

Corporate Delegations

1. Statement

The Department of Health (the department) Framework (Attachment 1) for delegating authority ensures the most appropriate individuals can act autonomously to make decisions on behalf of the Minister for Health and Director-General.

2. Scope

This standard applies to all employees, contractors and consultants within the department divisions and commercialised business units.

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

3. Requirements

3.1 Legislative Requirements

- 3.1.1 Where a function or power may be delegated, it will be discharged in accordance with legislation and policy.

3.2 Governance and Accountabilities

- 3.2.1 A written instrument of delegation (the instrument) must be executed by the delegator to delegate authority, function or power to a position.
- 3.2.2 A schedule/manual of delegation shall support an instrument by providing clear responsibilities, conditions, and threshold amounts or limitations of each delegation.
- 3.2.3 Corporate delegations issued by the department include:
- Expenditure (incorporating financial and procurement delegations)
 - Human Resource
 - Contract Signing
 - Right to Information and Information Privacy
 - Real Property
 - Other special delegations determined on an as needs basis.
- 3.2.4 Sub-delegation is not permitted unless specified in legislation. Where sub-delegation is permitted an instrument of sub-delegation shall be executed.
- 3.2.5 When the delegator delegates an authority, function or power to a position, the person occupying the position becomes personally accountable for the exercise of that authority, function or power. However, the delegator remains ultimately responsible for the performance of the functions, or the exercise of the authority or power.

3.3 Assigning and reviewing delegations

- 3.3.1** Delegations are assigned to positions (permanent and temporary), not individuals, committees, or contractors.
- 3.3.2** Delegations shall apply to any person formally holding a position, including those acting in a role.
- 3.3.3** A position shall not have a greater delegation than the position it reports to (unless otherwise agreed).
- 3.3.4** In deciding which powers and functions to delegate, officers shall be satisfied:
- the authorising legislation/policy specifically allows the authority, function or power to be delegated/sub-delegated as applicable
 - the structure of the organisation has been considered and the position is of an appropriate level to hold the delegation
 - authority is devolved to the greatest degree practicable and permissible for effective and efficient operations
 - the delegate has the capacity and sufficient resources to perform the function and exercise the delegated authority or power
 - that any actual or perceived conflict of interest is identified and appropriately managed.
- 3.3.5** Instruments shall be drafted to ensure that where position titles may change due to organisational restructure, but duties, functions and responsibilities of that position remain substantially unchanged, then a reference to the title of that position can be assumed to be a reference to the changed title of that position.
- 3.3.6** Requests for new, changes to or rescinding delegations shall be endorsed by the relevant Deputy Director-General (DDG)/Chief Executive (CE) or equivalent before approval by the Director-General (DG) or Minister.
- 3.3.7** Delegations shall be reviewed on a regular basis/annually, after a legislative change or significant organisational change (e.g. departmental restructure).

3.4 Accessing and maintaining delegations

- 3.4.1** The Delegations Schedules shall be clearly documented and recorded centrally on the Queensland Health Electronic Publishing Site (QHEPS).
- 3.4.2** Published delegations shall identify all of the following:
- position with delegation
 - function or power being delegated
 - threshold value, limitations or conditions
 - approval date.

3.5 Business Rules

- 3.5.1** Responsible business areas shall ensure business rules are current, readily available and reflect best practice.
- 3.5.2** The delegations coordination area, assisted by the relevant business owner (e.g. HR, property), shall ensure:
- processes are in place for delegations to be regularly reviewed and updated
 - processes are in place for Instruments of Delegation to be authorised by the delegator (Minister, Director-General etc.).

3.6 Delegate responsibilities

- 3.6.1** Staff shall be aware of their responsibilities and accountabilities prior to exercising delegations (e.g. undertake ongoing training, be aware of business rules, policies and related procedures/manuals/guidelines).
- 3.6.2** Staff shall not exceed the delegation limits/conditions approved.

3.7 Reporting and monitoring

- 3.7.1** DDGs/CEs and equivalents shall ensure that systems are in place to monitor the exercising of delegations in their business area. DDGs/CEs and equivalent shall promptly investigate any improper exercising of delegations, undertake remedial action and refer for further investigation as required.

4. Supporting documents

- Corporate Delegations Policy
- Contract Signing Delegations
- Control Framework for Expenditure
- Corporate Card Policy and Standard
- Expenditure Delegations Framework
- Expenditure Delegations Guideline
- Financial Management Practice Manual
- Human Resource (HR) Delegations Manual
- Internal Control Framework
- Procurement Delegations Procedures
- Real Property Delegations
- Right to Information and Information Privacy Delegations

5. Definitions

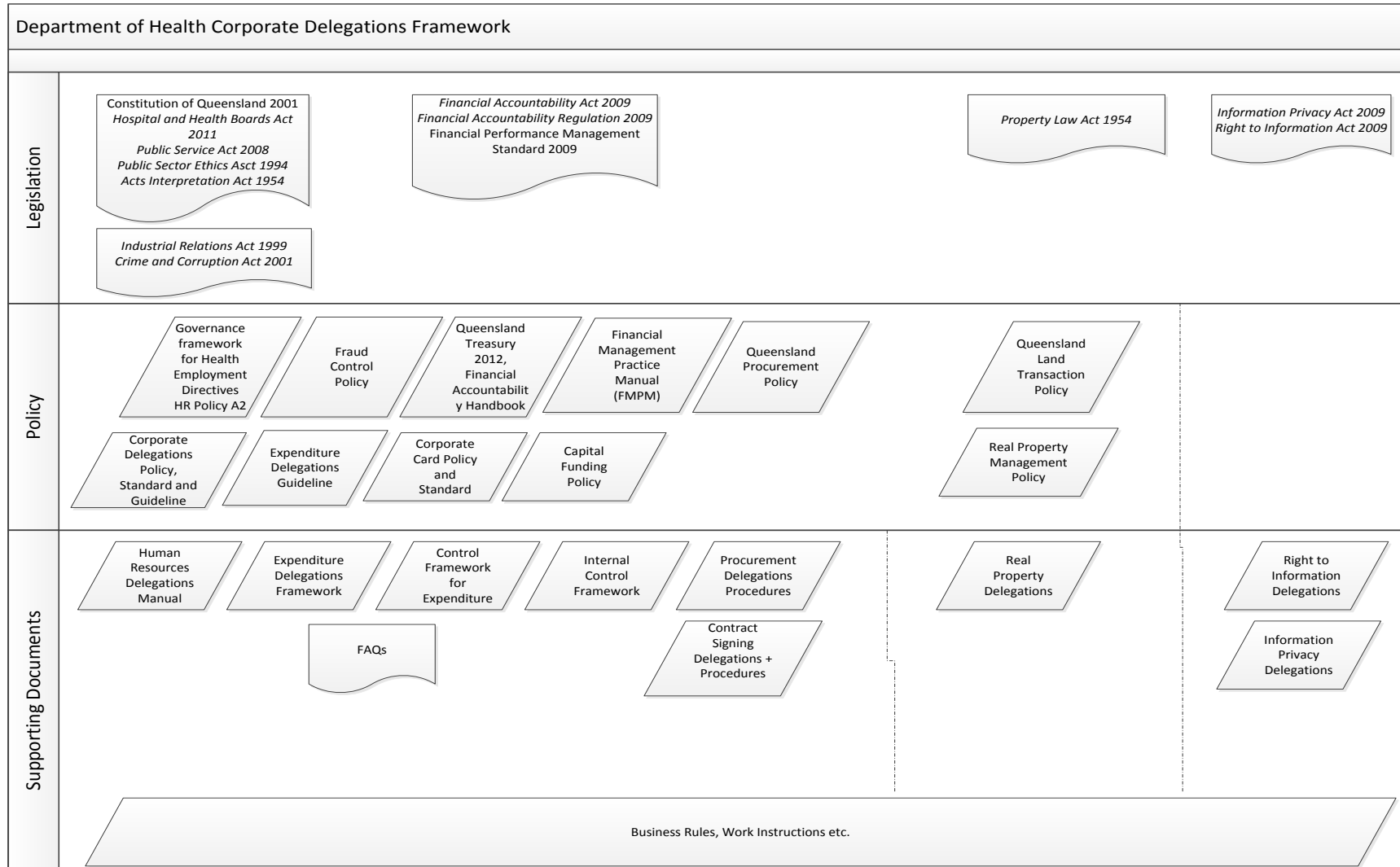
Term	Definition
Approve	For the purpose of this standard approve means to confirm or sanction formally and can only be performed by an individual exercising appropriate delegations.
Authority	For the purpose of this standard authority means a power or authorisation to act, which is derived from legislation or through formal delegation.
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.
Delegation Coordination Area	The area responsible for coordination of the review and update of corporate the delegations, including briefing to the delegator for approval of the Instrument of Delegation and/or any changes to the Instrument outside of routine review periods.
Delegation Manual/Schedule	A manual/schedule that outlines the functions, positions, responsibilities and limits on delegations.
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.

Term	Definition
Instrument of Delegation	A document through which a person holding an authority, function or power authorises another to exercise the authority, function or power.
Primary delegation	The primary delegation is the delegation from the person occupying the position with the statutory authority, function or power.
Responsibilities	Responsibility in this context means accountabilities of each individual position.
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
Version 1	December 2012	Delegations Policy and Implementation Standard developed.
Version 1.1	15 June 2015	Policy Rationalisation Project – Minor editorial changes. Migration of content to new template.
Version 2	March 2016	Full review

Attachment 1: Department of Health Corporate Delegations Framework



This document is not exhaustive and is for illustrative purposes capturing primary framework elements.