General Delegations Ordinance

Version 8 - Commenced 3 February 2025

1) Preamble

1.1 The powers and functions of University Council are established under the *University of Tasmania Act 1992* (Act).

1.2 Under the Act, and at any given point in time, Council may determine the powers and functions it will delegate to the Vice-Chancellor and other University staff to enable the efficient and effective operation of the University in pursuit of its strategic and operational objectives.

1.3 Delegation of Council powers and functions under this or any other instrument, does not prevent the performance or exercise of a function or power by Council.

1.4 Reserve powers and functions of Council and the delegation of other powers and functions are specified in other instruments.

2) Commencement and review

2.1 This ordinance takes effect on 4 April 2020 and will be reviewed periodically.

3) Purpose

> *Explanatory note[1]:*
> This ordinance is one of several instruments by which University Council delegates powers and functions to positions within the University. The delegations in this ordinance relate only to the matters listed in this section.
>
> Delegations for decisions outside of the scope of this ordinance are made in other ordinances or by specific decisions of University Council.

3.1 This ordinance provides for Council to delegate its powers and functions to identified University positions for:

- residual risk acceptance
- financial contracts[2], expenditure, revenue and borrowings
- non-financial contracts and applications for funding
- appointment, remuneration and termination of University staff.

[1] Explanatory notes are included to aid interpretation and do not form part of the ordinance as approved by Council.
[2] For the purposes of this ordinance, all references to contracts means contracts and deeds.

4) Delegation Principles

> *Explanatory note:*
> These sections establish a principles and risk-based approach to exercising delegations.
>
> The Think Principle and One-up Principle require the decision maker to ensure they are fully informed and have the necessary delegation to make the decision (noting a decision may be not to approve). The Guide to Decision Making assists delegates to make decisions in accordance with these principles.
>
> The Authorisation Principle is to improve organisational efficiency by enabling delegates to authorise a trusted staff member to make usually high volume, low risk decisions on their behalf when clearly defined approval criteria are met. The delegate retains accountability for the decision.

4.1 *The think principle (assess, question and seek advice)*
In exercising a delegation, which includes determining whether they are the appropriate delegate, University staff must apply their own discretion and professional judgement to the matter, informed by consultation and advice as the situation requires including legal, financial or other advice, and the limits of their assigned delegation.

4.2 *The one-up principle*
Irrespective of the delegation held, if a decision is outside the University's residual risk delegation for that profile or there is a conflict of interest, the delegate must escalate the decision appropriately.

4.3 *The authorisation principle*
While delegates cannot delegate their powers or functions unless specified in this ordinance, where appropriate to support organisational efficiency, a delegate may authorise, in writing, a University staff member to exercise a delegation on their behalf, retaining accountability for the exercise of that delegation.

5) Profiles

> *Explanatory note:*
> These sections establish delegation profiles and powers to enable University management to determine, on behalf of Council, which positions have delegations.
>
> Profiles may only be assigned by:
> The Vice-Chancellor, and any other position that the Vice-Chancellor has determined can do so. Profiles are usually assigned to positions using the General Delegations Change Form.
>
> A position with the power to assign profiles may delegate some or all of that power to another position (and can still exercise the power themselves).

5.1 Council delegates powers and functions under this ordinance to:
   a) specific senior positions for institution level decisions
   b) positions assigned a profile for decisions within the responsibilities and budget of the position:
      i) General Profiles G1-G5 which have financial, staff and residual risk acceptance delegations.
      ii) Financial Profile F1 which has financial and residual risk acceptance delegations for financial decisions only.
      iii) Safety Risk Acceptance Profiles S1-S2 which have residual risk acceptance delegations for safety risks in relation to learning and teaching and research activities only.

5.2 The Vice-Chancellor may:
   a) assign any profile in Section 5.1(b) to any position
   b) determine whether any position with a profile may assign profiles (other than their own or higher) to positions within their accountabilities.

5.3 A position able to assign profiles per Section 5.2(b), may delegate that power to an appropriate position.

6) Residual Risk Acceptance Delegations

> *Explanatory note:*
> These sections establish the delegated residual risk acceptance limits for profiles. Residual risk of a decision is the assessed level of risk after application of mitigations and controls.
>
> All decisions have risks and they must be assessed as part of the decision making process in accordance with the *Risk Management Framework*. The decision can only be made by a delegate that has the required level of residual risk acceptance. The residual risk of a decision must be within the University's risk appetite.

6.1 Council delegates to management the amount of risk it is willing to take in pursuit of its strategic priorities through establishment of risk appetite noting that:
   a) risks are assessed according to the Risk Management Framework, including the University's Risk Rating Matrix
   b) exercise of residual risk acceptance delegations must be consistent with the University's risk appetite
   c) residual risk acceptance outside the Risk Appetite Statements is a breach of these delegations.

6.2 The residual risk acceptance delegation for:
   a) the Vice-Chancellor is high
   b) positions assigned a profile are as per Schedule A.

7) Financial contracts, expenditure, revenue and borrowings delegations

Explanatory note:
These sections establish the delegations for accountable management of expenditure and receipt of funding including through financial contracts. They prohibit contract splitting such that the delegates for executing new and amended contracts must have the delegation for the entire contract, not just for any amendments or variations. They do, however, provide for subdelegation to other positions to approve immaterial variations of a contract, noting that what is considered immaterial to a contract depends on the individual circumstances. For more information about these financial delegations including the subdelegation of immaterial variations visit the General Delegations intranet page.

7.1 In executing financial contracts, receiving and expending funds, delegates should be mindful that the decision relates to the whole of the transaction or contracted amount, not to parts, instalments or variations.

7.2 Variations to contracts must be executed by an appropriate delegate taking into account Section 7.1, except for immaterial variations which may be subdelegated in writing, to a position with the appropriate responsibilities and a suitable profile[3].

7.3 The Deputy Vice-Chancellor (Student Services and Operations) or delegate may determine, in writing, the circumstances under which University staff without a delegation profile may commit or expend immaterial, budgeted operating/research funds using University systems (for example, domestic travel, credit cards etc).

7.4 The delegations for general financial contracts, expenditure, revenue and borrowings are in Table 1 for senior positions for institution-level decisions, and in Schedule A for positions with an assigned profile noting that:

a) financial contracts for commercialisation and technology transfer of University intellectual property must be executed by an appropriate Profile G3 or higher (subject to the application of the Delegation Principles in sections 4.1 and 4.2)
b) all new borrowings must be approved by the Chief Financial Officer where a 'borrowing' is any financing arrangement including a lease (see section 7.6)
c) foreign currency transactions over AUD$50,000 must be endorsed by the University Corporate Finance function prior to approval by the relevant delegate.

[3] This excludes capital works project management variations which may be executed by an appropriate position/delegation profile and in accordance with the terms of the contract.

Table 1: General financial contracts, expenditure, revenue and borrowings delegations (GST Excl)

Position	Expenditure and borrowings within budget, and revenue	Expenditure outside of operating budget	Expenditure outside of capital budget
Vice-Chancellor	$50 million	$3 million	$5 million
Deputy Vice-Chancellor (Student Services and Operations)	$30 million	$1.5 million	$2.5 million
Chief Financial Officer	$20 million	$500,000	$1 million
Executive Director Campus Services*	$5 million	Nil	$500,000
Deputy Vice-Chancellor Research%	$1 million	Nil	$500,000
Chief Information Officer^	$1 million	Nil	$500,000

*for institution-level campus services and capital projects
%for institution-level research infrastructure
^for institution-level information technology projects

7.5 In addition to sections 7.1 and 7.2, the following apply to financial research contracts:

a) a research contract is any contract that has a research component where research is "the creation of new knowledge or use of existing knowledge in new and creative ways so as to generate new concepts, methodologies, inventions and understandings"

b) the delegations in Table 2 apply to research contracts including subcontracts, collaboration agreements, consultancy agreements and financial intellectual property contracts that contain a research component

c) delegations for University in-kind commitments apply regardless of whether the research contract is for receipt of funds to conduct University research or for purchase by the University of research services (for example subcontracting)

d) University financial and in-kind commitments must be endorsed by the relevant budget owner(s) prior to execution of the contract by the delegate.

Table 2: Financial research contract delegations

Profile	Incoming cash and related research subcontracts (GST excl)	University cash (GST Excl)	University in-kind
Vice-Chancellor	$20 million	$10 million	$10 million
Deputy Vice-Chancellor (Research)	$10 million	$5 million	$5 million
Executive Director Research Operations	$1 million	$1 million	$1 million
Manager Research Funding	$100,000	$100,000	$100,000
IMOS* Executive Director	$2 million	Nil	Nil

***Integrated Marine Observing System - an unincorporated joint venture for which the University is lead agent

> *Explanatory note:*
> In addition to the previous requirements for all contracts Section 7.5 restricts the delegations for the approval of research contracts to ensure they are administered and managed appropriately and that they have the necessary endorsements of the academic unit.

7.6 Real property contract delegations are in Table 3 noting that the Chief Financial Officer must approve all leases that constitute new financing arrangements in writing prior to execution by the appropriate delegate.

Table 3: Real property contract delegations (GST excl)

Profile	**Sale or purchase of land (value)**	**Leases, occupational licences, easements and other encumbrances or other dealing in respect of real property (including extensions)**
Vice-Chancellor	$10 million	$10 million
Deputy Vice-Chancellor (Student Services and Operations)	$5 million	$5 million
Executive Director Campus Services	Nil	$2 million

7.7 The delegations for write-offs are in Table 4.

Table 4: Write-off delegations

Profile	**Delegation**
Vice-Chancellor	$2 million
Deputy Vice-Chancellor (Student Services and Operations)	$1 million
Chief Financial Officer	$250,000
As delegated by the Chief Financial Officer*	$10,000

*to a position with a profile assigned under Section 5 of this ordinance

7.8 The settlement delegations are in Table 5 and apply to approvals for settlement of a matter, ex-gratia and contractual payments via a deed of separation and any other settlement or release.

Table 5: Settlement delegations

Profile	**Delegation**
Vice-Chancellor	$5 million
Deputy Vice-Chancellor (Student Services and Operations)	$2.5 million Up to $200,000 for ex-gratia staff-related matters
Chief People Officer	$100,000 for ex-gratia payments in staff-related matters
Profile G1-G2	$25,000 for ex-gratia payments for non-staff related matters only

8) Non-financial contract and funding application delegations

8.1 The appropriate delegate for approval of non-financial contracts, and research and non-research related funding applications (including expressions of interest), must be determined with reference to the Delegation Principles in section 4.1 and 4.2 and the Residual Risk Delegations in Section 6, noting that:

a) non-financial contracts also include binding and non-binding commitments (for example memorandums of understanding, heads of agreement) and commitments with potential or unquantifiable value (for example waivers)

b) the potential financial value of an application for funding, is not determinative of the appropriate delegate in and of itself.

> *Explanatory note:*
> Section 8.1 establishes the delegate for non-financial contracts and funding applications as the profile with an appropriate level of residual risk acceptance delegation, noting that the residual risk may be impacted by, but is not determined by, the potential financial value (ie the financial contract delegation limits do not apply).

8.2 Non-financial contracts that only deal with intellectual property, including research and non-research related deeds of assignment, confidentiality agreements /non-disclosure agreements and material or data transfer agreements, must be executed by an appropriate Profile G3 or above.

9) Treasury Operations

9.1 The investment or redemption of treasury financial instruments, and the opening and closing of bank accounts must be jointly approved by two of the following:

c) at least of one of the Vice-Chancellor, Deputy Vice-Chancellor (Student Services and Operations), Chief Financial Officer

d) no more than one of the Financial Controller, Director Financial Planning and Analysis and Associate Director Treasury and Commercial Projects

in order to manage the University's treasury function consistent with Council approved policy, University procedures and within the Council approved borrowing limit.

10) Delegations for appointment, remuneration and termination of University staff

> *Explanatory note:*
> This section establishes conditions and delegations to support effective management of recruitment, remuneration and termination of staff including specific requirements for consultation by the delegate when making structural changes and terminating employment of staff. For more information visit the People and Wellbeing Staff Recruitment intranet page.

10.1 Any significant structural changes within a unit for which a delegate has budget accountability must be discussed with the delegate's line manager prior to initiation.

10.2 Establishment of new positions outside the approved salary budget can only be approved by the delegate's line manager (one-up principle).

10.3 Delegations for staff appointment and remuneration within approved salary budget and remuneration frameworks are made to the Vice-Chancellor for all positions, and to assigned profiles per Schedule A, noting that:

a) a delegate can only approve the appointment and remuneration of staff for whom they have budget accountability
b) increases to remuneration other than contractual increases require the approval of the delegate's line manager.

10.4 Delegations for termination of staff employment are in Table 6 for senior positions for institution-level decisions, and in Schedule A for positions with an assigned profile, noting that:

a) termination of staff employment may only be undertaken in consultation with appropriate People and Wellbeing staff
b) a delegate can only approve termination of staff employment for whom they have budget accountability.

Table 6: Staff employment termination delegations

Position	Academic positions	Professional positions
Vice-Chancellor	All positions	All positions
Deputy Vice-Chancellor (Academic)	All positions	Nil
Deputy Vice-Chancellor (Student Services and Operations)	Nil	All positions

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Version history

Schedule A: Delegation Profile limits

Profile	General financial contracts and expenditure (within budget) and revenue (GST Excl)	Appointment and remuneration of staff within accountability (position types)	Termination of staff within accountability (position types)	Residual risk acceptance limit
Assigned in	**Section 7**	**Section 10**	**Section 10**	**Section 6**
General				
G1	$1 million	Ongoing Fixed term Casual	Ongoing Fixed term	**High**
G2	$500,000	Ongoing Fixed term Casual	Ongoing Fixed term	**High**
G3	$300,000	Ongoing Fixed term Casual	Fixed term	**Moderate**
G4	$150,000	Casual	Nil	**Low**
G5	$50,000	Casual	Nil	**Low**
Financial only				
F1	$10,000	Nil	Nil	**Low (Financial risks only)**
Safety Residual Risk Assessment only				
S1	Nil	Nil	Nil	**Moderate (Safety risks only)**
S2	Nil	Nil	Nil	**Low (Safety risks only)**