

Delegations - Contract, Financial, Staffing and Tender Procedure

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Purpose

This procedure sets out how Contract, Financial, Staff and Tender delegations are made and managed by the University. This procedure aligns with the [Corporate Governance Policy](#) (CG2075).

Scope

The authority levels in these delegations extend to the following all Agreements and dealings transactions made or undertaken on behalf of the University:

Purchase orders, maintenance agreements, payment against invoices, credit card purchases, refunds, other agreements, casual salary payments, software licences, overtime returns, other licences, independent agreements, standard consultancy agreements, memorandums of understanding, disposal of equipment and furniture.

Transfers within the University, such as journals, staff reimbursement, asset transfers and income generated from Agreements are also governed by these delegations.

It is important to remember that what constitutes an Agreement in any given situation can be a complex legal issue. It is not always clear whether a legally binding relationship may be created and any failure to comply with the prescribed requirements concerning Agreements and other transactions ual dealings undertaken on behalf of the University might exposes the University to legal, financial and/or reputational risk.

Advice from the Legal Office must be obtained in cases of doubt, and in matters not involving approved standard agreements.

It is the responsibility of those holding a Delegation of Authority to ensure authorisation of expenditure or commitment under this delegation and can substantiate:

1. **that the transaction is only for University business;**
2. **that all relevant University Policies and Procedures have been observed;**
3. **that sufficient funds are available from the appropriate budget;**
4. **that the transaction complies with any conditions that apply to the funds, including research funds and grants from external bodies;**
5. **that the person seeking to expend funds is entitled to do so;**
6. **that the expenditure is not personal expenditure;**
7. **that the authorised signatory accepts responsibility for approving the transaction in full knowledge of the conditions, both internal and external, that apply to the use of the designated funds;**
8. **the expenditure complies with all appropriate Australian Laws, industrial and workplace agreements;.**
9. **all delegations being GST exclusive;**
10. **compliance with the limit applying to a single transaction with no splitting of purchase requisitions or other expenditure transactions with a view to circumventing delegation threshold authorities.**

Definitions

Term	Definitions
Account /Dept & Project Codes	General ledger codes used to identify accounts.
Approved Operating Budgets	Budget approved by the Vice-Chancellor & President via Vice-Chancellor's Senior Team
Budgeted Project Income	Income budgeted for specific projects.
Capital	Individual assets over \$5,000 in value, and individual library books
Commercial Activity	The activity of providing goods and services involving financial and commercial and industrial aspects

Delegations	Approval to officers to sign for the recruitment of staff, expenditure, contract and tender arrangements as framework required by the Vice-Chancellor's Senior Team.
Delegated Officer	A position or role level that holds a delegated authority
Leave Replacement Contracts	Short term contracts for the replacement of staff on leave.
Officers	Staff employed by the University.
Sessional Contracts	Employment that is short term in nature and gives coverage of a position where flexibility to vary hours or modify the employment is required. Employment might be by the hour, to work on an irregular basis to cover leave absences, provide assistance for additional, seasonal or special project type work.
Short Term Contracts	Contracts for a fixed period of time.
University-wide Accounts	University-wide costs not contained within a specific school or section budget but reporting to various officers for expenditure authorisation.
Agreement	For the purpose of this policy: A contract, legally binding agreement or memorandum of understanding.
VET Enrolment	VET Enrolment refers to all VET enrolled students including: ALL eligible and ineligible VET enrolments as identified in the TAFE Performance Agreement

Authority Levels

Delegation Band Value Limit Table

Levels of Financial Delegation are detailed in the following table:

INSTRUMENT AND REGISTER OF DELEGATIONS

The authority levels apply to purchasing as well as the negotiation and execution of Agreements on behalf of the University to procure, expend or deliver goods and services (subject to compliance with relevant Tender requirements). These limits apply to all Agreements and transactions and dealings undertaken on behalf of the University, except those relating to Library acquisitions. Limits also apply to reimbursements and internal journals/transfers (with the exception of the Finance Office performing operational duties).

Where the Terms of an Agreement or Memorandum of Understanding MOU do not contain a monetary level, any negotiation or execution of an Agreement or MOU by an officer on behalf of the University may only take place on terms approved in writing by the Vice-Chancellor and President, Deputy Vice-Chancellor, Chief Operating Officer or Chief Financial Officer FO, subject to the prior review and approval by the Legal Office of any Agreement or MOU which is not in a standard form approved for use by the Legal Office.

The Vice-Chancellor and President, Chief Operating Officer and/or Chief Financial Officer have authority to designate in writing, within the authority levels set out in this section, other officers to execute standard form agreements where the University is a service provider approved for use by the Legal Office. A copy of the relevant agreement when executed must be recorded under the University [Records Management Procedure](#).

The above does not alter the requirement for the Legal Office to advise on any Agreement or MOU which is not in (or apart from schedules based on) a standard form approved for use by the Legal Office before entering into an Agreement or MOU on behalf of the University.

All original signed Agreements must be stored by the Legal Office on behalf of the University.

For an individual's authority to take effect, the staff member occupying a position outlined in this section need to provide specimen signatures to Finance as evidence.

Assignment of a Financial Delegation to a Delegated Officer

Financial Delegations are made only to officers who hold positions listed within each band in the Instrument and Register of Delegations.

The Financial Delegation Application must be completed by the staff member seeking to hold a delegation of authority. The Application must then be authorised by a senior financial delegate, as per the [Delegations of Authority Framework](#), and submitted to Financial Services via the Finance Service Portal for processing and listing in the Delegation of Authority Register.

A staff member seeking the assignment of a Financial Delegation must verify that the position they hold is listed in the Instrument and Register of Delegations. If the position is not listed then a formal request must be made to the Chief Financial Officer providing justification for adding a position and if endorsed, the request must then be taken to the Vice-Chancellor's Senior Team for approval.

Where an officer's position is listed in the Register that officer will become a delegated officer and be able to exercise the Financial Delegation shown in the Register when that delegation has been activated.

Delegations Register/Instrument and Register of Delegations

The Delegations Register comprising the Instrument and Register of Delegations is maintained by an authorised responsible officer within the Office of the Chief Financial Officer.

All staff holding a delegation to authorise transactions on behalf of the University must ensure they are aware of their responsibilities and accountabilities as authorising officers. Delegations of authority are made to positions, as listed within each Band, in the [INSTRUMENT AND REGISTER OF DELEGATIONS](#) which gives authority to exercise approval rights in accordance with each delegation clause.

Deleting a Financial Delegation or Authorisation

When a position listed in the Delegations of Authority Register ceases to be required by an area (in the instance other than staff ceasing to be employed by the University), an officer, or the head of the organisational area, is required to notify the responsible officer electronically. The responsible officer will then cancel this Financial Delegation. This includes staff relocating to a new role within the University.

Staffing Delegations

Refer Section 8 Staffing Delegation (Instrument and Register of Delegations)

The delegation to create staffing positions, recruit employees, make offers of employment to new and existing staff on behalf of the Council is subject to:

1. The cost of the employment being within approved budgets
2. Compliance with other relevant University staffing policies and procedures
3. Compliance with University Policy in regard to employment of private contractors

Acting Delegations

Acting delegations can only be authorised by a senior delegate and in accordance with the [Delegations of Authority Framework](#).

If an acting delegate requires access to Finance systems for financial approval delegation, the authorising delegate must publish the authorisation in FedNews for system access to be activated.

The following exclusions apply to all acting delegations. The limit indicated is the maximum permitted level and this maximum level will be confirmed by the Vice-Chancellor and President at the time of the appointment.

1. No acting delegation has authority to approve new positions
2. Where Council and committees have delegated their authority to the VC/COO/CFO, this does not extend to appointing any acting delegation in these roles.

Authorised Bank Account Signatories

A schedule of officers authorised to operate the University's transactional bank, at call and term deposit accounts is held by the Financial Controller.

The release and payments of funds by Electronic Funds Transfer (EFT) must be approved by two authorised signatories. All cheques must be approved by and have two authorised signatories on all cheques before release.

Authorised Signatories must:

1. Exercise due diligence before signing a cheque or approving an EFT
2. Examine supporting documents before signing a cheque or approving an EFT

Review

Periodic Review of Financial Delegations

Periodically, and at least annually, the office of Finance will review the Financial Delegations that have been assigned to officers within the University's finance system to confirm that the:

- officer to whom a delegation has been assigned still holds a financial delegation;
- levels of delegation are correct;
- reporting relationships for the purpose of escalating the delegation required for a particular transaction are correct;
- that position titles are correct.

The Responsible Officer will incorporate the results of these reviews in the Register and advise the Systems Accountant of any amendments that need to be made.

Bad Debt Write Off

Refer Section 2.4 - [INSTRUMENT AND REGISTER OF DELEGATIONS](#)

Means of Authorising Expenditure

The authorisation of expenditure may take the form of a hand-written signature or electronic authorisation via University computer systems, whichever is the more appropriate.

Effective Date

Financial Delegations are effective from the date the delegation is approved by the Chief Financial Officer

Goods and Services Tax (GST)

Financial Delegation Limits are exclusive of GST

Grants, Contracts and Tender Delegation

Grants for Research Related Activities

For a project to be considered “research” it must meet the definition of research and development as outlined by Department of Education (DE) in the Higher Education Research Data Collection HERDC Specifications for the Collection of Data, which are released annually. Changes to the definition of research are under the control of DE. For further information please refer to the Deputy Vice-Chancellor (Research and Innovation).

Contracts and Memorandum of Understanding Delegation

Refer Sections 1, Clauses 1.7-1.9, Section 8 (Instrument and Register of Delegations)

The delegation to authorise contracts on behalf of the Vice-Chancellor & President is subject to:

1. Approval of all Contracts and MOU by the Legal Office prior to authorisation
2. All original signed Contracts and MOU being held by the Legal Office

Records Management

Title	Location	Responsible Officer	Minimum Retention Period
Financial Delegation Application	Finance	CFO	7 years

Records Disposal

University records are to be managed, captured, accessed, stored and disposed of in accordance with University procedures and guidelines to ensure compliance with the Public Records Act 1973 and other regulatory instruments, including Public Record Office Victoria (PROV) Standards. Records created, received or used by University staff in the normal course of business are the property of the University, unless otherwise agreed. This includes reports compiled by external consultants commissioned by the University.

The University’s corporate records constitute its corporate memory, and as such are a vital asset for ongoing operations, and for providing evidence of business activities and transactions. Corporate records assist the

University in making better informed decisions and improving business practice by providing an accurate record of previous activities.

All University staff, including sessional staff, researchers and research staff, as well as individuals who may perform work on behalf of the University, including:

- Partner Providers (onshore/offshore)
- Commercial Delivery
- VETiS (including Auspicing)
- Volunteers

are required to adhere to the requirements within this policy to ensure full and accurate records are created and maintained and that disposal of records is only completed by authorised Officers as part of an authorised destruction program

Other Contracts

All University staff are to obtain advice from the Legal Office on any Agreement or MOU which is not in a standard form approved for use by the Legal Office. This requirement does not apply to employment Agreements.

All variations to approved standard form Agreements must also be referred to the Legal Office, except for completion of schedules or other information to be inserted in clauses as provided in the relevant standard form.

The University's Competitive Neutrality Pricing Policy must also be observed when entering into Agreements with external bodies.

Contracts Relating to VET Enrolments

Extract from the 2023 Guidelines about Eligibility, Skills First Program

Section 2.2: Prior to the commencement of training, for each student who is assessed to be eligible, the Training Provider must complete the information and declarations in the Evidence of Eligibility and Student Declaration form attached to these guidelines.

Section 2.3: The Evidence of Eligibility and Student Declaration form must be completed by an authorised delegate of the Training Provider, which is defined as:

1. *An employee/s of the Training Provider who has been formally delegated to this function from the CEO or equivalent and written evidence of such a delegation is available at audit, or*
2. *A duly authorised agent of the Training Provider, and a legally binding agreement between the Training Provider and the agent is in place and available at audit*

A formally delegated officer on behalf of the CEO of the University is Director

A formally delegated officer grants approval for authorised delegates within their Centre on their behalf to undertake eligibility assessment as per the Skills First Program requirements. Authorised delegate approval is granted via the completion of the Evidence of Eligibility and Student Declaration Authorised Delegate Form.

Each formally delegated officer is to maintain a Centre Register of Authorised Delegates who will undertake 'evidence of eligibility' approvals.

Audit Process: The Register of Authorised Delegates must be presented upon request for audit purposes.

Centres are responsible for ensuring that only authorised delegates are assessing and signing the Evidence of Eligibility and Student Declaration Form.

Centres must undertake audits of authorised enrolment forms against the Authorised Delegates Register by September each year.

Tender Delegations

Refer Section 1, Clause 1.1a, 1.1b, 1. (Instrument and Register of Delegations)

The delegation for the authorisation for the submission of Tenders for the supply of university services on behalf of the Council is subject to:

1. Compliance with the Procurement Framework
2. Compliance with TAFE Agreements for Commercial Activity
3. Compliance with Higher Education costing pro-formas
4. Tenders which include the acceptance of terms of a standard contract must be approved by the Legal Office

Supporting documents

- [Instrument and Register of Delegations](#)
- [Financial Delegation Application](#) (PDF 291.1kb)
- TAFE Contracts for Commercial Activity
- TAFE Costing Pro-formas
- HE Costing Pro-formas
- [Finance Governance Procedural Manual - Procurement of Goods & Services, Corporate Purchasing Card, Travel, and Motor Vehicles](#)
- [Delegations of Authority Framework](#)
- [Staff Code of Conduct](#)
- [Managing Conflicts of Interest Procedure](#)
- [Records Management Procedure](#)

Responsibility

Delegations Register is to be maintained by a Responsible Officer within Financial Services.

The Director, Strategy, Governance and Office of the Vice-Chancellor is responsible for the development, compliance, monitoring and review of this procedure.

Implementation and Communication

The [Delegations - Contract, Financial, Staffing and Tender Procedure](#) will be communicated throughout the University via:

1. Announcement on the [FedNews website](#);
2. ['Recently Approved Documents' webpage](#) to alert the University-wide community of the approved Policy;
3. Information/Training Sessions; and/or
4. Inclusion in the University's online [Policy Library](#);

5. Distribution of e-mails to relevant University Staff and Stakeholder.