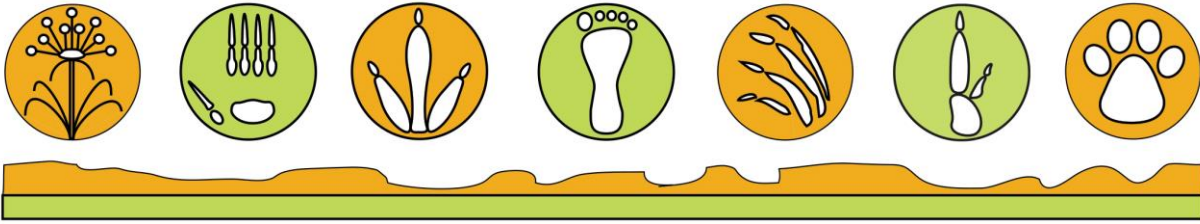


BARKLY REGIONAL COUNCIL



DELEGATIONS REGISTER MARCH 2022

Document Control

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Delegations

DELEGATIONS OF AUTHORITY

NORTHERN TERRITORY *LOCAL GOVERNMENT ACT*
CHAPTER 4 – DIVISION 3 - SECTION 32 - DELEGATION

- (1) A Council may delegate powers and functions
- (2) A delegation may be made to:
 - (a) a local authority; or
 - (aa) a local board; or
 - (b) a council committee; or
 - (c) a local government subsidiary; or
 - (d) the CEO.
- (3) However:
 - (a) the power to impose rates cannot be delegated; and
 - (b) if power to incur financial liabilities is delegated the council must fix reasonable limits on the delegate's authority; and
 - (c) a delegation cannot duplicate or derogate from the CEO's functions (including delegated functions).

Policy

Barkly Regional Council – Delegation Policy – 26 July 2018 – CP00008 – OC159/14

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1 Background and General Principles

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 Delegations Register 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 year 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. With the exception of 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 so as to approve a recommendation that personally benefits them.
- Unless specifically delegated, 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.

DEFINITIONS

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 54 of the Local Government Act.
- **Local Authority:** A formally constituted Local Authority under section 53A or Part 5.1 of the Local Government Act.
- **Mayor:** The principal member of the Council as defined by Section 42 Local Government Act.
- **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).
- **Director:** A person appointed as Director and who has overall responsibility for specified functions as per the organisational structure.
- **Managers/ Coordinators:** A person appointed as a manager or coordinator of one of the Council Service Delivery Areas. They are responsible to a Director 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 CEO and relevant Directors.

Budget

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

2 CEO Delegation

Function	Amount and/ or Qualification (Where applicable)	Delegated Authority
DA1. Appointment of Acting Chief Executive Officer for a period of absence of the Chief Executive Officer in accordance with the <i>Local Government Act</i> – Section 100 [Subsections 2(b) and 3]	1. The CEO must be satisfied that the person appointed as Acting CEO is suitably qualified for the position 2. The CEO must advise the Mayor and the Council when an appointment is made	CEO

3 **Human Resource Delegations** – note all staffing positions and appointments must be in accordance with the approved staffing plan or approved organisation chart.

Staff: Salary, Conditions, Packages and Contracts

Function	Amount and/or Qualification (Where applicable)	Delegated Authority
DA2. Set and approve salaries within total budget	For all staff	CEO
DA3. Set and approve salary	For CEO	Council*
*Subject to recommendation from CEO Performance Review Committee		
DA4. Set and approve annual salary increments and any higher duties payments – not covered by EBA	For all staff	CEO
	For CEO	Council
DA5. Approve the issue and withdrawal of Council cards credit cards and credit limits	For all staff	CEO
	For CEO	Council
DA6. Approve/sign staff contracts	For all staff	CEO
	For CEO	Council*
*Subject to recommendation from CEO Performance Review Committee		
DA7. Approve conditions of employment	For all staff	CEO

Staff: Position Descriptions

Function	Amount and/or Qualification (Where applicable)	Delegated Authority
DA8. Approve changes to existing position descriptions and approve new position descriptions	For all staff	CEO
	For CEO position	Council
DA9. Approve changes to existing position titles	For all staff	CEO
DA10. Approve deletion of positions	For all positions	CEO
DA11. Approve a staff member accepting outside employment or consultancies, additional to and separate from their normal duties within Council.	For all staff	CEO
	For CEO	Council

Staff: New Positions, Advertisements, Selection, Appointment and Probation

Function	Amount and/ or Qualification (Where applicable)	Delegated Authority
DA12. Approve requests for filling positions within approved structure	For staff positions	CEO
	For CEO position	Council
DA13. Approve new staff positions or modifications to existing organisational structure	For funded staff positions	CEO
	For organisational structure	Council
DA14. Recommend appointment to staff positions	For staff positions	Managers
	For Managers/ Coordinators	Director
	For Director	CEO
DA15. Appoint staff to positions	For all staff positions	CEO
	For CEO position	Council
DA16. Confirm successful completion or otherwise of new staff probationary periods	For staff positions	Directors
	For Directors/ Managers/Coordinators	CEO
	For CEO position	Council

Staff: Dismissal and Redundancy

Function	Amount and/ or Qualification (Where applicable)	Delegated Authority
DA17. Decisions to make a staff member redundant	For all staff	CEO
DA18. Approve the offer and acceptance of redundancy for all staff	For all staff	CEO
DA19. Decisions to dismiss a staff member	For all staff	CEO
	For CEO	Council

Staff: Leave, Overtime, Training, Conference Attendance and Travel

Function	Amount and/ or Qualification (Where applicable)	Delegated Authority
DA20. Approve staff overtime	For staff For Managers/ Coordinators	Directors Directors
DA21. Approve staff time in lieu	For all staff Directors	Directors CEO
DA22. Approve staff annual leave	For staff For Managers/ Coordinators For Directors For CEO	Managers/Coor dinators Directors CEO Mayor
DA23. Approve staff annual leave in advance or in excess of entitlements.	For all staff	CEO
	For CEO	Council
DA24. Approve staff long service leave	For staff For Managers/ Coordinators For Directors For CEO	Managers/Coor dinators Directors CEO Council
DA25. Approve staff special leave (as defined in EBA)	For Staff, Managers/ Coordinators For Directors For CEO	CEO CEO Council
DA26. Approve staff leave without pay	For all staff For CEO	CEO Mayor
DA27. Approve fee assistance for staff study	For all staff	CEO
	For CEO	Council
DA28. 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	For all staff for costs less than \$1,500 For all staff for costs more than \$1,500 For CEO	Directors CEO Council
DA29. Approve travel outside of Australia	For all staff & management	Council

Staff: Performance Management

Function	Amount and/ or Qualification (Where applicable)	Delegated Authority
DA30. Appraise performance of staff	For staff	Immediate supervisor
	For CEO	Council
DA31. Management of unsatisfactory staff performance	For staff	Immediate supervisor
	For CEO	Council
DA32. Issuing formal warnings	For all staff	CEO

4 Contracts

Contracts: Contracts, Agreements and Submissions

Function	Amount and/ or Qualification (Where applicable)	Delegated Authority
DA33. Approve the lease of new premises, sub leases of existing premises and lease renewals	Up to 3 years Over 3 years	CEO Council
DA34. Cancel existing land / building leases	All types	CEO
DA35. Authorise appointment of external consultants that have been provided for in the approved Council Budget.	Total value of contract is less than \$10,000	Directors
All procurement requirements must be followed in accordance with BRC Purchasing and Procurement Policy	Total value of contract is more than \$10,000, but less than \$100,000	CEO
	Total value of contract is more than \$100,000	Council
	Subject to recommendation from CEO Performance Review Committee	Council
DA36. Approve the sale, purchase and development of land	All types/values	Council
DA37. Approve tenders and contracts with suppliers of goods and services.*	Less than \$100,000	CEO
*In accordance with <i>Local Government (Accounting) Regulations</i> and BRC Purchasing & Procurement Policy	Over \$100,000	Council
DA38. Authority to invite formal tenders for supply of goods or services	more than \$10,000 and less than \$100,000	Directors
DA39. Formation of tender committee for opening and evaluation of tenders	All values/types	CEO
DA40. Authority to approve successful tender for supply of goods or services over \$100,000	All values/types	Council
DA41. Approve the commencement of funding submissions or tendering activity <u>to be undertaken</u> .		CEO
DA42. Authority to <u>negotiate</u> agreements and contracts.	up to 1 year and \$10,000 over 1 year and \$10,000	Directors CEO

Function	Amount and/ or Qualification (Where applicable)	Delegated Authority
DA43. Authority to <u>sign</u> agreements, contracts or tenders obtained (unless common seal required).	Total value less than \$10,000	Directors
	Total value more than \$10,000 but less than \$100,000	CEO
	Total value more than \$100,000	Council
DA43(B) Authority to sign funding and Grant agreements (income)	Existing annual program funding	CEO
	New program funding	Council
	Capital grants less than \$1m	CEO
	Capital grants more than \$1m	Two Councillors to approve – document to be endorsed at the next council meeting

5 Legal

Legal: Legal Matters

Function	Amount and/ or Qualification (Where applicable)	Delegated Authority
DA44. Authority to consult with Council's external advisors, on legal matters.	For all types/values	CEO
DA45. Authority to purchase, legal advice and/or expertise.	For all types/values	CEO
DA46. Authority to settle court, legal or any other formal proceedings and bind the Council.	For all types/values	Council
DA47. Authority to approve expenditure on legal matters, which are outside approved budget.	For all types/values	Council

6 Policies and Procedures

Policies and Procedures: Policies and Procedures

Function	Amount and/ or Qualification (Where applicable)	Delegated Authority
DA48. Approval of Operational Procedures	For organisation	CEO
DA49. Approval of Policy	For organisation	Council

7 Documents, Correspondence and Minutes

Documents: Public Statements, Media and Comments on Strategic Issues

Function	Amount and/ or Qualification (Where applicable)	Delegated Authority
DA50. Approve the use of Council's name or logo by parties external to Council.	For all of organisation	CEO
DA51. Authority to release public or media statements.	For all of organisation	Mayor (CEO if Mayor is unavailable)
DA52. Authority to delegate specific media responses.	For all staff	Mayor (CEO if Mayor is unavailable)
DA53. Authority to respond to ministerial and contentious issues.	For all staff	CEO

Public Relations: Correspondence

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	Amount and/ or Qualification (Where applicable)	Delegated Authority
DA54. All correspondence: <ul style="list-style-type: none"> To the Department of Local Government (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. 	For all staff The accepted protocol is that staff write letters to staff in other levels of Government with the Mayor writing letters to Ministers and politicians.	CEO (or Mayor as directed by the Council)
DA55. Standard and non-standard correspondence that has significant implications within their own Division and/or has the potential to have implication across a number of Divisions.	For all staff	Directors* <small>* Directors need to consider, in signing off on correspondence, whether the CEO and other Directors may need to be consulted or advised of the correspondence.</small>

Function	Amount and/ or Qualification (Where applicable)	Delegated Authority
DA56. Standard and non-standard correspondence which is part of the normal business activities of the Council and is not contentious.	For all staff	Managers/ Coordinators* <small>*Managers and Coordinators need to consider, in signing off correspondence, whether the CEO, Directors and other Managers and Coordinators may need to be consulted or advised of the correspondence.</small>

Note: Specific delegation may be given to other staff with the CEO or Director's approval.

Public Relations: Agendas and Minutes

Function	Amount and/ or Qualification (Where applicable)	Delegated Authority
DA57. Authority to submit Council Agenda for compilation	For all staff	Directors
DA58. Approval of final Council or Committee Agenda for submission to the Council or Committee	For Council and Committee meetings	CEO
DA59. Approval for inclusion of "Late Agenda Item" (subject to Mayor's final approval)	For Council meetings	CEO
DA60. Approval of draft Council or Committee Minutes	For Council and Committee meetings	CEO
DA61. Approval of Agenda for submission to Local Authority	For all Local Authority Meetings	CEO or delegate
DA62. Approval of draft Local Authority Minutes	For all Local Authority Meetings	CEO or delegate

8 Complaints

Complaints: Complaints

Function	Amount and/ or Qualification (Where applicable)	Delegated Authority
DA63. Resolution of external complaints not included below	All types	CEO
DA64. External complaints about the Chief Executive Officer	All types	Mayor, as directed by the Council
DA65. Internal complaints	All types	As per Code of Conduct Staff Policy
DA66. Resolution of complaints against Councillors and/or Mayor	All types	As per Local Government Act

9 Financial Delegations

Financial: Budgets

Function	Amount and/ or Qualification (Where applicable)	Delegated Authority
DA67. Approve draft budgets to be forwarded to the Council	For divisions	CEO
DA68. Approve the budget	For organisation	Council
DA69. repealed		
DA70. Authority to recommend to Council unbudgeted expenditure	For organisation	CEO
DA71. Authorise variations to the annual operational and capital budgets		Council

Financial: Purchase Orders/Expenditure/Bad Debts/Cheques and Requisitions

<u>AUTHORITY</u>	<u>Council</u>	<u>C.E.O</u>	<u>Director, CP & Finance Manager</u>	<u>Area Manager</u>	<u>Program Manager</u>
Budgeted Capital Expenditure Funded capital	Over \$100K per item over \$300k per project	Under \$100K per item Under \$300k per project	Under \$10k – including Regional Deal Exec Officer Finance Manager Under \$20,000 Director Corporate services \$50,000 per item	Nil	Nil
Unbudgeted Capital Expenditure	Over \$10K	Up to \$10k	Director Corporate services up to \$10k	Nil	Nil
Budgeted operational expenses	Nil	To budget	To department budgets Exec officer Regional Deal to budget Director Corporate Services under \$15,000	To area budget	To Program budget
Unbudgeted Operational Expenditure	Over \$10,000 per event	Under \$10,000 per quarter (eg. July-Sept)	Under \$1,000 per quarter (eg. July-Sept).	Nil	Nil
Disaster recovery Capital and operational expenditure	Advised	Items in excess of \$10k per event	Approves in line with DRP up to \$10k per event	Approved in line with DRP up to \$5k per event	Nil

<u>AUTHORITY</u>	<u>Council</u>	<u>C.E.O</u>	<u>Director, CP & Finance Manager</u>	<u>Area Manager</u>	<u>Program Manager</u>
Tied funding programs Operational expenses	Nil	To budget	To budget	To budget	Nil
Fees and Charges	Approves	Recommends	Nil	Nil	Nil
Leases or Contracts	over 3 years or more than \$50k pa	max 3 years <\$50K pa	Up to and including 1 year \$10k pa	Nil	Nil
Purchase Order & Expenses Budgeted	Nil	To Budget	<\$15K	<\$3K	<\$2K
Approval of Individual Expense claims	Mayor Approves CEO	Approves direct reports, Mayor and Councillors	Approves Direct Reports	Approves Direct reports (limits)	Nil
Payroll Approval and Bank Approval	Over budget	Within budget	Human Resources and Corporate services to Budget	Nil	Nil
Travel	Mayor Approves CEO	Approves direct reports and all travel over \$1,000	Approved all Department travel up to \$1,000	Approves area travel under \$500	Nil
Sale of Assets	Approves over \$30k	Recommends over \$30k Approves under \$30k	Recommends	Nil	Nil
Asset Write- off/Adjustment	Approves	Recommends	recommends	Nil	Nil
Insurance renewal	Approve	Recommends	Nil	Nil	Nil
Annual Budget	Final Approval	Proposes Draft			
Term Deposits Rollover	Nil	Approves	recommends	Nil	Nil
Term Deposit Withdrawal	Nil	Approves	GM – any 2 signatures, one must always be director		
New Institution for Term Deposit	approves	Recommends	Nil		

<u>AUTHORITY</u>	<u>Council</u>	<u>C.E.O</u>	<u>Director, CP & Finance Manager</u>	<u>Area Manager</u>	<u>Program Manager</u>
Cheque Signatories/Electronic Funds Transfers	Nil	Must be any 2 signatories in line with delegations	Must be any 2 authorised signatories,		
Media Communication – when possible	Mayor approves	Approves if Mayor unavailable	Recommends		
Legal/settlement of legal claims	Approves	Recommends to Council	Nil		
Bank account openings	Notes	Approves on recommendation from Director of Corporate Services	Two signatories with delegation from the Council		

Financial: Members Expenses (Council and Local Authority Members)

Function	Amount and/ or Qualification (Where applicable)	Delegated Authority
DA72. Approve Council's Members expenses	For all Council members	CEO, as per the NT Local Government Act
DA73. Approve CEO's expenses	CEO	Mayor, as per the NT Local Government Act
DA74. Approve Local Authority expenses (attendance only)	For all Local Authority Members	CEO, as per the NT Local Government Act

Financial: Salaries and Deductions

Function	Amount and/ or Qualification (Where applicable)	Delegated Authority
DA75. Approve staff reimbursement for expenditure on behalf of Council	For staff	Managers /Coordinators
	For Managers/ Coordinators	Directors
	For Directors	CEO
	For CEO	Mayor

Function	Amount and/ or Qualification (Where applicable)	Delegated Authority
DA76. Approve for payment all payroll related transactions	For all staff Comprising group tax remittal, payroll tax settlement, superannuation contribution payments, and transfers of employee payroll deductions to authorised entities and payment of GST and PAYG payments.	In accordance with Cheque Signatories/ Electronic Funds Transfer

Financial: Petty Cash

Function	Amount and/ or Qualification (Where applicable)	Delegated Authority
DA77. Authority to operate, control and acquit cash floats.	For service/s Consistent with service budget authority.	Managers/ Coordinators
	For division Consistent with divisional budget authority	Directors, Finance Manager
	For organisation Consistent with organisational budget authority	CEO

Financial: Disposal of Property

Function	Amount and/ or Qualification (Where applicable)	Delegated Authority
DA78. Authority to dispose of motor vehicles	For disposal of motor vehicles up to \$35,000.00 in accordance with BRC's Disposal of Property Policy and Section 182(1) of the <i>Local Government Act</i>	CEO

Elections

Elections: By Elections and General Elections

Function	Amount and/ or Qualification (Where applicable)	Delegated Authority
DA79. repealed		
DA80. repealed		

10 References

Legislation

Local Government Act NT

Local Government (Accounting) Regulations NT

Local Government (Administration) Act NT

Policies

Budget Policy – CP00002

Code of Conduct Policy Staff – CP TBA

Code of Meeting Practice Policy – CP00041

Credit Card Policy – CP00007

Debtor Recovery Policy – CP00044

Delegation – CP00008

Disposal of Property Policy – CP00009

Financial Sustainability & Revenue Policy – CP00036

Fraud Protection Policy – CP00013

Gifts and Benefits Policy – CP00014

Good Governance Policy – CP00015

Investment Policy – CP00017

Media (Incl. Social Media) Policy – CP00021

Purchasing and Procurement Policy – CP00028