UNIVERSITY of TASMANIA

General Delegations Ordinance

Version 5 – Commenced 8 December 2022

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

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

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

4) Delegation principles

4.1 *The think principle (assess, question and seek advice)*

In exercising a delegation, or determining whether a delegation applies, 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.

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

5.1 Council delegates powers and functions in relation to financial expenditure and contracts, University staff appointments, remuneration and terminations and residual risk to:

a) specific senior positions for activities at an institutional level

b) profiles A-D for activities within a Division or College.

5.2 There are four College and Division profiles reflecting the accountability levels for University staff and budget. They are:

Profile	Description
A	Division/College level responsibility for strategy and budget/multiple budget centres of significant size
B	Responsibility for budget and delivery of strategy of a substantial organisational unit within a College or Division
C	Operational project or organisational unit budget responsibility. May have responsibility for delivery of strategy or components of strategy
D	Administrative budget management and/or purchasing requirement

5.3 In relation to College and Division profiles:

a) the Vice-Chancellor may determine in writing that a position, or category of positions, is a Profile A-D delegate

b) a Profile A position or delegate may determine in writing that a position, or category of positions, is a Profile B, C or D delegate.

6) Financial contracts, expenditure, revenue and borrowings delegations

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

6.2 Variations to contracts must be executed by the same position or appropriate delegate with the same profile as the original signatory or higher. The only exception is variations that do not materially alter the original contract which may be delegated in writing by the original delegate to a position with an appropriate profile.

6.3 The Chief Operating Officer or delegate may determine, in writing, the circumstances under which University staff without a delegation profile may commit or expend immaterial, budgeted operating funds using University systems (for example, domestic travel, credit cards etc).

6.4 The delegations for general financial contracts, expenditure, revenue and borrowings are in Table 1 noting that:

a) they cover financial intellectual property (IP) contracts that are non-research related except for commercialisation and technology transfer of University IP which must be executed by an appropriate Profile B or higher (subject to application of Delegation Principles in sections 4.1 and 4.2)

b) all new borrowings must be approved by the Executive Director Corporate Finance where a ‘borrowing’ is any financing arrangement including a lease (see Section 6.6).

c) foreign currency transactions over AUD$50,000 must be endorsed by the University Corporate Finance function prior to approval by the relevant delegate.

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

Position or profile	**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
Chief Operating Officer	$25 million			Nil	$2.5 million
Vice President Strategy Finance and Marketing	$25 million			$1.5 million	Nil
Chief Financial Officer	$15 million			$500,000	$1 million
Executive Director Corporate Finance	$15 million			Nil	Nil
Executive Director Infrastructure Services Development*	$3 million			Nil	$1 million
Profile	*College Academic*	*College Professional*	*Division*	*All*	*All*
Profile A	$1,000,000	$500,000	$500,000	Nil	Nil
Profile B	$300,000	$300,000	$300,000	Nil	Nil
Profile C	$50,000	$50,000	$150,000	Nil	Nil
Profile D	$10,000	$10,000	$10,000	Nil	Nil

*for infrastructure and capital projects

6.5 Research contract delegations are in Table 2 noting that:

a) a research contract is any contract that has a research element including research grant contracts, contract research, consultancy contracts, research grant subcontracts (expenditure), collaborative research, graduate research contracts and financial intellectual property contracts that are research-related or which contain a research component

b) 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)

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

Table 2: Research contract delegations

Profile	**Incoming cash and related research subcontracts (GST excl)**	**University cash (GST Excl)**	**University in-kind**
Vice-Chancellor	$10 million	$5 million	$5 million
Deputy Vice-Chancellor (Research)	$5 million	$2.5 million	$2.5 million
Research Division Profile B[%]	$500,000	$500,000	$500,000
IMOS* Profile A	$1 million	Nil	Nil

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

[%] or equivalent as nominated by the Vice-Chancellor

6.6 Real property contract delegations are in Table 3 noting that the Executive Director Corporate Finance 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
Chief Operating Officer	$5 million	$5 million
Executive Director Infrastructure Services Development	Nil	$2 million

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

Table 4: Write-off delegations

Profile	**Delegation**
Vice-Chancellor	$2 million
Vice President Strategy Finance and Marketing	$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

6.8 The delegations for contract disputes are in Table 5.

Table 5: Contract dispute delegations

Profile	**Delegation**
Vice-Chancellor	$5 million
Chief Operating Officer	$2.5 million Up to $200,000 for ex-gratia staff-related matters
Chief People Officer	$100,000 for ex-gratia staff-related matters

7) Non-financial contracts and applications for funding delegations

7.1 The appropriate delegate for approval of non-financial contracts and applications for funding must be determined with reference to the Delegation Principles detailed in Section 4.1 and 4.2 and the Residual Risk Delegations in Section 9. Examples of non-financial contractual commitments include binding and non-binding memorandums of understanding and heads of agreement.

7.2 Non-financial contracts that only deal with IP, such as deeds of assignment and confidentiality agreements/non-disclosure agreements, must be executed by an appropriate Profile B or above. Financial IP contracts are dealt with under Section 6.4.

7A) Treasury operations

Any two of the Vice-Chancellor, Chief Operating Officer, Executive Director Corporate Finance, Chief Financial Officer may jointly approve:

a) the investment or redemption of treasury financial instruments
b) opening and closing bank accounts

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

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

8.1 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.

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

8.3 Increases to remuneration other than contractual increases require the approval of the delegate's line manager (one-up principle).

8.4 The Vice-Chancellor may prescribe in writing positions additional to his or her direct reports that require his or her approval for appointment, remuneration and termination.

8.5 Delegations for staff appointment and remuneration within approved salary budget and remuneration frameworks are as per Table 6 noting that:

a) delegation to approve fixed-term appointments includes extensions

b) a delegate can only approve appointment and remuneration of staff for whom they have budget accountability.

Table 6: Staff appointment and remuneration delegations within assigned budget

Profile	College academic positions	College professional positions	Divisional positions
Vice-Chancellor	All positions	All positions	All positions
Chief Operating Officer	Nil	All positions	All positions
Profile A	All positions	All positions	All positions
Profile B	All positions	All positions	All positions
Profile C	Fixed term/casual positions only	Fixed term/casual positions only	Fixed term/casual positions only
Profile D	Nil	Nil	Nil

8.6 Delegations for termination of staff are as per Table 7 noting that:

a) termination of staff may only be undertaken in consultation with appropriate People and Wellbeing staff

b) a delegate can only approve termination of staff for whom they have budget accountability.

Table 7: Staff termination delegations

Profile	College academic positions	College professional positions	Divisional positions
Vice-Chancellor	All positions	All positions	All positions
Deputy Vice-Chancellor Academic	All positions	Nil	All positions in own portfolio
Chief Operating Officer	Nil	All positions	All positions in own portfolio
Profile A	All positions	All positions	All positions
Profile B	Fixed-term positions	Fixed-term positions	Fixed-term positions

Profile C	Nil	Nil	Nil
Profile D	Nil	Nil	Nil

9) Risk delegations

9.1 Council delegates to management the amount of risk it is willing to take in pursuit of its strategic priorities through establishment of risk appetite.

9.2 The delegations for acceptance of residual risk are set out in Table 8 below noting that:

a) risks are assessed according to the Risk Management Framework, including the University's Risk Rating Matrix;

b) exercise of delegation in risk acceptance must be consistent with the University's risk appetite and these delegations; and

c) risk acceptance outside the Risk Appetite Statements are a breach of these delegations.

Table 8: Residual risk delegations

Residual Risk	Response rate required	Management action required	Profile for acceptance
Extreme	Immediate attention and response needed	Dedicated risk mitigation and resource plan with active escalated monitoring in place to Council	Council
High	Given appropriate attention and demonstrably managed	Dedicated risk mitigation plan in place with active escalated monitoring to University Executive Team	Profile A or above
Moderate	Assess and determine whether further controls are required	Risk mitigation plan managed at Colleges / Divisions	Profile B or above
Low	Monitor and review as needed	Risk mitigation managed through business as usual.	Profile C or above

Made by University Council on 14 February 2020.

Version history