

Delegation of Authority Guidelines

Section 1 - Intent

(1) These Guidelines support the execution of delegated authorities as detailed in the [Delegation of Authority Policy](#) and should be read in conjunction with the policy.

Section 2 - Instructions

General

(2) Delegates are required to act with care and diligence when exercising their delegation. Delegates must avoid actual, perceived or potential conflicts of interest.

(3) Any situations involving a conflict of interest relating to a third party transaction must follow a competitive selection process in accordance with University policy in order to exercise a delegation.

(4) Delegates can only act within the limits of their delegation.

(5) Delegates must maintain records, receipts and any other form of documentation relevant to the exercise of their delegation in accordance with the University's [Records and Information Management Policy](#).

(6) Unless the context requires otherwise, a delegation ordinarily relates only to authorities or functions within the delegate's accountability area.

(7) Nothing in this guideline authorises a delegate to do anything which is, or is likely to be, a breach of an approved code of conduct of the University.

(8) A delegate is not obliged to exercise a delegation and should not exercise the delegation if in their opinion there are circumstances that make it more transparent, equitable or ethical for the matter to be considered at a more senior level in their accountability area.

(9) Any matter that is not included in these delegations must be referred to the relevant Director or Head of School for clarification in the first instance. To ensure this rule is applied consistently across the University, any clarification of the requisite authority should always be sought from above in the relevant management reporting line.

Financial Transaction Limits

(10) A financial limit on a delegation for incurring expenditure relates to the total cost of the transaction, not to instalments.

(11) It applies to the original cost price of an item not the net cost after deductions of any trade-in or the like.

(12) The delegated authority includes the authority to vary an order for goods or services so long as the total cost (including the variation) is within the limits of the delegation.

(13) If the sum of the original cost plus the variation exceeds the delegated limit, then a delegate with an appropriate

level of authority must approve the transaction.

Authorised Officers

(14) An Authorised Officer must be appointed in writing setting out the terms of the delegation held by the Delegate, the exact scope of the authority that may be exercised within that delegation and the dates on which that Authorised Officer was authorised to act.

(15) Delegates must maintain a register of authorised officers for review as required. This is to be stored in the Records Manager system.

(16) The Delegate remains responsible for any decision-making related to the exercise of the delegation under authorisation.

(17) Where the signature of a Delegate is required, the Authorised Person will write the words "For and on behalf of the as an Authorised Person" so it is clear that the person is acting under the authority of the Delegate.

(18) Authorised officers are only permitted to approve the expenditure of funds up to the level designated for Head of School or Director for a particular delegation.

Making Binding Commitments

(19) A Delegate may create a binding commitment on the University in a number of ways:

- a. Verbally.
- b. By action.
- c. In writing including email.
- d. By making any sort of payment.
- e. By documenting a decision.
- f. By instructing others to give effect to a decision.
- g. Care must be exercised by all Delegates to avoid unwittingly creating binding commitments on the University.

Wider Considerations

(20) A Delegate must consider the wider impact of a potential decision before making a commitment including:

- a. The potential effect on other University areas of operation.
- b. The potential for inadvertently creating a more significant obligation than intended.
- c. The place of that decision in the scope of emerging technologies.
- d. Would the decision seem reasonable if it were reported on a newspaper front page?

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Responsible Executive	Dianne Allen University Secretary dianne.allen@newcastle.edu.au
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Glossary Terms and Definitions

"Accountability area" - The organisational unit or portfolio for which a delegate is responsible operationally and/or financially.

"Officer" - Has the meaning given in section 9 of the Corporations Act 2001 (Cth).

"Third party" - A person or group other than the University or any of the University's partner institutions.