



Swimming Northern Territory

Delegations Policy

Version	Reviewed by	Board Approval Date	Next Review Date
1.0	Warren Dopson - CEO	22 nd November 2023	November 2024

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Delegations Policy

1. Introduction

All Board decisions are made as a group and all Directors share equal responsibility for Board decisions, unless a conflict of interest is declared and recorded during a meeting of the board.

This collective responsibility and accountability (with its implicit checks and balances) is an important feature of good governance and decision making.

The Corporations Act 2001 (Cth) allows Boards to delegate some of their powers to a committee unless the organisation's Constitution does not permit it. It is important to note that:

- the Board remains responsible for that power as if it were exercising it, and that delegation does not decrease the Board's overall duties and responsibilities.
- even if the Board delegates its work to a committee, it remains responsible for the decision, and cannot delegate accountability.
- ultimately the Board is accountable for all its decisions, even those made under delegation, therefore it essential that these are regularly monitored, reviewed and updated to ensure they are fit for purpose.

Australian Sports Governance Standards specify that a board should have:

- documented financial delegations (Appendix 1).
- documented non-financial delegations (Appendix 2).

2. Policy Statement

This Delegations Policy establishes a framework for delegating authority within Swimming Northern Territory (SNT) in a manner that facilitates efficiency and effectiveness and increases the accountability of staff and volunteers for their performance.

The policy applies to all members of the Board and the staff and volunteers of SNT who have delegated authority to act on behalf of SNT.

Delegations of authority within SNT are intended to achieve six objectives:

1. to ensure the efficiency and effectiveness of the organisation's administrative processes
2. to ensure that the appropriate officers have been provided with the level of authority necessary to discharge their responsibilities.
3. to ensure that delegated authority is exercised by the most appropriate and best-informed individuals within the organisation.
4. to ensure internal controls are documented and effective.
5. to protect employees and volunteers who have made decisions within the limit of their authority.
6. to give the Board visibility and the Chief Executive Officer (CEO) a mechanism to ensure that only SNT staff and volunteers with appropriate skills and seniority will make decisions and enter into commitments on behalf of SNT.

Delegations are a key element in effective governance and management of SNT and provide formal authority to particular staff and volunteers to commit the organisation and/or incur liabilities for the organisation.



3. Policy Scope

The policy applies to the Board, employees of SNT and any other persons and / or Committee that is delegated responsibility by the Board.

4. Policy

The Board of SNT is responsible for the management of the organisation. Under the Associations Act 2003 (NTG) and under Clause 37.1 of the SNT Constitution, the Board can delegate any of its functions except:

- (a) the power of delegation, and
- (b) A duty imposed on the Board by the Act or any other law.

Under clause 37 of the SNT Constitution, the Board may delegate its functions to:

- A member of SNT Staff, including the CEO, and
- A sub-committee of the Board

However, the Board may not delegate its power:

- to adopt the organisation's strategic plan, or
- to adopt the organisation's business plan, or
- to adopt the organisation's annual budget

The CEO:

- (a) is charged with the duty of promoting the interests and furthering the development of SNT.
- (b) is responsible for the administrative, financial, and any other business of SNT.
- (c) exercises general supervision over the staff and volunteers of SNT.

The CEO may seek the approval of the Board to delegate any function, or any power or duty conferred or imposed upon them, subject to this Delegations Policy, to any member of the staff of the organisation, or any person or persons, or any committee of persons.

SNT is committed to the highest standards of integrity, fairness, and ethical conduct, including full compliance with all relevant legal requirements, and in turn requires that all its Board members, officers (including its CEO, managers, employees, volunteers and contractors acting on its behalf meet those same standards of integrity, fairness and ethical behaviour, including compliance with all legal requirements.

There is no circumstance under which it is acceptable for SNT or any of its employees or contractors to knowingly and deliberately not comply with the law or to act unethically while performing or advancing SNT's business.

5. Responsibilities

The Public Officer must maintain records of any delegations to members of the Board and of the terms of reference of any sub-committees of the Board.

The CEO must prepare delegation schedules within the framework of the Delegations Policy for approval by the Board.



6. Processes

The overarching Delegations Policy applies to SNT as a whole.

Delegations are to be exercised within the framework of the Act, regulations, rules, policies, and any external legislative requirements.

Any delegation may be made subject to any conditions and limitations as the Board shall approve.

Delegations are:

- 6.1 attached to the position occupied, not to the occupant of the position. The responsibilities of a position appear in a duty statement, role statement or statement of responsibility appropriate to the position.
- 6.2 Delegations reflect SNT organisational structure. Levels of authority are hierarchical through relevant lines of responsibility up to and including the CEO. This means that formal authorities held by any delegate are included in those held by that delegate's supervisor or line manager. A delegate who sub-delegates authority remains responsible and accountable for the decision or action.
- 6.3 A delegation cannot be exercised where the officer holding the delegation has a conflict of interest or where the delegation will result, either directly or indirectly, in any tangible benefit to the delegate. In such cases a transfer of the function to another appropriate position must be arranged with the CEO.
- 6.4 Permanent changes to delegations, either permissive or restrictive, require a written authority from the Board. Any major variation to the standard delegations must be approved by the Board.
- 6.5 Sub-delegation on a temporary basis is appropriate in circumstances where the officer normally responsible is absent for a period of less than two weeks by reason of authorised leave or secondment to other duties. Sub-delegations require a written authority from the individual with the delegated power, or a person in a position to approve the delegated authority.
- 6.6 This policy applies only to formal delegations. All delegations of an informal nature where no commitment or liability is incurred on behalf of SNT are carried out in the normal business of the organisation without the requirement for a written authority.
- 6.7 Where an employee is acting in a higher position, that person will hold the delegation level appropriate to the higher position unless otherwise determined by the CEO.
- 6.8 A financial delegation can be exercised only within the approved budget.
- 6.9 A staffing delegation cannot be exercised in regard to staff for whom the delegate does not hold line management responsibility.
- 6.10 Separate Delegations Schedules shall be prepared for Financial Delegations and for Non-Financial Delegations. The schedule will provide reports by function, by position profile and by administrative area.

Special care must be taken to retain accuracy of the Delegations Schedules when delegated authorities are redistributed, a position is reclassified, or the organisation is restructured in ways that affect position profiles.

The Board will, on advice from the CEO, approve the Delegations Schedule on an annual basis. The Delegations Schedule will be accessible to all Board members, officers, employees, volunteers, and contractors acting on SNT's behalf.



7. Delegation Limits

Notwithstanding any delegations that may be granted under this policy, delegates are required to seek Board approval on the following matters:

- Entering into any contract valued above \$20,000 or are longer than 12 months.
- Unbudgeted capital expenditure valued above \$5,000.
- Unbudgeted operating expenditure valued above \$5,000.
- Varying budgeted capital expenditure by more than \$5,000 or 50%, whichever is lower.
- Varying budgeted operational expenditure by more than \$20,000.
- Writing off or writing down assets or bad debts above the amount of \$10,000.

Limits expressed refer to the maximum amount committed on behalf of SNT, not individual invoices.

8. Policy Review Process

- 8.1 This policy will be reviewed at least annually, in line with the Board's policy review schedule.
- 8.2 The Board may at any time initiate a review outside of the normal schedule.