

# Delegations Manual

2021-2025



# Victoria Daly

REGIONAL COUNCIL

# Delegations Manual 2021 - 2025

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## Contents

DELEGATIONS OF AUTHORITY .....	4
Policy .....	5
1. Background and General Principles .....	5
Policy .....	5
Purpose of this document .....	5
Principles .....	5
Personal Delegations .....	5
Committee and Local Authority Delegations.....	6
2. Definitions .....	7
Positions .....	7
3. Budget .....	8
4. CEO Delegations .....	9
CEO: Appointment of Acting CEO.....	9
5. Human Resource Delegations.....	10
Staff: Salary, Conditions, Packages and Contracts .....	10
Staff: Position Descriptions .....	12
Staff: New Positions, Advertisements, Selection, Appointment and Probation.....	13
Staff: Dismissal and Redundancy.....	15

Staff: Leave, Overtime and TOIL .....	16
Staff: Training, Development and Conference Attendance .....	19
Staff: Staff Travel .....	20
Staff: Performance Management .....	21
Staff: Industrial Relations .....	23
6. Contracts.....	26
Contracts: Leasing.....	26
Contracts: Insurance.....	26
Contracts: External Contractors.....	27
Contracts: Sale, Purchase or Development of land .....	27
Contracts: Tender & Contracts.....	28
Contracts: Submissions.....	29
Contracts: Agreements.....	29
7. Legal.....	31
Legal: Legal Matters.....	31
8. Governance .....	32
Governance: Common Seal.....	32
9. Policies and Procedures.....	33
Policies and Procedures: Policies and Procedures .....	33
10. Documents, Correspondence and Minutes.....	34
Documents: Use of Logo.....	34
Documents: Statements.....	34

Documents: Media Statements and Comments.....	35
Documents: Ministerials.....	35
Documents: Correspondence .....	35
Documents: Agendas and Minutes.....	37
11. Complaints.....	39
Complaints: Complaints .....	39
12. Financial Delegations.....	40
Financial: Budgets .....	41
Financial: Bad Debts.....	43
Financial: Cheques .....	43
Financial: Operational Investment .....	44
Financial: Petty Cash .....	44
Financial: Rates debts .....	45
Financial: Members Expenses (Council and Local Authority Members) .....	45
Financial: Salaries and Deductions .....	46
Financial: Disposal of Property.....	47
12. Elections.....	48
Elections: By Elections and General Elections.....	48
13. Delegation Schedule .....	49
Delegation Schedule .....	49

# DELEGATIONS OF AUTHORITY

## NORTHERN TERRITORY *LOCAL GOVERNMENT ACT 2019*

### CHAPTER 4 – DIVISION 2 - SECTION 40 - DELEGATION

- (1) A Council may delegate its powers and functions.
- (2) A delegation may be made to:
  - (a) The CEO; or
  - (b) A Council committee; or
  - (c) A local authority; or
  - (d) A local government subsidiary.
- (3) Despite subsection (1):
  - (a) the power to impose rates cannot be delegated; and
  - (b) if power to incur financial liabilities is delegated - the council must, by resolution, fix reasonable limits on the delegate's authority; and
  - (c) a delegation cannot duplicate or derogate from the CEO's functions(including delegated functions); and
  - (d) subject to subsections (4) and (5), power to enter into a transaction on conditions that are not arm's length conditions cannot be delegated; and
  - (e) subject to subsections (4) and (5), power to make a decision that requires a council resolution cannot be delegated; and
  - (f) if power to enter into a contract is delegated – the contract must be below the threshold value.
- (4) A Council may delegate the CEO the following:
  - (a) The power to enter into a transaction on conditions that are not arm's length conditions if the transaction will provide a community benefit;
  - (b) The power to waive a fee for service (wholly and partly) under section 289(4) if the waiver will provide a community benefit.
- (5) A delegation under subsection (4) must be in accordance with the regulations and any guidelines that the Minister may make.
- (6) A council must, within the first 6 months of its term, determine, by resolution, the threshold value for a contract for subsection (3)(f).
- (7) In this section:

Arm's length conditions means the conditions that might be expected to operate between commercial entities dealing wholly independently with one another in comparable circumstances.

## 1. Background and General Principles

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### Policy

The Council is committed to service delivery across the organisation within the parameters of a formalised delegation of authority framework.

### Purpose of this document

The Delegation's Manual is intended to provide clear and easy to understand processes and accountability, for administrative functions and levels of decision making across the organisation.

### Principles

This document will be reviewed each term or unless otherwise required with a view to improving its utility and relevance to the organisational structure of the Council.

- This document operates as delegated authority by the Council for the CEO.
- This document operates as delegated authority by the Council for Committees and Local Authorities.
- This document operates as delegated authority by the CEO for all other staff.

### Personal Delegations

- Delegations can be exercised by a person more senior than the person specified in the document, where the more senior person has a line management role which includes responsibility for the person holding the delegation.
- It is not permissible for a person to delegate any aspect of their authorisation to a person in a less senior position. However, provision can be made for people to "Act Up" into a position of greater authority than they are usually employed, for all key or specified areas of delegation.
- It is possible for a person in a less senior position to be appointed to "Act" in the capacity of a more senior position eg. during periods of absence by a staff member from the workplace, thereby assuming some or all of the delegated level of responsibility as prescribed by this document of that position.

- It is the responsibility of the person exercising the delegation to ensure funding is available in the delegation, within their annual budget. Alternatively written proof of above-budget income e.g. extra funding, to cover the above-budget expenditure should be obtained and a copy sent to their senior line manager.
- The delegations are hierarchical in the sense that a delegate's formal line supervisor may exercise the same level of authority as the delegate and such a supervisor may also withdraw or restrict a delegation held by a subordinate member of staff. Except for any delegations made by Council.
- The CEO has authority to exercise any staff delegation outlined in this document.
- In exercising delegations' staff are required to comply with legislation, industrial awards, contracts or agreements and Council approved policies, procedures and Code of Conduct.
- The delegations listed in this document should be understood in the context of the relevant staff position descriptions and Council Policy.
- It is the responsibility of the person exercising the delegation to advise their senior line manager of significant developments even if made within delegation and ensure appropriate records are kept.
- The position has delegation not the person.
- Outsourced positions do not have delegation rights within the organisation.
- A delegate should not exercise their delegation to approve a recommendation that personally benefits them.
- Unless specifically delegated in writing, it should be assumed that no delegation exists.

### **Committee and Local Authority Delegations**

- The Committee or Local Authority is delegated as an entity and no specific delegation is allocated to an individual unless specifically identified within the delegation.
- Unless specifically delegated, it should be assumed that no delegation exists.
- The CEO has authority to exercise any staff delegation outlined in this document.
- This document anticipates open and regular communication and information flow between the various levels of delegation, and consultation where necessary with Council staff.

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## 2. DEFINITIONS

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### Positions

- **Council:** The collective group of members elected to serve the community in accordance with the Local Government Act and Regulations (as amended) and acting within that role.
- **Committee:** A formally constituted committee under the Section 26 of the *Local Government Act 2019*.
- **Local Authority:** A formally constituted Local Authority under section 77 of the *Local Government Act 2019*.
- **Mayor:** The principal member of the Council as defined by Section 58 *Local Government Act 2019*.
- **Chief Executive Officer:** (referred to as 'CEO') The person appointed by and responsible to the Council for the day-to-day management of the affairs of Victoria Daly Regional Council. (The CEO's authority extends to the Acting CEO in the CEO's absence).
- **Director:** A person appointed as Director and who has overall responsibility for specified functions as per the organisational structure.
- **Regional Managers:** A person appointed as a Regional Manager is responsible for a program that is delivered across the Council. They are responsible to a Director for the delivery of programs they provide.
- **Managers (Operational and Program):** A person appointed as a manager is either responsible for Council operations within a community or a function within Council Area. They are responsible to a director for the services and functions they provide.
- **Assistant Manager:** A person appointed as an assistant manager of one of the Council service Centres. They are responsible to a manager for the services delivered within their area.
- **Coordinators:** A person appointed as a coordinator of one of the Council Program Delivery Areas. They are responsible to a manager for the services delivered within their area.
- **Staff:** Employees of the Council not otherwise identified.
- Note: Any decision on where staff roles fit in the above definitions will be made by the CEO, based on a recommendation from the appropriate Director.
- **Tender Committee:** Comprises of the relevant Director, Chief Finance Officer and relevant Managers.



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### 3. Budget

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*All amounts referred to in this document are exclusive of GST.*

- **Council Budget:** (referred to as ‘the budget’) The annual budget resolved by the Council.
- **Service Budget:** (referred to as ‘service budget’) A service/program component of the annual budget, for which a manager or coordinator has been delegated responsibility and control.
- **Staffing Plan:** The staffing plan approved by the Council in the annual regional plan and budget

**APPOINTMENT OF ACTING CEO****4.1**

**FUNCTION:** Appointment of Acting Chief Executive Officer or for a period of absence of the Chief Executive Officer in accordance with the *Local Government Act 2019* – Section 165 (3a) (3b)

The CEO must be

- satisfied that the person appointed as Acting CEO is suitably qualified for the position.
- The CEO must advise the Mayor and the Council when an appointment is made.

**DELEGATED AUTHORITY:** CEO

## Human Resource Delegations

5

Salary, Conditions, Packages and Contracts	5.1
Position Descriptions	5.2
New Positions, Advertisements, Selection, Appointment and Probation	5.3
Dismissal and Redundancy	5.4
Leave, Overtime and TOIL	5.5
Training, Development and Conference Attendance	5.6
Staff Travel	5.7
Performance Management	5.8
Industrial Relations	5.9

### SALARY, CONDITIONS, PACKAGES and EMPLOYMENT CONTRACTS

5.1

**FUNCTION:** Set and approve annual salaries within total budget

- All staff positions

**DELEGATE:** CEO

- For CEO

**DELEGATE:** Council

**FUNCTION:** Set and approve salaries and remuneration packages

- All staff positions

**DELEGATE:** CEO

- For CEO

**DELEGATE:** Council

**FUNCTION:** Approve changes to an employee's conditions of employment

- All staff positions

**DELEGATE:** CEO

- For CEO

**DELEGATE:** Council

**FUNCTION:** Approve annual salary increments

- All staff positions

**DELEGATE:** CEO

- For CEO

**DELEGATE:** Council

**FUNCTION:** Approve Higher Duties allowance and staff transfers

- All staff positions

**DELEGATE:** CEO

- For CEO

**DELEGATE:** Council

**FUNCTION:** Approval of all employment contracts

- All staff positions

**DELEGATE:** CEO

- For CEO

**DELEGATE:** Council

**FUNCTION:** Approve a staff member accepting outside employment or consultancies, additional to and separate from their normal duties within Council.

- All staff positions

**DELEGATE:** CEO

- For CEO

**DELEGATE:** Council

## Position Descriptions

5.2

**FUNCTION:** Approval of all new position descriptions and changes to existing position descriptions

- All staff positions

**DELEGATE:** CEO

- For CEO

**DELEGATE:** Council

**FUNCTION:** Approval of all new position titles and changes to existing position titles

- All staff positions

**DELEGATE:** CEO

- For CEO

**DELEGATE:** Council

**FUNCTION:** Approve the deletion of a position

- All staff positions

**DELEGATE:** CEO

## New Positions, Advertisements, Selection, Appointment and Probation 5.3

**FUNCTION:** Approve requests for filling positions within the approved structure (within budget)

- All staff positions

**DELEGATE:** CEO

- For CEO

**DELEGATE:** Council

**FUNCTION:** Approve new staff positions or modifications to existing organisational structure (within budget)

- All staff positions

**DELEGATE:** CEO

- For CEO

**DELEGATE:** Council

**FUNCTION:** Identify and approve new staff positions outside of the existing organisational chart (within budget)

- All staff positions

**DELEGATE:** CEO

- For CEO

**DELEGATE:** Council

**FUNCTION:** Recommend appointment to staff positions

- All staff positions

**DELEGATE:** Manager

- For Managers

**DELEGATE:** Directors

- For Directors

**DELEGATE:** CEO

**FUNCTION:** Appoint staff to positions

- All staff positions

**DELEGATE:** CEO

- For CEO

**DELEGATE:** Council

**FUNCTION:** Confirm successful completion or otherwise of new staff probationary periods

- All staff positions

**DELEGATE:** CEO

- For CEO

**DELEGATE:** Council

## Dismissal and Redundancy

5.4

Redundancy is where the employment relationship is terminated by the CEO due to the Council no longer requiring the position as part of its organisational structure. Council will make reasonable efforts to redeploy employees (place them in an alternate position) rather than retrench an employee, who would otherwise lose their job and not be offered another role. This provision applies to the determination of termination of employment pertaining to permanent employees, and employees employed on a temporary basis that are terminated prior to conclusion of their contracted period of employment. Termination and redundancy of an employee will be in accordance with the 2.1.28 Redundancy Policy of the Victoria Daly Regional Council. The delegations will determine whether grounds for redundancy are applicable.

**FUNCTION:** Decision to make a staff member redundant

- All staff positions

**DELEGATE:** CEO

**FUNCTION:** Approve the offer and acceptance of redundancy for all staff

- All staff positions

**DELEGATE:** CEO



**FUNCTION:** Decision and approval to dismiss a staff member

- All staff positions

**DELEGATE:** CEO

## Leave, Overtime and TOIL

5.5

**FUNCTION:** Approval of staff annual leave

- All staff positions

**DELEGATE:** Manager

- For Managers

**DELEGATE:** Director

- For Director

**DELEGATE:** CEO

- For CEO

**DELEGATE:** Mayor

**FUNCTION:** Approval of staff long service leave

- All staff positions

**DELEGATE:** Director

- For Managers

**DELEGATE:** Director

- For Director

**DELEGATE:** CEO

- For CEO

**DELEGATE:** Mayor

**FUNCTION:** Approval of staff special leave (as defined in the Enterprise Agreement)

- All staff positions

**DELEGATE:** Manager

- For Managers

**DELEGATE:** Director

- For Director

**DELEGATE:** CEO

- For CEO

**DELEGATE:** Mayor

**FUNCTION:** Approval of staff leave without pay under 2 weeks

- All staff positions

**DELEGATE:** Manager

- For Managers

**DELEGATE:** Director

- For Director

**DELEGATE:** CEO

- For CEO

**DELEGATE:** Mayor

**FUNCTION:** Approval of staff leave without pay over 2 weeks

- All Staff positions

**DELEGATE:** CEO

- For CEO

**DELEGATE:** Council

**FUNCTION:** Approval of staff overtime and TOIL

- All Staff positions

**DELEGATE:** CEO or Director

- For CEO

**DELEGATE:** Council

**FUNCTION:** Approve fee assistance for staff study within the budget

- All Staff positions

**DELEGATE:** Director of Corporate Services

- For Directors

**DELEGATE:** CEO

**FUNCTION:** Approval of attendance at external training courses/conferences including travel costs- the training activity must form part of the annual staff training and development plan

- All Staff positions

**DELEGATE:** Director of Corporate Services

- For Directors

**DELEGATE:** CEO

**FUNCTION:** Approval of travel outside the NT

- All Staff positions

**DELEGATE:** CEO

- For CEO

**DELEGATE:** Mayor**FUNCTION:** Approval of travel outside Australia

- All Staff positions

**DELEGATE:** CEO

- For CEO

**DELEGATE:** Mayor**FUNCTION:** Approval of travel costs to attend training courses / conferences within budget

- All Staff positions

**DELEGATE:** Director of Corporate Services

**FUNCTION:** Appraise the performance of staff

- All staff positions

**DELEGATE:** Manager

- For Managers

**DELEGATE:** Direct Manager or Director

- For Director

**DELEGATE:** CEO

- For CEO

**DELEGATE:** Mayor**FUNCTION:** Management of unsatisfactory staff performance

- All staff positions

**DELEGATE:** Manager

- For Managers

**DELEGATE:** Direct Manager or Director

- For Director

**DELEGATE:** CEO

- For CEO

**DELEGATE:** Mayor

**FUNCTION:** Intervene in management of any unsatisfactory staff performance where divisional concerns are identified

- All staff positions

**DELEGATE:** Manager

- For Managers

**DELEGATE:** Direct Manager or Director

- For Director

**DELEGATE:** CEO

- For CEO

**DELEGATE:** Mayor

**FUNCTION:** Intervene in management of any unsatisfactory staff performance where organisational concerns are identified

- All Staff positions

**DELEGATE:** CEO

- For CEO

**DELEGATE:** Mayor

**FUNCTION:** Approve and Issue an Employee Management letter

- All Staff positions

**DELEGATE:** CEO or Director of Corporate and Community Services

- For Directors

**DELEGATE:** CEO

- For CEO

**DELEGATE:** Mayor

**FUNCTION:** Approve and Issue a Letter of Termination

- All Staff positions

**DELEGATE:** CEO

- For CEO

**DELEGATE:** Mayor

## Industrial Relations

5.9

**FUNCTION:** Authority to consult with Councils external advisors, on industrial relations / human resource matters.

- All Staff positions

**DELEGATE:** CEO & Director of Corporate Services



**FUNCTION:** Authority to purchase industrial relations / human resource advice and or expertise.

- All Staff positions

**DELEGATE:** CEO & Director of Corporate Services

1.1. If a dispute relates to:

1.1.1. a matter arising under this Agreement; or

1.1.2. the National Employment Standards;

this Section sets out procedures to settle the dispute.

1.2. An employee who is a party to the dispute may appoint a representative for the purposes of the procedures in this Section.

1.3. In the first instance, the parties to the dispute must try to resolve the dispute at the workplace level, by discussions between the employee or employees and the relevant supervisors and/or managers.

1.4. If discussions at the workplace level do not resolve the dispute, a party to the dispute may refer the matter to the Fair Work Commission.

1.5. the Fair Work Commission may deal with the dispute in two stages:

1.5.1. the Fair Work Commission will first attempt to resolve the dispute as it considers appropriate, including by mediation, conciliation, expressing an opinion or making a recommendation; and

1.5.2. if the Fair Work Commission is unable to resolve the dispute at the first stage, the Fair Work Commission may then:

1.5.2.1. arbitrate the dispute; and

1.5.2.2. make a determination that is binding on the parties.

1.6. While the parties are trying to resolve the dispute using the procedures in this Section;

1.6.1. an employee must continue to perform the employee's work as the employee would normally unless the employee has a reasonable concern about an imminent risk to the employee's health or safety; and

1.6.2. an employee must comply with a direction given by a Senior Manager to perform other available work at the same workplace, or at another workplace, unless;

1.6.2.1. the work is not safe;

1.6.2.2. applicable occupational health and safety legislation would not permit the work to be performed;

1.6.2.3. the work is not appropriate for the employee to perform; or

1.6.2.4. there are other reasonable grounds for the employee to refuse to comply with the direction.

1.7. The parties to the dispute agree to be bound by a decision made by the Fair Work Commission in accordance with this Section.

## Contracts

6

Leasing	6.1
Insurance	6.2
External Contractors	6.3
Sale, Purchase or development of land	6.4
Tenders & Contracts	6.5
Agreements	6.6
Submissions	6.7

### Leasing 6.1

**FUNCTION:** Approve the lease of new premises, sub leases of existing premises and lease renewals.

- Within Budget

**DELEGATE:** CEO through resolution of Council

**FUNCTION:** Cancel existing land / building leases

- All types

**DELEGATE:** CEO

### Insurance

6.2

**FUNCTION:** Approve appointment of insurers details of contract and payment of premiums

- Within Budget

**DELEGATE:** CEO

**FUNCTION:** Authorise appointment of external consultants that have been provided for in the approved Council budget

- Total value of contract is less than \$10,000

**DELEGATE:** Directors

- Total value of contract is more than \$10,000 but less than \$50,000

**DELEGATE:** CEO

- Total value of contract is more than \$50,000

**DELEGATE:** Council

- Subject to recommendation from the CEO's Performance Review – for matters relating to the recruitment or performance management of the CEO.

**DELEGATE:** Mayor

## **Sale, Purchase or Development of land**

## **6.4**

**FUNCTION:** Approve the sale, purchase or development of land

- All types and values

**DELEGATE:** Council

**FUNCTION:** Approve tenders and contracts with suppliers of good and services

In accordance with *Local Government (General) Regulations 2021*

- Less than \$100,000

**DELEGATE:** CEO

- More than \$100,000

**DELEGATE:** Council

**FUNCTION:** Authority to invite formal tenders for supplies of good and services

- More than \$10,000 but less than \$100,000

**DELEGATE:** Directors

**FUNCTION:** Formation of tender committee for opening and evaluating tenders

- All values and types

**DELEGATE:** CEO

**FUNCTION:** Authority to call for public quotations. (Regulation 35(1))

- 100k -150k

**DELEGATE:** CEO

**FUNCTION:** Authority to approve public quotations.

- Up to 100k

**DELEGATE:** CEO

- 100k to 150k

**DELEGATE:** Council

## Submissions

6.6

**FUNCTION:** Approve the commencement of funding submissions or tendering activity to be undertaken.

**DELEGATE:** CEO

## Agreements

6.7

**FUNCTION:** Authority to negotiate contracts and agreements

- Up to 1 year and \$10,000

**DELEGATE:** Directors

- Over 1 year and \$10,000

**DELEGATE:** CEO

**FUNCTION:** Authority to sign agreements and contracts obtain that do not require the common seal

- Total value less than \$10,000

**DELEGATE:** Directors

- Total value more than \$10,000 but less than \$100,000

**DELEGATE:** CEO

- Total value more than \$100,000

**DELEGATE:** Council

**FUNCTION:** Authority to sign funding grant agreements

- Existing annual program funding

**DELEGATE:** CEO

- New program funding grants up to \$500,000

**DELEGATE:** CEO

- New program funding grants more than \$500,000 but less than 1 million

**DELEGATE:** Council

- New capital grants more than then 1 million

**DELEGATE:** Council to endorse including legal review

## Legal

7

### Legal Matters

7.1

### Legal Matters

7.1

**FUNCTION:** Authority to consult with Council's external advisors on legal matters

- For all types and values

**DELEGATE:** CEO / Mayor

**FUNCTION:** Authority to purchase legal advice and or advisors on legal matters

- For all types and values

**DELEGATE:** CEO / Mayor

**FUNCTION:** Authority to settle court, legal or any other formal proceedings and bind the Council

- For all types and values

**DELEGATE:** Council

**FUNCTION:** Authority to approve expenditure on legal matters, which are outside the approved budget

- For all types and values

**DELEGATE:** Council



## Governance

8

### Common Seal

8.1

### Common Seal

8.1

**FUNCTION:** Approve the use of the Common Seal of Council

- For Organisation

**DELEGATE:** CEO / Mayor by resolution of Council and must include all page being initialed.

## Policies and Procedures

9

### Policies and Procedures

9.1

### Policies and Procedures

9.1

**FUNCTION:** Approval of Operational Policies and Procedures

- For Organisation

**DELEGATE:** CEO

**FUNCTION:** Approval of Policies and Procedures required adoption by resolution in accordance with the NT Local Government Act 2019, including regulations.

- For Organisation

**DELEGATE:** Council

<b>Documents, Correspondence and Minutes</b>	<b>10</b>
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Use of Logo	10.1
Public Statements	10.2
Media Statements and Comments	10.3
Ministerial	10.4
Correspondence (standard and non-standard)	10.5
Agenda and Minutes	10.6

<b>Use of Logo</b>	<b>10.1</b>
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**FUNCTION:** Approve the use of Council's name or logo by parties external to Council

- For Organisation

**DELEGATE:** CEO

<b>Public Statements</b>	<b>10.2</b>
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**FUNCTION:** Authority to release public statements

- For Organisation

**DELEGATE:** Mayor (in absence of Mayor the Deputy Mayor /CEO)

**FUNCTION:** Authority to release media statements

- For Organisation

**DELEGATE:** Mayor (in absence of Mayor the Deputy Mayor /CEO)

**FUNCTION:** Authority to delegate specific media responses

- For all staff

**DELEGATE:** Mayor (in absence of Mayor the Deputy Mayor /CEO)

**FUNCTION:** Authority to respond to ministerial and contentious issues

- For all staff

**DELEGATE:** Mayor (in absence of Mayor the Deputy Mayor / CEO)

*Correspondence primarily refers to letters but also includes reports, memos, facsimiles, documents and in some cases emails where they are to be used as the official means of communication to parties external to the Council.*

**FUNCTION:** All correspondence to be sent out

- For all staff
  - To the Department of Chief Minister and Cabinet (except routine matters)
  - To Government Ministers, Senior Bureaucrats, Heads of Government Departments or Members of Parliament
  - To any Ombudsman

- To Unions
- Which constitutes an official “apology”
- Where the CEO has been in direct contact with the party making the representation and had not referred the reply to a Director or Manager/Coordinator
- Which is of a contentious nature, or
- Where formal support of a service, program or agency is provided.

**DELEGATE:** CEO or Mayor as directed by Council

**FUNCTION:** Standard and non-standard correspondence that has significant implications within their own Division and / or has the potential to have implications across a number of Divisions

- For all staff

**DELEGATE:** CEO and Directors

**FUNCTION:** Standard and non-standard correspondence which is part of the normal business activities of the Council and is not contentious

- For all staff

**DELEGATE:** CEO / Directors / Regional Managers / Managers / Coordinators

**Note:** *Specific delegation may be given to other staff with the CEO or Director’s approval. Regional Managers, Managers and Coordinators need to consider when signing off correspondence, whether the CEO, Directors, other Managers and Coordinators may need to be consulted or advised of the correspondence.*

**FUNCTION:** Authority to submit Council reports for inclusion in Council agenda papers

- For all staff

**DELEGATE:** Directors

**FUNCTION:** Approval of final Council or Committee Agenda for submission to the Council or Committee

- For Council meetings
- For Committee meetings

**DELEGATE:** CEO

**FUNCTION:** Approval for inclusion of “Late Agenda Item”

- For Council meetings

**DELEGATE:** CEO

**FUNCTION:** Approval of draft Council or Committee Minutes

- For Council meetings
- For Committee meetings

**DELEGATE:** Mayor and CEO

**FUNCTION:** Conformation of Council or Committee Minutes

- For Council meetings
- For Committee meetings

**DELEGATE:** By resolution of Council

***FUNCTION:*** Approval of agenda for submission to Local Authority

- For all Local Authority meetings

**DELEGATE:** CEO

***FUNCTION:*** Approval of draft Local Authority Minutes

- For all Local Authority meetings

**DELEGATE:** Local Authority Chairperson

***FUNCTION:*** Conformation of Local Authority minutes

- For all Local Authority meetings

**DELEGATE:** Local Authority Committee by resolution

<b>Complaints</b>	<b>11</b>
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Complaints	11.1
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<b>Complaints</b>	<b>11.1</b>
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**FUNCTION:** Resolution of external complaints not included below

- All types of complaints

**DELEGATE:** CEO

**FUNCTION:** External complaints about the Chief Executive Officer

- All types of complaints

**DELEGATE:** Mayor

**FUNCTION:** Internal complaints

- All types of complaints

**DELEGATE:** CEO

**FUNCTION:** Resolution of complaints against Councillors and or the Mayor

- All types of complaints

**DELEGATE:** As per Local Government Act 2019, including regulations



<b>Budgets</b>	<b>12.1</b>
<b>Bad Debts</b>	<b>12.2</b>
<b>Cheques</b>	<b>12.3</b>
<b>Operational Investment</b>	<b>12.4</b>
<b>Petty Cash</b>	<b>12.5</b>
<b>Rates Debts</b>	<b>12.6</b>
<b>Members Expenses (Council and Local Authority Members)</b>	<b>12.7</b>
<b>Salaries and Deductions</b>	<b>12.8</b>
<b>Disposal of Property</b>	<b>12.9</b>

The Victoria Daly Regional Council appoints the CEO as the Authorised Person as per Division 2 of the *Local Government Act 2019*. Under section 40(3)(b) of the Act, Council will delegate the CEO the power to incur financial liabilities. This appointment and delegation must be endorsed by resolution at an Ordinary Meeting of Council.

Resolution 485/2019 of the Ordinary meeting of Council on 17th December 2019, approves the appointment and delegation of financial liability limit of \$500,000 to incoming Chief Executive Officer.

Powers conferred under provisions 167 and 168 of the *Local Government Act 2019*, provide authority to the CEO to delegate financial liability to an amount limited by the Council resolution. Financial delegations assigned to other officers may only incur expenditure on behalf of the Council if:

- (a) The officer has been granted the financial delegation by the Chief Executive Officer and this delegation have been recorded in the Delegations. Schedule (Appendix 1).
- (b) The expenditure is provided for in the Council's budget.

The Delegations Schedule must be endorsed by resolution at an Ordinary Meeting of Council.

No officer, except the Chief Executive Officer, may have procurement delegation exceeding \$50,000 (excluding GST) in a single transaction. Capital items are items which have a purchase price in excess of \$5,000 and must be recorded into the Asset register at purchase. All expenditure must be in accordance with Victoria Daly Regional Council Policy and the following guidelines.

## VARIATION procedures

All variations require an additional line item on the original Purchase Order stating the scope and cost. Variations to the original consultancy or contract amount must be within budget and the financial delegation of the approving officer. In the case of consultancy or contract, where the cumulative value of variations exceed 5% of the original value or \$2,000, whichever is lesser, any further variation must be authorised by the CEO. Where expenditure is still within the overall budget but outside any officer's delegation then the variation must be approved by the CEO.

## Budgets

## 12.1

**FUNCTION:** Approve draft budgets to be forwarded to the Council

- For all divisions

**DELEGATE:** CEO

**FUNCTION:** Approve the Councils budget

- For organisation

**DELEGATE:** Council

**FUNCTION:** Authority to recommend to Council unbudgeted expenditure

- For organisation

**DELEGATE:** CEO

**FUNCTION:** Authority to authorise variations to the annual operational and capital budgets

- For organisation

**DELEGATE:** Council

**FUNCTION:** Approve the issue and withdrawal of corporate credit cards

- For Staff

**DELEGATE:** CEO

- For CEO

**DELEGATE:** Council

- For Mayor

**DELEGATE:** Council

**FUNCTION:** Approve corporate credit card credit limits

- For Staff

**DELEGATE:** CEO

- For CEO

**DELEGATE:** Council

- For Mayor

**DELEGATE:** Council

## Bad Debts

12.2

**FUNCTION:** Approve debt recovery agreement

- Up to \$5,000

**DELEGATE:** Chief Financial Officer

- No Limit

**DELEGATE:** CEO

**FUNCTION:** Write off Debt (CEO to certify in writing the reason as per Regulation 32(2) )

- Up to \$500

**DELEGATE:** CEO

## Cheques

12.3

**FUNCTION:** Approve change and or add cheque signatory

- For organisation

**DELEGATE:** CEO

**FUNCTION:** Authority to sign cheques and approve EFT bank files (Two cheque signatories in all instances)

- For organisation

**DELEGATE:** CEO / Directors / Chief Financial Officer

**FUNCTION:** Approval to stop payment on cheques

- For organisation

**DELEGATE:** CEO and Chief Financial Officer

## Operational Investment

12.4

**FUNCTION:** Approve banking and investment account arrangements including the authorising opening of new accounts

- For organisation

**DELEGATE:** CEO / Directors / Chief Financial Officer

**FUNCTION:** Approve investment of funds

- For organisation

**DELEGATE:** CEO / Directors / Chief Financial Officer

**FUNCTION:** Approve drawdown of investment funds for deposit into operational accounts

- For organisation

**DELEGATE:** CEO / Directors / Chief Financial Officer

## Petty Cash

12.5

**FUNCTION:** Authority to operate, control and reimburse petty cash

- Up to \$500

**DELEGATE:** CEO / Directors / Chief Financial Officer / Managers

## Rates Debts

12.6

**FUNCTION:** Authority to write off rate debts, the CEO must certify in writing the reasons for writing off the debt as per Regulation 32

- Where the principle debt paid and less than \$5.00 remains

**DELEGATE:** CEO has delegated to the Rates Officer

- Not exceeding \$100.00

**DELEGATE:** Chief Financial Officer

- Over \$100.00 but less than \$1,000

**DELEGATE:** CEO

- Over \$1,000

**DELEGATE:** Council

## Member Expenses (Council and Local Authority Members)

12.7

**FUNCTION:** Approve Council's Members expenses

- For all Council members

**DELEGATE:** CEO

**FUNCTION:** Approve CEO expenses

- CEO

**DELEGATE:** Mayor

**FUNCTION:** Approve Local Authority expenses

- For all Local Authority Members

**DELEGATE:** CEO

## Salaries and Deductions

**12.8**

**FUNCTION:** Approve staff reimbursement for expenditure on behalf of Council

- For staff

**DELEGATE:** Manager

- For Managers

**DELEGATE:** Director

- For Directors

**DELEGATE:** CEO

- For CEO

**DELEGATE:** Mayor

**FUNCTION:** Approval for payroll documents to be uploaded into financial system for payment

- For all staff

**DELEGATE:** Director of Corporate Services and CEO to review

**FUNCTION:** Approve for payment all payroll related transactions

- For all staff
  - Group tax remittal
  - Payroll tax settlement
  - Superannuation contribution payments
  - Transfers of staff payroll deductions to authorised entities.
  - Payment of GST
  - Payment of PAYG

**DELEGATE:** CEO and Directors

## Disposal of Property

**12.9**

**FUNCTION:** Authority to dispose of assets as per Guideline 4, Assets, Section 10

- For disposal of assets up to \$20,000

**DELEGATE:** CEO

- For disposal of assets over \$20,000

**DELEGATE:** Council resolution



## Elections

13

### General and By Elections

13.1

## General and By Elections

13.1

**FUNCTION:** Approval to appoint the Returning Officer for general elections

- All cases

**DELEGATE:** Council

**FUNCTION:** Approval to appoint the Returning Officer for by-elections

- All cases

**DELEGATE:** Council

Delegated Authority	Expenditure within approve budget
CEO	\$500,000
Directors	\$50,000
Mayor	\$10,000
Regional Managers	\$10,000
Managers (Operational, Program)	\$10,000
Executive Services Manager	\$5,000
Assistant Managers (Programs)	\$5,000
Assistant Managers (Council Operations Assistant Managers)	\$2,000
Coordinators	\$2,000

Amended OCM 22/2/22 036/2022

Amended OCM 30/8/22 OCMC-2022/31 & OCM-2022/104

Amended OCM 26/9/23 OCM-2023/183