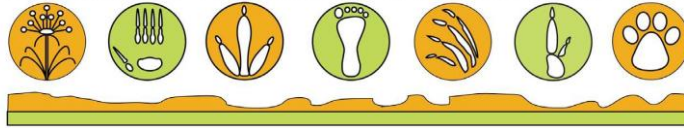


BARKLY REGIONAL COUNCIL



Delegation Manual

2024-2027



DELEGATION POLICY	
Approval Date:	29/08/2024
Council Decision Reference:	TBC
Policy Type:	Finance
Policy Custodian:	Director of Corporate Services
Review Date:	29/08/2027
Version	1.0

Purpose

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

This document is designed to provide clarity and ease of reference to understand the processes and accountability for administrative functions and levels of decision making across the organisation.

This document operates as delegated authority by the Council for Committees and Local Authorities.

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

Scope

This policy applies to all employees and contractors of Barkly Regional Council

Policy Statement

1. Delegations

- 1.1. The Local Government Act 2019 (the Act) allows Council to delegate certain powers and functions to the CEO.
- 1.2. The CEO is able to delegate (or sub-delegate) to a person or a committee a power or function, including those delegated to the CEO by Council. These powers cannot, however, be further sub-delegated by that person or committee.
- 1.3. Delegations can be made to a person by reference to the office, position or designation held by a person. Where a delegation is made to an office or the person for the time being holding, acting in or performing the duties of that office, a person holding, acting in or performing those duties may exercise the powers delegated to that office or position.
- 1.4. Delegated Authority should not be exercised where a conflict of interest exists or where it may be perceived to exist.
- 1.5. A delegation by either the Council or the CEO does not prevent Council or the CEO (as the case may be) from either exercising the power of function or revoking or varying the delegation at any time.

1.6. Council must review any delegations of its functions and powers within six months after a general election.

2. Limits on delegations by the Council

2.1 Council can only delegate the powers and functions under the Act that are able to be delegated.

3. Purpose of delegating authority

Delegations are a key component to assist in the effective governance and administration of Council's affairs and provide formal authority to key officers and employees to perform their roles and functions. Particularly, delegations seek to ensure:

3.1. That Council's responsibilities are fulfilled in a timely, open, efficient, effective and accountable manner;

3.2. That Council's officers and employees are provided with the level of authority necessary to discharge their responsibilities;

3.3. That delegated authority is exercised by the most appropriate and best-informed individuals within the Council; and

3.4. That Council's internal controls are effective.

4. Exercise of Delegated Authority

Exercise of delegated authority is subject to compliance with:

4.1. Any relevant provisions of the Act and Regulations;

4.2. Any other legislative requirements;

4.3. Any applicable Council Policy; and

4.4. The relevant provisions of any Council By-Law.

It is the responsibility of the officer or employee exercising delegated authority to be aware of any restrictions on the exercise of that authority and to comply with those restrictions.

Delegation requires judgment. It may not be appropriate to exercise delegated authority in all circumstances and some decisions, which may be contentious or attract high public interest or where no clear policy guidelines exist should be referred to the CEO or Council as appropriate.

It is the expectation of the Council that the CEO and other officers will use the delegated authority conferred on them in a manner that aligns with Council's Code of Conduct for Staff and CEO, and they will demonstrate appropriate judgment and accountability in regard to the circumstances and extent of the use of that power.

5. Associated Legislation

Delegations arise under legislation other than the Act, its Regulations and By-Laws.

1.7 Acronyms

Full Title	Abbreviated Title
Barkly Regional Council	BRC/Council
Chief Executive Officer	CEO
CFO/Directors	DIR
Management Accountant	MA
Human Resource Manager	HRM
Executive Manager	EM
Regional Manager	RM
Community Services Coordinator	CSC
Grants Manager	GM
Public Relations Officer	PRO

1.8 Delegation by Activity and Authority Level

Area	Function	Activity	Council	CEO	DIR	MA	HRM	EM	RM	CSC	GM	PRO
Complaints	Management	Authority to ensure appropriate & timely resolution of a complaint		✓	✓	✓	✓					
Complaints	Mediation	Authority to purchase mediation advice and or expertise		✓	✓	✓	✓					
Contracts	Leases	Approve the lease of new premises and sub leases of existing premises over 3 years	✓									
Contracts	Leases	Approve the lease of new premises and sub leases of existing premises up to 3 years		✓								
Contracts	Leases	Approve renewal of existing leases		✓								
Contracts	Leases	Cancel existing lease		✓								
Contracts	Professional Services	Authorise appointment of external professional advice and/or services within budget		✓	✓	✓	✓					
Contracts	Insurance	Approve appointment of insurers, details, of contract and payment of premiums		✓		✓						
Contracts	Commercial	Approve commercial agreements for services to Council within budget		✓	✓	✓						
Contracts	Suppliers	Approve contracts with suppliers of goods and services for directorates within budget (non-legal)		✓	✓	✓						

Area	Function	Activity	Council	CEO	DIR	MA	HRM	EM	RM	CSC	GM	PRO
Contracts	Suppliers	Approve contracts with suppliers of goods and services to BRC within budget (non-legal)		✓								
Contracts	Tenders	Authority to invite formal tenders for supply of goods or services for directorates		✓	✓							
Contracts	Tenders	Authority to choose formal tenders for supply of goods and services	✓									
Contracts	Tenders / Grants	Approve funding submissions or tender submission activity		✓	✓	✓						
Contracts	Grants	Authority to submit performance reports to funding departments/organisations		✓	✓	✓					✓	
Contracts	All	Authority to negotiate agreements (other than suppliers) and contracts		✓	✓	✓	✓				✓	
Contracts	Signature	Authority to sign agreements (other than suppliers within financial delegation), MOUs, contracts or tenders obtained within budget		✓	✓							
Contracts	Seal	Authority to use Common Seal	✓									
Contracts	Contract Management	Authority to make daily operational decisions for direct service delivery in line with relevant contracts		✓	✓	✓	✓	✓	✓	✓	✓	
Contracts	Contract Management	To approve total variations to contracts during the progress of works to a limit of 5% of the total contract sum in aggregate.		✓	✓	✓						

Area	Function	Activity	Council	CEO	DIR	MA	HRM	EM	RM	CSC	GM	PRO
Corporate Governance	Freedom of Information	Authority to sign Freedom of Information (FOI) Notice of Decision		✓								
Corporate Governance	Disposal of records	Authority to approve the transfer of ownership of records including to NT Archives		✓								
Corporate Governance	Disposal of records	Authority to approve the destruction of records under the Local Authority Disposal Schedule		✓								
Corporate Governance	Legal	Authority to consult with Council's external legal advisors on legal matters		✓								
Corporate Governance	Legal	Authority to purchase legal advice and/or expertise		✓								
Corporate Governance	Legal	Authority to settle court, legal or any other formal proceedings		✓								
Corporate Governance	Policy	Approval of Council Policy for Council Governance	✓									
Corporate Governance	Policy	Approval of Council Policy for Organisation	✓									
Corporate Governance	Policy	Approval of operational policies for organisation.		✓								
Corporate Governance	Procedure	Approval of operational procedures for organisation		✓	✓							
Finance	Budgets	Approve Draft Budget to be forwarded to Council		✓								
Finance	Budgets	Approve Budget	✓									
Finance	Budgets	Authority to override all delegations & make expenditure decisions to ensure approved budgets can be achieved		✓								

Area	Function	Activity	Council	CEO	DIR	MA	HRM	EM	RM	CSC	GM	PRO
Finance	Budgets	Authority to recommend unbudgeted expenditure			✓							
Finance	Budgets	Authority to approve budgeted expenditure and re-allocation of funds within a directorate		✓								
Finance	Budgets	Authorise variations to the annual operational and capital budgets	✓									
Finance	Operational Expenditure	Approve operational expenditure for services under direct control within directorate budgets and or funding agreement & subject to any restrictions outlined in this document.	\$1m+	Up to \$1m	\$100k	\$50k	\$10k	\$5k	\$5k	\$2k	\$2k	\$2k
Finance	Operational Expenditure	Approve Direct Report or relevant teams staff reimbursement of expenditure on behalf of Council		✓	✓	✓	✓					
Finance	Operational Expenditure	Approve In kind support for external organisations (this includes, venue hire, vehicles, materials etc. but excludes accommodation)		✓	✓							
Finance	Capital Expenditure	Authorised to acquire/replace items of equipment included in approved capital budget and/or funding agreement	\$1m+	Up to \$1m	\$100k	\$50k			\$5k	\$2k		
Finance	Capital Expenditure	Approval of progress payments where expenditure has already been authorised.		✓	\$100k	\$50k	\$10k		\$10k			
Finance	Capital Expenditure	Authorised to acquire/replace items of	✓									

Area	Function	Activity	Council	CEO	DIR	MA	HRM	EM	RM	CSC	GM	PRO
		equipment not included in approved capital budget										
Finance	Capital Expenditure	Approval of sale or purchase of land or buildings (pursuant to 182(1)(2) of the Local Government Act)	✓									
Finance	Capital Expenditure/Asset Control	Authorised to sell, trade in or dispose of assets on Financial Asset Register (All equipment over \$5,000 to be sold must be put to tender or auction unless sold as part of a trade in.)		✓								
Finance	Capital Expenditure/Asset Control	Approval of development of new buildings	✓									
Finance	Borrowings	Approval to enter into loan agreements on behalf of the Council	✓									
Finance	Asset Control	Approve the transfer of any assets from Council (pursuant to 182(1)(2) of the Local Government Act)	✓									
Finance	Salaries	Approval for payment of all payroll related transactions (For staff positions comprising salaries, PAYG tax remittal, payroll tax settlement, superannuation contribution payments, transfer of employee payroll deductions to authorised entities and payment of GST and PAYG payments)		✓	✓	✓	✓					
Finance	Invoicing	Authority to invoice for organisation		✓	✓	✓	✓	✓				

Area	Function	Activity	Council	CEO	DIR	MA	HRM	EM	RM	CSC	GM	PRO
Finance	Invoicing	Authority to invoice for directorate		✓	✓	✓	✓	✓	✓	✓	✓	
Finance	Invoicing	Authority to invoice for services		✓	✓	✓	✓	✓	✓	✓	✓	
Finance	Journal	Approve and post journals created by third parties (journals cannot be created and posted by the same person)		✓	✓	✓						
Finance	Customer/Suppliers	Add, delete or amend Customer or Supplier accounts		✓		✓						
Finance	Investment	Approve investment of funds in term deposits		✓		✓						
Finance	Investment	Approve investment of funds in other than term deposits		✓		✓						
Finance	Investment	Approve draw down of investment funds for deposit into operational accounts		✓		✓						
Finance	Petty Cash	Authority to set up & reimburse petty cash float limits up to \$500		✓	✓	✓			✓			
Finance	Banking	Authority to alter and or open or close bank accounts		✓								
Finance	Banking	Approve EFT payments & sign cheques		✓		✓						
Finance	Banking	Approval to change and/or add cheque signatories		✓								
Finance	Credit Cards	Approve the issuing & revocation of Credit Cards for the CEO	✓									
Finance	Credit Cards	Approve the issuing & revocation of Credit Cards for staff		✓								
Finance	Bad Debts	Approve debt recovery payment terms & approve		✓		✓						

Area	Function	Activity	Council	CEO	DIR	MA	HRM	EM	RM	CSC	GM	PRO
		commencement of recovery action, i.e. refer debt collection to collection agent										
Finance	Bad Debts	Approve write-offs of bad debts	✓									
Finance	Other Losses	Approve write offs of cash losses, theft or shortages, furniture, plant or equipment, thefts or destruction	+\$20k	\$20K								
Finance	Local Authority	Approved expenditure within allocated budget.		✓								
Governance	Regional Plan	Approve the organisational Regional Plan	✓									
People and Culture	Salaries	Approve staff timesheets		✓	✓	✓	✓	✓	✓	✓		
People and Culture	Organisational Chart	Approve Organisational Chart within approved budget / funding		✓								
People and Culture	Organisational Chart	Approve additional positions above approved budget / funding	✓									
People and Culture	New Staff	Advertisement and appointment of staff in CEO approved Organisational Chart (for staff in area of responsibility)		✓								
People and Culture	New Staff	Appointment of temporary staff/labour hire staff for positions not included in Organisational Chart (in consultation with CEO for a max. 6 months period)		✓	✓							
People and Culture	New Staff	Approve backfilling of leave and higher duties for direct reports		✓	✓	✓	✓					

Area	Function	Activity	Council	CEO	DIR	MA	HRM	EM	RM	CSC	GM	PRO
People and Culture	Conditions of Employment	Set and approve salary, package & contract for CEO	CEO only									
People and Culture	Conditions of Employment	Set and approve salary & package guidelines for all staff		✓								
People and Culture	Conditions of Employment	Set and approve annual salary increments and any higher duties payments for organisation		✓								
People and Culture	Conditions of Employment	Approve/sign staff letters of offer & contracts		✓								
People and Culture	Conditions of Employment	Approve a staff member accepting outside employment or consultancies, additional to and separate from their normal duties with Council		✓								
People and Culture	Conditions of Employment	Approve staff adjusted time sheets for direct reports or directorate		✓	✓	✓	✓	✓	✓			
People and Culture	Probation	Confirm successful completion of new staff probationary periods	CEO only	✓	✓	✓	✓	✓	✓	✓		
People and Culture	Position Description	Approve new or existing Position Descriptions and subsequent changes	CEO only	✓								
People and Culture	Position Description	Approve changes to existing position titles		✓								
People and Culture	Redundancy	Decision to make staff position redundant & the offer & acceptance of redundancy package		✓								
People and Culture	Redundancy	Recommend redundancy of position or dismissal of staff member		✓	✓		✓					

Area	Function	Activity	Council	CEO	DIR	MA	HRM	EM	RM	CSC	GM	PRO
People and Culture	Dismissal	Decision to dismiss a staff member		✓								
People and Culture	Dismissal	Negotiate and sign off on Deed of Release		✓								
People and Culture	Overtime	Approve staff Overtime within budget		✓	✓	✓	✓		✓			
People and Culture	Leave	Approve staff Annual Leave Without Pay (2 days or less) personal/carers, compassionate, and Jury Service Leave (10 days or less) for direct reports or own directorate.		✓	✓	✓	✓	✓	✓	✓		
People and Culture	Leave	Approve staff Annual Leave in advance or in excess of entitlements and cashing out leave	CEO only	✓								
People and Culture	Leave	Approve staff Long Service Leave	CEO only	✓								
People and Culture	Leave	Approve staff Leave Without Pay (under 2 days) including LWOP for study purposes, unpaid Parental and Community Service Leave in consultation with CEO		✓	✓	✓	✓					
People and Culture	Leave	Approve Discretionary Leave (includes compassionate leave outside policy)		✓								
People and Culture	Leave	Approve domestic violence leave		✓			✓					
People and Culture	Leave	Approve paid study leave		✓								
People and Culture	Training	Approve fee assistance for study leave		✓								
People and Culture	Training	Approve training & development plans for staff		✓	✓		✓					

Area	Function	Activity	Council	CEO	DIR	MA	HRM	EM	RM	CSC	GM	PRO
People and Culture	Training	Approval of attendance at external training courses and conferences		✓								
People and Culture	Travel	Approve Interstate and/or International travel	CEO only	✓								
People and Culture	Travel	Approve intrastate travel	CEO only	✓								
People and Culture	Performance Management	Sign off on annual performance review for area of responsibility	CEO only	✓	✓	✓	✓	✓	✓	✓		
People and Culture	Performance Management	Management of unsatisfactory staff performance in conjunction with People and Culture	CEO only	✓	✓	✓	✓	✓	✓	✓		
People and Culture	Performance Management	Authority to purchase and consult with external advisors on industrial matters		✓								
Public Relations	Media	Approve the use of Councils name or logo by parties external to Council		✓								
Public Relations	Public Statements	Authorised to release written and verbal public or media statements	Mayor	✓								
Public Relations	Public Statements	Approve response to contentious or negative media enquiries		✓								✓
Public Relations	Operational	Authority to respond to operational letters		✓	✓	✓	✓					✓
Public Relations	Operational	Authority to respond to all other correspondence other than public statements or strategic issues		✓	✓	✓	✓					✓
Public Relations	Media / PR	Approve a communication strategy for a project		✓								

Area	Function	Activity	Council	CEO	DIR	MA	HRM	EM	RM	CSC	GM	PRO
Public Relations	Media / PR	Approve media activity	Mayor	✓								
Public Relations	Media / PR	Approve PR activities, signage, corporate style guide		✓								✓
Public Relations	Website	Approve changes to website		✓								✓
Public Relations	Social Media	Approve social media posts on Official BRC platforms		✓								✓

References

Local Government Act 2019 (NT)

Local Government (General) Regulations 2021 (NT)

Definitions

In the context of this policy the following definitions apply:

- **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 of the *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 Barkly Regional Council. (The CEO's authority extends to the Acting CEO in the CEO's absence).
- **Managers:** 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
- **Staff:** Employees of the Council not otherwise identified

Financial Delegations: All amounts of expenditure under financial delegation are ex gst

Related Documents

Code of Conduct (CEO) Policy

Code of Conduct (Council Staff) Policy

Conflict of Interest (Council Staff) Policy

Review History

Date	Review Detail	Action/Resolution/Document ID
29 September 2021	Council noted further development to occur	29 September 2021 – 089/2021
29 August 2024	Review due on 29 August 2027	TBC

Signature of Endorsement:	
Position:	Chief Executive Officer