or a University policy or procedure;
- e. accountability is framed within the University’s comprehensive and well-embedded internal control structures; and
- f. monitoring, reporting and review of delegations is conducted in a regular and systematic manner.

## Section 2 - Application

(2) This Policy applies to relevant QUT staff and members of University committees.

(3) This Policy does not apply to the University’s controlled entities which are responsible for maintaining their own delegations.

## Section 3 - Roles and Responsibilities

Position	Responsibility
QUT Council	Delegates authority to the Vice-Chancellor and President, other qualified staff or University committees as appropriate. Maintains oversight of Council delegations. Reviews Council delegations on at least an annual basis. Approves changes to Council delegations as required.
Vice-Chancellor and President	Delegates authority to qualified staff as appropriate. Maintains oversight of Vice-Chancellor and President delegations. Reviews Vice-Chancellor and President delegations on at least an annual basis. Approves changes to Vice-Chancellor and President delegations as required.
Heads of Division/Heads of Portfolio	Ensure that adequate operational training is available in relevant service portfolios to allow delegates to perform their duties.
Director, QUT Governance	Maintains the University's <a href="#">Register of Authorities and Delegations</a> . Facilitates review of the <a href="#">Register of Authorities and Delegations</a> on an annual basis.

Position	Responsibility
Delegates	Understand responsibilities and scope of authority before exercising delegations. Exercise delegations in accordance with relevant legislation and University policies and procedures, including this Policy.

## Section 4 - Authority for the Exercise of Powers

(4) QUT's powers and authorities are granted by the [Queensland University of Technology Act 1998](#) (the QUT Act), and other relevant legislation and instruments.

### Authority of QUT Council

(5) Under the [QUT Act](#), Council is established as the University's governing body (section 8(1)) and is empowered to do anything necessary or convenient to be done for, or in connection with, its functions (section 9(1)). In particular, Council has been given the power to appoint the University's staff and to manage and control QUT's affairs, property and finances (section 9(2)).

### Authority of the Vice-Chancellor and President

(6) Under the [QUT Act](#), the Vice-Chancellor and President is designated as the chief executive officer of the University, and may exercise the powers and perform the functions conferred on the chief executive officer by the [QUT Act](#), Council or any other act (section 32(4)).

## Section 5 - Authority to Delegate

### QUT Council

(7) Under the [QUT Act](#), Council may delegate its powers to appropriately qualified members of Council, the Vice-Chancellor and President, members of staff, or to University committees that include at least one member of Council (section 11(1)).

(8) Council may not delegate its power to make an election policy or to adopt the University's annual budget (section 11(2)).

(9) Council has delegated general authority to manage the University's affairs, property and finances to the Vice-Chancellor and President.

### Vice-Chancellor and President

(10) The Vice-Chancellor and President's powers under the [QUT Act](#) or another Act, and the authorities delegated to the Vice-Chancellor and President by Council, may be delegated or sub-delegated to an appropriately qualified member of staff under sections 11(3) and 32(5) of the [QUT Act](#).

## Section 6 - Making and Recording of Delegations

(11) Delegations of authority by Council are made by resolution recorded in its minutes.

(12) Delegations of authority by the Vice-Chancellor and President are made in writing, and recorded in QUT's corporate records system.

(13) A delegation may be made for a specific occasion or period of time, or may be made on a continuing basis.

(14) All continuing delegations must be recorded in the [Register of Authorities and Delegations](#) (QUT staff access only). Continuing delegations to a University committee must also be included in that committee's charter.

(15) In general, delegations are made to a position, not to a person, and should reflect the functions, operations and organisational structure of the University.

(16) The accountability and reporting requirements of a delegate must be specified at the time the delegation is made.

## Section 7 - Sub-Delegation of Authority

(17) Sub-delegation is permitted only when expressly provided for by the delegator. All sub-delegations made on a continuing basis must be recorded in [Register of Authorities and Delegations](#) (QUT staff access only).

## Section 8 - Exercising Delegations

(18) The following provisions apply to the exercise of all delegations:

- a. Delegates and sub-delegates must exercise their authority in accordance with:
  - i. the University's [Governance Framework](#), including all relevant policies and procedures;
  - ii. any relevant State or Commonwealth legislation;
  - iii. any financial or operational limitations; and
  - iv. any other requirement specified by the delegator.
- b. A delegation made to an officer includes any person acting in that officer's position on a temporary basis, unless otherwise specified at the commencement of the period of acting.
- c. In the event that an officer is unable to carry out the duties associated with a delegation for any reason, including a conflict of interest or temporary incapacity or absence, the delegated authority evolves to that officer's immediate supervisor.
- d. It is the responsibility of the delegate to ensure that consultation at an appropriate level is undertaken on any relevant legal, financial or technical considerations prior to exercising the delegation. By making a decision or exercising the delegation, the delegate will be taken to have identified and considered all matters relevant to the exercise of the delegation.
- e. Delegations may be revoked at any time by the delegator.
- f. The exercise of a delegation must be in compliance with the University's [Conflict of Interest Policy](#).
- g. Delegates may be required to report on a regular basis on the exercise of delegations to either Council or the Vice-Chancellor and President, as appropriate.

## Section 9 - Exercising Financial Delegations

(19) The following provisions apply to the exercise of financial delegations:

- a. The total accumulated value of an expenditure activity may not exceed a delegate's specified financial limit.
- b. The value of an expenditure activity may not be divided into separate transactions for the purpose of bringing it below a financial limit.
- c. Delegations relating to expenditure can only be exercised within approved budgets.

## Section 10 - Improper Exercise of Delegations

(20) Improper exercise of a delegation may be dealt with in accordance with the following relevant disciplinary policies:

- a. managing misconduct or serious misconduct ([Disciplinary Action for Misconduct and Serious Misconduct Policy - Senior Staff](#); clause 45 of the [QUT Enterprise Agreement \(Academic Staff\)](#) and clause 54 of the [Enterprise Agreement \(Professional staff\)](#)); or
- b. [Managing Unsatisfactory Performance Policy - Senior Staff](#); Clause 44 of the [QUT Enterprise Agreement \(Academic Staff\)](#) and clause 53 of the [QUT Enterprise Agreement \(Professional Staff\)](#)).

## Section 11 - Review of Delegations

(21) QUT Governance will facilitate a review of the [Register of Authorities and Delegations](#) (QUT staff access only) on an annual basis.

(22) As part of any organisational change, creation of new positions, or significant changes to University policy, a review of delegations applicable to the service portfolio should be conducted by responsible officers to ensure they remain current and relevant.

## Section 12 - Definitions

Term	Definition
Appropriately Qualified	Means a person with the qualifications, experience or standing appropriate to perform a function or exercise a power of office.
Delegate	Means a University committee or member of QUT's staff granted authority to represent, or act for, the University.
Delegation	Means the assignment of a statutory authority, power, or function.
Delegator	Means QUT Council, the Vice-Chancellor and President or a member of QUT's staff who has the authority to assign an authority, function or power of their position to another individual.
Officer	Means a QUT staff member or University committee member who holds a position of responsibility within the University and who exercises authority in performing the duties and functions of that position.
University Committee	Means a University-level committee established by either Council or the Vice-Chancellor and President in accordance with the <a href="#">University Committee Governance Policy</a> .

## Status and Details

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<b>Author</b>	Sonya Betros Director, Governance and Performance
<b>Enquiries Contact</b>	Sonya Betros Director, QUT Governance