

Corporate Delegations Guideline

Department of Health Guideline
QH-GDL-071-1-2:2017

1. Statement

The Department of Health (the department) Corporate Delegations Framework for delegating authority ensures the most appropriate individuals can act autonomously to make decisions on behalf of the Director-General or Minister for Health within the scope of their roles and responsibilities.

This Guideline supports the Corporate Delegations Policy and Standard and provides general guidance on nominating and managing the specified corporate delegations. The appropriate assigning and exercising of corporate delegations are an integral component of the department's internal controls.

2. Scope

This guideline applies to all employees, contractors and consultants within the department's divisions, and business units, including the Queensland Ambulance Service (QAS).

Compliance with this guideline is not mandatory, however sound and documented reasoning must exist for departing from the recommended principles and practices within this guideline.

This guideline covers the following corporate delegations issued by the department:

- Expenditure including contract signing and restricted transactions*
- Corporate Card
- Human Resources
- Right to Information and Information Privacy
- Real Property
- Public Records
- Other corporate delegations determined on an as needs basis.

* QAS maintains separate financial, procurement and contract signing delegations.

This guideline excludes any clinical related delegations (e.g. Scope of Practice, *Public Health Act 2005* delegations etc.).

3. Requirements

3.1 Business needs assessment

3.1.1 The requirements of the business in conjunction with the established departmental frameworks and guidance will determine if a delegation is required.

3.1.2 When assessing which positions may require a delegation, consider if:

- appropriate accountability is established and maintained
- staff are empowered to act while ensuring effective and efficient use of resources
- there is an appropriate mix and profile of positions with the required delegations within relevant business areas
- the functions to be performed by each individual position require a delegation.

3.2 Rules for executives/senior management to consider when assigning delegations

3.2.1 Delegations are assigned to departmental positions, not individuals, committees or contractors.

- 3.2.2 The Instrument of Delegation will identify if a change in position title impacts on the currency of a delegation, or if a delegation may be sub-delegated. Generally, delegations cannot be sub-delegated.
- 3.2.3 Consideration shall be given to ensure the delegate has the appropriate qualifications, experience or standing to exercise the delegation or, where required, the delegate shall be given the opportunity to build those skills prior to accepting the delegation.
- 3.2.4 Delegations are generally assigned following a tiered/cascading approach considering business rules and the structure of the organisation, such that a supervisor has a higher delegation limit than the subordinate role.
- 3.2.5 In assigning delegations to a position, use principles of reasonableness and risk management to consider if the officer is at the appropriate level to hold the delegation.
- 3.2.6 A position title/classification does not automatically indicate a position will be assigned a delegation.
- 3.2.7 Departures from the rules for assigning delegations are to be endorsed by a Deputy Directors-General (DDG)/equivalent after considering the justification for departure - for example, a need for a position to have a higher delegation than the position they report to.

3.3 Review of delegations

- 3.3.1 Corporate delegations shall be reviewed annually or after significant organisation change. The exception is expenditure delegations which are reviewed bi-annually.
- 3.3.2 For reviews that cover department wide delegations, reviews shall be coordinated by the Risk, Assurance and Information Management Branch (RAIM), Corporate Services Division. A memorandum shall be forwarded to divisional/business unit Delegation Key Contacts requesting advice of any proposed changes (including new or rescinded delegations) to the existing schedules within three to four weeks.
- 3.3.3 Delegation reviews shall also consider if the delegation manual clearly identifies the scope of the authority, function or power delegated, to who, when, the legal origin, and any conditions on the delegation.
- 3.3.4 In consultation with business rule owners, reviews of corporate delegations are usually undertaken at the beginning of a new financial year (commencing in June/July). Expenditure delegations are also reviewed at the beginning of the calendar year (commencing in January/February) - i.e. bi-annually.
- 3.3.5 A flowchart of the review process is provided at Attachment 1.

3.4 Endorsement and approval

- 3.4.1 Corporate delegations, including any exceptions to a cascading approach or banding guidelines, shall be endorsed by DDGs/equivalents.
- 3.4.2 RAIM is responsible for reviewing any proposed amendments to delegations and their frameworks, including new and rescinded delegations, to ensure they are consistent with the Corporate Delegation Policy and Standard.
- 3.4.3 Once endorsed by DDGs/equivalents, RAIM shall submit a briefing note for approval to the Director-General or Minister for Health (as stipulated by the authorising legislation).

3.5 Notification and publication

- 3.5.1 Approved delegations shall be published on the Queensland Health Electronic Publishing Site (QHEPS) by RAIM and DDGs/ equivalents shall be notified via memorandum once the publication is effective.
- 3.5.2 Executives/senior management shall ensure delegations are accessible (available and understandable) to those required to perform delegated functions or are impacted by these delegated functions.

- 3.5.3 Executives/senior management shall ensure information on delegations, including updates, is included in local orientation and induction processes.

3.6 Ad Hoc delegation requests

- 3.6.1 Corporate delegations can only be updated outside of a standard review cycle through RAIM with the written request of a DDG/equivalent accompanied by the case supporting need for an ad hoc request.
- 3.6.2 Such requests shall be briefed, as relevant, to the Director-General or Minister for Health by RAIM.

3.7 Delegation monitoring

- 3.7.1 Review of appropriate use of delegations should be undertaken regularly to identify potential breaches in exercising corporate delegations.
- 3.7.2 Executives/Senior Management shall put in place processes to maintain oversight of delegations being exercised within their area of responsibility, such as regular review of the appropriate exercise of delegations in line with relevant business rules.
- 3.7.3 It is the responsibility of each delegation business rules owner to establish and monitor reporting processes to capture variations to expected business activity and/or potential breaches (potential breach reports) and circulate these to the Delegation Key Contacts for actioning.
- 3.7.4 Reporting processes may consider whether a delegate has not exercised their delegation appropriately, if an officer who does not have a delegation has exercised a delegation or instances where a separation of duties has not been exercised.
- 3.7.5 It is the responsibility of each business unit to review the contents of potential breach reports for their area of responsibility and take the necessary action to ensure all activities identified have been appropriately authorised in accordance with the delegation business rules owner processes. Any action or review should be documented locally.
- 3.7.6 Inappropriate activity once identified should be managed in accordance with organisational policy (e.g. Human Resources Policy E9), referred to the Ethical Standards Unit, and where required reported to the DDG or nominated officer for consideration in determining appropriate remedial action. The Guide to fraud and corruption control and the Financial Management Practice Manual also provide further advice on actioning suspected misconduct.
- 3.7.7 Actions not considered suspected misconduct are to be actioned in accordance with local business rules and processes for managing employee performance, and any relevant human resources policies.

3.8 Responsibilities

Position	Responsibility
Minister for Health, Director-General or other delegator	Delegate specific responsibilities via an Instrument of Delegation. Set the risk appetite for delegation thresholds and accountability.
Deputy Directors-General/ equivalents	Endorse positions assigned delegations. Appoint a Delegation Key Contact for the division/business unit. Endorse any exceptions to a cascading approach or banding guidelines.
Executives/senior management	Consider the rules for assigning delegations when requesting new/changes to delegations. Ensure staff holding delegations:

Position	Responsibility
	<ul style="list-style-type: none"> • understand the powers, limitations and responsibilities of their delegation • receive training at a level sufficient to enable them to carry out their responsibilities • possess the skills and knowledge to effectively exercise delegations. <p>Ensure acting arrangements are actioned within human resources practices to provide evidence of the period for which an officer occupies a position.</p> <p>Maintain oversight of delegations being exercised within their area of responsibility.</p>
Executive Director, Risk Assurance and Information Management Branch, Corporate Services Division	Ensure Expenditure Delegation Framework is maintained to ensure officers have appropriate authority to conduct their activities.
Delegation Key Contact	<p>Coordinate divisional/business unit delegations reviews for assessment and assignment.</p> <p>Coordinate and respond to review of potential breach reporting.</p> <p>Ensure local documentation exists for monitoring and reporting on use of delegations.</p>
Risk, Assurance and Information Management Branch, Corporate Services Division	<p>Coordinate updates and briefings for approvals of all corporate delegations on behalf of the department.</p> <p>Provide a central point of coordination for corporate delegations.</p> <p>Coordinate expenditure delegation exceptions reporting.</p> <p>Maintain the Expenditure Delegations Framework.</p> <p>Ensure regular review of the Corporate Delegation Framework.</p>
Legal Branch	Provides advice regarding drafting appropriate instruments of delegation and interpretation of authorising legislation.
Delegates	<p>Understand their responsibilities before exercising delegations.</p> <p>Acknowledge receipt/amendment/removal of delegation (for permanent and temporary arrangements).</p> <p>Attend delegations training as required.</p> <p>Exercise delegations in accordance with defined business rules of that delegation.</p>

Delegation business rules owners	
Capital and Asset Services Branch, Corporate Services Division	<p>Maintain business rules for use of real property delegations.</p> <p>Primary contact point for advice on the exercise of real property delegations.</p> <p>Ensure regular reviews of the real property delegations framework in consultation with RAIM.</p>
Corporate Information Management Unit, Risk, Assurance and Information Management Branch, Corporate Services Division	<p>Maintain a list of approved positions and exceptions for public records delegations.</p> <p>Maintain business rules for use of public records delegations.</p> <p>Primary contact point for advice on the exercise of public</p>

Delegation business rules owners	
	<p>records delegations.</p> <p>Ensure regular review of the public records delegations framework in consultation with RAIM.</p>
Finance Branch, Corporate Services Division	<p>Maintain business rules for the use of financial and corporate card delegations.</p> <p>Primary contact point for advice on the exercise of financial and corporate card delegations.</p> <p>Report and monitor corporate card transactions and exceptions.</p>
Human Resources Branch, Corporate Services Division	<p>Maintain a list of DG approved human resource delegations and exceptions.</p> <p>Maintain business rules for use of human resource delegations.</p> <p>Primary contact point for advice on the exercise of human resource delegations.</p> <p>Undertake routine human resource delegations reporting and monitoring.</p> <p>Ensure regular review of the human resource delegations framework in consultation with RAIM.</p>
Privacy and Right to Information Unit, Risk, Assurance and Information Management Branch, Corporate Services Division	<p>Maintain a list of approved positions and exceptions for RTI and IP delegations.</p> <p>Maintain business rules for use of RTI and IP delegations.</p> <p>Primary contact point for advice on the exercise of RTI and IP delegations.</p> <p>Ensure regular review of the RTI and IP delegations framework in consultation with RAIM.</p>

4. Legislation

- *Acts Interpretation Act 1954* (Qld)
- *Ambulance Service Act 1991* (Qld)
- *Constitution of Queensland 2001*
- *Crime and Corruption Act 2001* (Qld)
- *Financial Accountability Act 2009* (Qld)
- *Financial Accountability Regulation 2009* (Qld)
- *Financial and Performance Management Standard 2009* (Qld)
- *Hospital and Health Boards Act 2011* (Qld)
- *Industrial Relations Act 1999* (Qld)
- *Information Privacy Act 2009* (Qld)
- *Property Law Act 1974* (Qld)
- *Public Sector Ethics Act 1994* (Qld)
- *Public Service Act 2008* (Qld)
- *Right to Information Act 2009* (Qld)

5. Supporting documents

- Control Framework for Expenditure
- Corporate Card Policy and Standard
- Corporate Delegations Policy and Standard
- Expenditure Delegations Framework
- Expenditure Delegations Guideline
- Financial Management Practice Manual (FMPM)
- Human Resource (HR) Delegations Manual
- Internal Control Framework
- Procurement Approval Policy
- Queensland Treasury 2012, Financial Accountability Handbook
- Real Property Delegations
- Right to Information and Information Privacy Delegations
- Public Records Delegations

6. Definitions

Term	Definition
Contractor	An organisation or individual contracted by an entity to perform specific tasks. This organisation or individual is usually under the direction of the employing organisation (and not an employee appointed to the department) (as per FMPM).
Corporate Delegations	<p>Corporate delegations issued by the department include:</p> <ul style="list-style-type: none"> • Corporate Card • Expenditure* including contract signing and restricted transactions • Human Resources • Public Records • Right to Information and Information Privacy • Real Property • Other corporate delegations determined on an as needs basis. <p>* QAS maintains separate financial, procurement and contract signing delegations.</p> <p>This guideline excludes any clinical related delegations (e.g. Scope of Practice, <i>Public Health Act 2005</i> delegations etc.).</p>
Delegate	A person occupying a position to which a delegation, authority, function or power has been formally delegated.
Delegation	A process where a person holding an authority, function or power authorises another to exercise the authority, function or power.
Delegator	The delegator is the person who has the authority, function or power assigned under legislation and who has the legislative authority to delegate this authority, function or power.
Delegation Manual/Schedule	A manual/schedule that outlines the functions, positions,

Term	Definition
	responsibilities and limits on delegations.
Delegation Business Rule Owner	For the purposes of this guideline, a delegation business rule owner is the branch of the department responsible for managing, distributing and updating the rules relating to the use of a corporate delegation type.
Instrument of Delegation	A document through which a person holding an authority, function or power authorises another to execute the authority, function or power.
Breach	For the purposes of this guideline, breach means an exercise of delegation by a delegate beyond the levels approved to their position, or by an individual with no approved delegation.
Sub-delegation	A sub-delegation occurs when a delegated authority, function or power is further delegated by the person in the position that received the primary delegation.

Version Control

Version	Date	Comments
1.0	12 July 2017	Approved first version
2.0	11 July 2019	Minor review and update to incorporate new delegations (public records) and changes to expenditure and contract signing delegations.

Attachment 1 – Corporate Delegations Review Process Map

