**Oyster Harbour Catchment Group Inc.**

**Delegations Policy & Procedures**

**Document Number:** OHCG 004

**Custodian:** OHCG Inc. Chair

**Relates to:** OHCG Chair, Management Committee and Employee

**Adoption Date:** 23 September 2021

**Next Review:** September 2024

**Version:** 2

### INTRODUCTION & PURPOSE

The Oyster Harbour Catchment Group Inc. (OHCG) Management Committee is committed to responsible and accountable decision-making processes and recognises their role jointly and individually in the governance and management of the organisation.

OHCG is committed to the highest standards of integrity, fairness and ethical conduct, including full compliance with all relevant legal requirements, and in turn requires that all its OHCG members, Employees, volunteers and contractors acting on its behalf meet those same standards of integrity, fairness and ethical behaviour, including compliance with all legal requirements.

There is no circumstance under which it is acceptable for OHCG or any of its Employees or contractors to knowingly and deliberately not comply with the law or to act unethically while performing or advancing OHCG’s business.

The purpose of the Delegations Policy is to establish a framework for delegating authority within OHCG in a manner that facilitates efficiency and effectiveness and increases the accountability of Employees and volunteers for their performance and their actions.

The policy applies to all members of the Management Committee, sub-committees, working groups, Employees and volunteers of OHCG who have delegated authority to act and sign documents on behalf of OHCG.

Delegations of authority within OHCG are intended to achieve four objectives:

1. To ensure the efficiency and effectiveness of the organisation's administrative processes;
2. To ensure that the appropriate officers have been provided with the level of authority necessary to discharge their responsibilities; and
3. To ensure that delegated authority is exercised by the most appropriate and best-informed individuals within the organisation; and
4. To ensure internal controls are effective.

Delegations are a key element in effective governance and management of OHCG and provide formal authority to sub-committees, working groups, Employees, contractors and/ or volunteers to commit the organisation to contracts and/ or arrangements and/or to incur liabilities for the organisation.

### COMMENCEMENT OF POLICY

This policy will commence on the Adoption Date set out above. OHCG undertakes to regularly review this policy to take account of changes in legislation, activities, services and products. As a result of this review, changes may be made to this policy from time to time and all volunteers, Employees and contractors are required to comply with those changes. Versions and revisions will be recorded as set out in Clause 8.

### SCOPE

This policy will apply to the Management Committee, sub-committees, working groups, Employees and approved contractors of the OHCG. It applies to formal delegations as determined by the Management Committee and contained in the Delegations Schedule.

### DEFINITIONS & ACRONYMS

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| --- | --- |
| *Contractor* | A person or organisation engaged by OHCG to provide skills or services as directed by the OHCG. |
| *Employee* | A person directly employed by the OHCG. |
| *Policy* | This Delegations Policy and Procedures. |
| *Volunteer* | A person who willingly gives their time without financial gain to assist in OHCG Inc. operations and/ or function (governance) for the common good. |

# **DELEGATIONS POLICY**

The OHCG Management Committee is responsible for the management of the organisation. Under the *Associations Incorporation Act 2015* (the Act)and OHCG’s constitution[[1]](#footnote-1), the Management Committee can delegate any of its functions except:

1. The power to delegate,
2. A non-delegable duty, and
3. Any functions reserved to the OHCG Management Committee under the Act.

The Management Committee may delegate, in writing, its functions to:

* A member or members of the OHCG Management Committee; and
* A sub-committee of the OHCG Management Committee; and
* A working group of the OHCG Management Committee; and
* Employees or approved contractors appointed by the OHCG.

However, the Management Committee may not delegate its power:

* To adopt the organisation’s strategic plan; or
* To adopt the organisation’s business plan; or
* To adopt the organisation’s annual budget.

The Management Committee:

1. Is charged with the duty of promoting the interests and furthering the development of OHCG; and
2. Is responsible for the administrative, financial, and other business of OHCG; and
3. Exercises a general supervision over the employees, contractors and volunteers of OHCG.

The Chair may seek the approval of the Management Committee to delegate any function or any power or duty conferred or imposed upon them, subject to this Delegations policy, to any member, sub-committee, working group or Employees of the organisation.

### DELEGATIONS PROCEDURES

1. The overarching Delegations policy applies to OHCG as a whole, and units within the organisation must align their Delegations policies with the central policy.
2. The OHCG Secretary must maintain records of any delegations to members of the Management Committee and of the terms of reference of any sub-committees of the Management Committee.
3. The OHCG Secretary must prepare delegation schedules within the framework of the Delegations Policy for approval by the Management Committee.
4. Delegations are to be exercised within the framework of the Act, regulations, rules, policies, and any external legislative requirements.
5. Any delegation may be made subject to any conditions and limitations as the OHCG Management Committee shall approve.
6. The OHCG Management Committee may, in writing, amend or revoke a delegation.
7. **Delegations to members of the Management Committee**
8. Delegations to members of the Management Committee shall be made by resolution of the Management Committee and recorded in the minutes of the OHCG.
9. **Delegations to sub-committees or working groups of the Management Committee**
10. Delegations to sub-committees of the Management Committee shall be made by resolution of the Management Committee and recorded in the terms of reference of the sub-committee.
11. **Delegations to OHCG Employees, volunteers and/ or Approved Contractors**
12. Delegations to Employees, volunteers and approved contractors of OHCG shall be made by resolution of the Management Committee and recorded in the Delegation Schedules approved by the Management Committee.
13. Delegations are attached to the position occupied, not to the occupant of the position. The responsibilities of a position appear in a duty statement, role statement or statement of responsibility appropriate to the position.
14. Delegations reflect OHCG’s organisational structure. Levels of authority are hierarchical through relevant lines of responsibility up to and including the most senior Employee member. This means that formal authorities held by any delegate are included in those held by that delegate’s supervisor or line manager. A delegate who sub-delegates authority remains responsible and accountable for the decision or action.
15. The Management Committee may at any time vary or terminate any delegation, subject to confirmation by the Management Committee at its next meeting.
16. A delegation cannot be exercised where the officer holding the delegation has a conflict of interest or where the delegation will result, either directly or indirectly, in any tangible benefit to the delegate. In such cases a transfer of the function to another appropriate position must be arranged by the Management Committee.
17. Permanent changes to delegations, either permissive or restrictive, require a written authority from the Management Committee. Any major variation to the standard delegations must be approved by the Management Committee.
18. Sub-delegation on a temporary basis is appropriate in circumstances where the Employee member normally responsible is absent for a period of less than two weeks by reason of authorised leave or secondment to other duties. Sub-delegations require a written authority from the individual with the delegated power, or a person in a position to approve the delegated authority.
19. This policy applies only to formal delegations. All delegations of an informal nature where no commitment or liability is incurred on behalf of OHCG, are carried out in the normal business of the organisation without the requirement for a written authority. Formal delegations will include:
20. **OHCG Chair electronic signature** **usage**: Permission must be sought from the Chair for the electronic use of their signature on every occasion and prior to its use. A register of electronic signature usage must be maintained and tabled at each OHCG Management Committee meeting.
21. **Corporate credit card usage**: The corporate credit card accounts are held in a separate account with a limit to manage risk. Employees issued with a corporate credit card must seek approval in writing (email or text) from the OHCG Chair/ Finance Officer/ Treasurer/ Senior Projects Officer for project or group purchases over the value $500.00. A financial delegation can be exercised only within the approved line item budgets. All tax invoices/ invoices/ receipts (all values) are to be provided to the OHCG Finance Officer within in a timely manner.
22. **Applying for funds for OHCG or through OHCG as an auspicing partner**:
    1. A briefing to the OHCG Management Committee must be provided outlining the project. The briefing must include project scope, key persons, outline of budget etc.
    2. The OHCG Management Committee will then provide feedback and/ or endorse that the project is further developed to seek funding.
    3. Management Committee members may be allocated to assist with the applications preparation.
    4. Prior to lodgement, the OHCG Management Committee must be provided adequate time to make final comments and provide final endorsement (out of session endorsements are suitable in this instance) for the funding application to be lodged on behalf of the group.
23. Where an employee is acting in a higher position, that person will hold the delegation level appropriate to the higher position unless otherwise determined by the Management Committee.
24. An Employee delegation cannot be exercised regarding an Employee for whom the delegate does not hold line management responsibility.
25. Separate Delegations Schedules shall be prepared for Financial Delegations and for Human Resources Delegations. The schedule will provide reports by function, by position profile and by administrative area.
26. Special care must be taken to retain currency of the Delegations Schedules when delegated authorities are redistributed, a position is reclassified, or a business unit is restructured in ways that affect position profiles.
27. The Management Committee will approve the Delegations Schedule on an annual basis.
28. The Delegations Schedule will be accessible to all Employees.

### COMPLIANCE WITH THIS POLICY

1. If there is anything contained within this policy which is unclear, Employees are directed to the OHCG Chair for clarification.
2. OHCG reserves the right to vary, replace or remove any of the procedures and policies outlined in this policy at any time. In such an event, all Employees shall be informed of the changes.
3. Failure to comply with this policy, and any resulting breaches will be treated as a serious matter and may result in disciplinary action including termination of employment.

### POLICY VERSION AND REVISION INFORMATION

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| **Policy Number:** | OHCG004 |
| **Policy Title:** | Delegations Policy and Procedures |
| **Current version:** | 2 |
| **Policy Authorised by:** | Heather Adams |
| **Title:** | Chair |
| **Original issue date:** | 24 September 2020 |
| **Policy Maintained by:** | OHCG Secretary |
| **Reference Document/s:** | Associations Incorporations Act 2015, OHCG Model Rules and Institute of Community Directors Australia Policy Bank (*Note: Policies from the Institute of Community Directors Australia's free*[*Policy Bank*](https://www.communitydirectors.com.au/icda/policybank/)*may be reproduced and altered without restriction by any not-for-profit community organisation for any non-commercial purpose*). |
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| **Approved by:** | OHCG Management Committee |
| **Approval date:** | 23 September 2021 |
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| **Review date:** | September 2024 |

### WORKPLACE PARTICIPANT ACKNOWLEDGEMENT:

*I acknowledge:*

* *Receiving the Delegations Policy & Procedures, and*
* *That I must comply with the policy and that there may be disciplinary consequences if I fail to comply, which may result in the termination of my employment.*

## *Signed:*

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| --- | --- |
| Name: |  |
| Signature: |  |
| Date: |  |

1. Section 49 of the OHCG Model Rules addresses “Delegation to subcommittees and holders of subsidiary offices”. [↑](#footnote-ref-1)