

## DELEGATIONS OF AUTHORITY POLICY

<b>Section</b>	University Management
<b>Contact</b>	Risk Management Office
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### Purpose

The purpose of this policy document is to detail the operational framework within which the Vice-Chancellor provides sub-delegations of authority to Massey University staff members, to ensure accountability and responsibility in decision making.

### Scope

This policy applies to all employees of Massey University.

### Policy

Section 193 of the Education Act 1989 confers on the University Council, all powers reasonably necessary to enable it to perform its functions efficiently and effectively.

The Massey University Delegations Statute details the powers and functions delegated to the Vice-Chancellor by the University Council.

Specifically, all of Council's functions and the exercise of its powers are delegated to the Vice-Chancellor, with the exception of the appointment of the Vice-Chancellor, performance reviews of the Vice-Chancellor, terms and conditions of employment of the Vice-Chancellor and Council specific functions and obligations as prescribed by the State Sector Act (section 771), the Crown Entities Act 2004, and the Health and Safety at Work Act 2015.

To enable effective and efficient governance and management of the University, the Vice-Chancellor may sub-delegate all or parts of these powers and functions to staff members or Committees of the University.

The purpose of this policy document is to detail the operational framework within which the Vice-Chancellor provides sub-delegations to staff members of the University.

## 1.0 Delegations apply to positions

- 1.1. Delegations are conferred on positions, and appropriate levels of delegated authority are assigned as an attribute of a position. Not all positions require an authority level to be assigned. Individuals occupying a position (including in an “acting” capacity”) which has assigned delegated authorities are accountable and responsible for decisions made under that assigned delegation.
- 1.2. Assigned levels of authority are hierarchical, and the Delegate's line manager holds at least the same level of delegated authority.
- 1.3. Authorities at Massey University are assigned as standardised Authority Bands. The Authority Bands are summarised as follows (and in further detail in the table in the Appendix to this policy which includes indicative roles to be assigned each Band. Details of the full sets of authorities are described within each of the schedules.

Authority Band	Financial (within budget)	HR Summary	Contract Signing
A	\$200,000 OPEX \$100,000 CAPEX Credit card	Establish new positions, Appoint Prof & Assoc Prof, Approve dismissal, Set salary outside of range	Some contract signing authority within specific categories, duration and value.
B	\$70,000 OPEX \$50,000 CAPEX Credit card	Establish new academic (up to Assoc Prof) and Professional Service positions within establishment FTE Approve leave over employment agreement provisions.	*Authorities provided to specific roles, refer to schedule
C	\$30,000 OPEX Credit card	Staff transfers & secondments, Leave approval >23 days, w/out pay >1month, Manage employment relationship problems	Nil
D	\$10,000 OPEX Credit card	Basic management set of HR authorities, e.g. leave, set salary within range, standard progression, sign employment offer documentation	Nil
E	\$5,000 OPEX Credit card	Undertake PDP for nominated staff. Verifying renewal of work permits.	Nil
F	Nil	Undertake PDP for nominated staff. Verifying renewal of work permits.	Nil

- 1.4. Delegation holders are subject to the direction and supervision of their managers, who in turn are accountable ultimately to the Vice-Chancellor, through established lines of accountability.

1.5. Delegated authorities cannot be provided to non-University staff (including contractors) without the prior approval of the Vice-Chancellor. Any approval granted must be in writing and retained by the Director Risk and Assurance.

## **2.0 Exercise of delegation**

2.1 Delegations of authority must always be exercised subject to and in accordance with:

- i) Legislation
- ii) Employment agreements and role descriptions
- iii) University policies and procedures and the Policy on Staff Conduct
- iv) Any limits and requirements associated with specific delegated authorities
- v) Council Delegations Statute
- vi) Council delegations in place from time to time

2.2 Delegations apply where there is a commitment or liability incurred on behalf of the University. Other functions and activities which are considered to be part of normal business operations, are generally detailed in position descriptions and accountabilities, and do not require a written authority.

2.3 Delegated powers or functions can only be exercised by a position holder within the scope of their respective management or portfolio responsibility, unless explicitly stated within the associated schedules to this Policy, or the position description for that role.

2.4 Exercise of authority may be subject, at any time, to additional consultation, restriction or other direction provided by a delegate's line manager or supervisor, SLT member or the Vice-Chancellor.

2.5 If a delegate is unable to carry out the duties associated with a delegation for any reason, including a potential or actual conflict of interest, an absence or incapacity, the delegation must be exercised by the delegate's line manager in the first instance or other superior within the line of authority.

2.6 Where a significant function is not generally or particularly delegated to an employee or body, and a manager is unclear about who has authority, the matter must be referred to the Director Risk and Assurance in the first instance. The Vice-Chancellor must refer the matter to the Council where any matter is outside the scope of the Vice-Chancellor's delegated authority, or where it is appropriate.

2.7 Delegation holders are responsible for ensuring expenditure of University funds is only exercised where the expenditure is within approved budget allocations, unless explicitly stated otherwise in this Policy or associated schedules.

2.8 The detailed regulations or rules under which specific authorities may be exercised are contained in the associated schedules to this Policy. In addition, delegation holders must adhere to relevant policies and procedures of the University.

2.9 Delegation holders are always subject to the direction and authority of the Vice-Chancellor, including any emergency statute or direction.

### **3.0 Accountability and Compliance**

- 3.1 Full compliance with this policy and associated schedules is required by all employees.
- 3.2 Delegates are accountable for the decisions they make while exercising their delegated authorities and will be liable to account for how that responsibility or duty is carried out.
- 3.3 Compliance with this policy and with the extent of authority provided to employees will be monitored. Failure by a staff-member to fully comply with this policy may amount to misconduct or serious misconduct by the staff member, which may result in removal of delegated authority or disciplinary action.
- 3.4 Recommendations for removal of delegated authority due to non-compliance may be approved by the SLT member or the Vice-Chancellor on the recommendation of the Director Risk and Assurance.

### **4.0 Assigning and changing authority band**

- 4.1 Managers in positions with an authority band A or B may assign an authority band to a new position as part of the position establishment process, for positions within their line of accountability and responsibility.
- 4.2 Assignment of an authority band means assignment of all authorities prescribed therein, whether exercised in practice or not (i.e. delegation for a University credit card, does not obligate the Manager or position holder to apply for and use a credit card). Partial assignment of bands is not permitted.
- 4.3 Managers with an authority band A or B may change the assigned authority level of a position within their line of accountability and responsibility.

### **5.0 Internal management, advisory, governance boards and committees**

- 5.1 The scope of authority of management, advisory boards, project and programme governance boards and other internal committees, sub-committees or steering groups will be detailed within a Terms of Reference, to be approved by the appropriate Senior Leadership Team member, the Senior Leadership Team or the Vice-Chancellor as appropriate.

### **6.0 Acting positions and temporary delegations**

- 6.1 A staff member who has been formally appointed to act in a position can exercise any delegation attached to that position, unless the appointment to act specifies otherwise.
- 6.2 Where a staff member is fulfilling both an acting role and their substantive role at the same time, the effect is not cumulative. The effective level of delegated authority shall be exercised within the limitations of the role to which the decision or function is being applied.
- 6.3 Temporary delegations will be granted on an exception basis, only where there is good reason for not applying the requisite authority band to the position. Where this case is made, the Director Risk and Assurance has authority to approve, on endorsement of the relevant SLT member.

## **7.0 Sub-delegations**

- 7.1 Individual, specific delegated Authorities provided within an authority band cannot be further sub-delegated to other members of staff. Where an authority is required on an ongoing basis then it is more appropriate for the role to be assigned an authority band.
- 7.2 Exceptions to clause 7.1 may be considered on a temporary basis in accordance with clause 6.3.

## **8.0 Exclusions and exceptions:**

- 8.1 Delegated authorities specifically excluded from the scope of this policy are:
- 8.1.1 Functions and Power retained by Massey University Council, including those prescribed by legislation. These are detailed separately in the Massey University Council Delegations Statute.
  - 8.1.2 Delegations from Council to the Vice-Chancellor and Academic Board. These are detailed separately in the Massey University Council Delegations Statute.
  - 8.1.3 Sub-Delegations provided by Academic Board to other persons or committees. These are detailed in the Academic Board Terms of Reference.
  - 8.1.4 Decision making authorities vested in governance, management or advisory board and committees, which are detailed individually in a Terms of Reference document, to be approved by the Senior Leadership Team, or Vice-Chancellor.

## **9.0 Definitive Source**

- 9.1 This Policy is the definitive source of all formally approved Delegations of Authority provided by the Vice-Chancellor, excluding those outlined in clause 8.0. Where there is any conflict between this Policy and any other University policy, procedure, guideline or document, this Policy will take priority unless determined otherwise by the Vice-Chancellor or by Council.



	project payments up to \$500,000 within reporting line						
1.22	Approve capital project related payments within approved RFA budget up to \$200,000, within budget centre						Campus Capital Project Managers, CIO
1.23	Approve capital project or works related payment up to \$300,000						CFO
1.24	Commitment to unbudgeted capital expenditure up to \$300,000						DVC Finance and Technology
1.25	Approval of temporary delegations for capital project budgets (through RFA process)						DVC Finance and Technology or CFO
1.26	Capital purchase for Library <\$500,000 per transaction, within budget						University Librarian
1.27	Approval of Banking Relationships, including the approval of cheque signatories, and borrowing facilities						Refer Treasury Framework

## 2.0 Commitment and approval

- 2.1 The dollar value specified relates to the total cost of an individual line item.
- 2.2 Only those employees with assigned financial authority as part of their assigned authority band, may approve commitments, payments, including reimbursement of staff expenses, and signing approval of confirmed timesheet payment. The limit specified for each authority level represents the maximum value of an individual item that may be committed to, and/or approved by that staff member.
- 2.3 Staff members must not approve reimbursement of expenditure paid on the University's behalf to themselves, nor can expense reimbursement be approved by employees who report to this position. This must be authorised by the Manager to whom the employee reports. Refer [Reimbursement of Expenses Policy](#).
- 2.4 All expenditure must be business related and must comply with the requirements of the Discretionary Expenditure and Gifts Policy.
- 2.5 The limits specified in the financial authorities are GST exclusive. These delegations of authority apply to commitments to purchase goods and services and to pay invoices for goods services, or to raise credit notes against invoices.
- 2.6 Where a one-off item is over \$20,000, three quotes are required before purchase, unless subject to a preferred supplier agreement of other agreement – see [Procurement Policy and Procedures](#).
- 2.7 Tenders Board approval is required (before purchase) where an item is over \$100,000. See [Tender Procedures](#).
- 2.8 No financial activity of any kind (planning, construction, or procurement) is to commence against a project or work without an approved Financial Authority (refer Capital Planning Framework and Procedures). Commitments must be exercised in accordance with the approved RFA, and any other terms and conditions of approval.
- 2.9 Before committing to any expenditure beyond the current financial year or approved annual budget, the staff member must confirm with Finance to ensure that adequate provision will continue to be made in future budgets to meet that commitment.

### **3.0 Allocation of accounts**

- 3.1 SLT members have accountability and authority for budget management within their overall reporting line and will confirm the assignment of general ledger accounts to direct reports.
- 3.2 Where a delegate has been assigned a budget centre(s), and has authority band A or B, the delegate will confirm the allocation of budget centre account(s) for roles within their line management.

### **4.0 Approved Budget**

- 4.1 A staff member must only commit University funds:
  - a) Where there is sufficient budget to cover the purchase (regardless of their financial delegated authority).
  - b) Up to the financial limits of their assigned Authority Band, or specific delegated authority.
- 4.2 Where there is insufficient approved budget to cover an OPEX purchase, approval for the resulting variance to the approved budget must be obtained from the relevant SLT member in the first instance. Where the variance will affect the overall approved budget of the reporting line, AVC Strategy, Finance, IT and Commercial Operations or Vice-Chancellor approval is required prior to any commitment of University funds.
- 4.3 All budgets are allocated on the approval of the Vice-Chancellor on an annual basis.

### **5.0 Recurrent Capital Programmes and Capital Projects**

- 5.1 The delegated authority for capital expenditure (CAPEX) provided to each authority level represents the maximum value of an individual CAPEX purchase that may be committed to, and/or approved by that position.
- 5.2 Capital purchases must adhere to Procurement Policy and Procedures, and Capital Investment Policy and Procedures.
- 5.3 Recurrent Capital Programmes are part of the University's Ten Year Capital Plan (TYCP) and devolved to College and Professional Services reporting lines. Sub-projects or capital purchases within a programme may be delegated to staff members within the reporting line including an apportionment of the approved programme budget. Staff can make capital purchases up to their assigned authority Level (5.1 refers) and within the sub-project budget allocated (4.1 refers).
- 5.4 Capital Projects are included in the University's TYCP and include major items of equipment, library collection, infrastructure, major and minor capital works. Financial delegations for payments relating to Capital Projects will be approved in accordance with the Authority level assigned to the position (Table 1 Financial Authorities refers).

### **6.0 Business Case**

- 6.1 A business case must be prepared for any capital funding request exceeding \$250,000 in capital cost; any operating budget baseline adjustment exceeding \$150,000 in operating cost in any one financial year; or any business related venture with a risk assessment of high or greater assessed in accordance with the Massey University Risk Profile Assessment.
- 6.2 Once SLT have approved the case in principle (as there may be further business case phases), RFA documentation can be prepared for approval. Once approved, financial commitments in relation to the project may commence (refer 2.8).



## **7.0 Credit Cards**

- 7.1 The purchasing conditions specified apply to all purchases made with a University Credit Card.
- 7.2 At all times the credit card holder must comply with the Credit Card Policy and the Discretionary Expenditure and Gifts Policy.
- 7.3 Where an assigned authority level includes a Credit Card, this does not obligate the position holder to apply for a credit card, or for the Manager to approve the use of a credit card. The Credit Card application process must be followed where a credit card is required, and where the Authority Band associated to the position allows.

## **8.0 Splitting invoices**

- 8.1 Purchase transaction amounts must not be split into smaller amounts, across time periods, nor across approvers/credit card holders in an attempt to suit the financial delegated authority of a staff member.
- 8.2 Any attempt to split a purchase transaction amount will be considered a breach of this Policy and may result in removal of financial authority or disciplinary action.

## **9.0 Banking relationships**

- 9.1 Banking relationships are established by DVC Finance and Technology and are subject to approval by the Vice-Chancellor or Council, in accordance with the Treasury Framework.
- 9.2 Once approved, authority to operate will be delegated to the DVC Finance and Technology and CFO. Refer to [Treasury Policy](#) and [Treasury Framework](#).

## **10.0 Cheques**

- 10.1 A schedule of all cheque signatories must be retained and maintained up-to-date by the CFO. Two signatories must sign all cheques. Refer to [Treasury Policy](#) and [Treasury Framework](#).
- 10.2 Signatories to computer generated cheques will be nominated by the Vice-Chancellor, and approved by the Audit and Risk Committee of Council.
- 10.3 Signatories to manual cheques will be nominated by the DVC Finance and Technology and approved by the Vice-Chancellor.

## **11.0 Borrowing**

- 11.1 All borrowing shall be undertaken following approval of specific facilities by the University Council. This may involve prior scrutiny by the Finance and Assurance Committee or a specially convened Council committee. Refer to [Treasury Policy](#) and [Treasury Framework](#). Once approved, authority to operate will be delegated to the DVC Finance and Technology or CFO.

## **12.0 Investment of Funds/Lending**

- 12.1 Authority to invest/lend within constraints of treasury policy will be delegated to the DVC Finance and Technology. Refer to [Treasury Policy](#) and [Treasury Framework](#).

### **13.0 Financial Risk Management**

13.1 All facilities for interest rate hedging shall be approved by the Vice-Chancellor, on advice from the DVC Finance and Technology. The DVC Finance and Technology will put facilities for advice in place as necessary. Any hedging will be carried out under the direct auspices of the DVC Finance and Technology. Refer to [Treasury Policy](#) and [Treasury Framework](#).

### **14.0 Write-off of Bad Debts**

14.1 The DVC Finance and Technology or CFO may authorise write-off of Bad Debts up to the value of \$5,000, for any one item. Refer to Asset Disposal and Write-off Policy.

### **15.0 Asset Disposal**

15.1 Assets will be disposed in accordance with the Asset Disposal and Write Off Policy. Statutory clearances will be obtained where required under the delegations below.

15.2 The DVC Finance and Technology or CFO will approve the sale, disposal and/or write off of all assets up to a value of \$300,000 net book value (NBV).

15.3 Asset disposals between \$300,000 and \$1,000,000 NBV will be authorised by the Vice Chancellor

15.4 Asset disposals over \$1,000,000 NBV will be authorised by the University Council

### **16.0 Monitoring**

16.1 It is the responsibility of the DVC Finance and Technology and the CFO to ensure that there are adequate financial controls to safeguard the financial resources of the University.

16.2 Compliance will be monitored and all one-off deviations will be reported to the CFO. Ongoing, repeat or significant compliance issues and anomalies will be reported to the Director Risk and Assurance.

## PART TWO: HUMAN RESOURCES DELEGATION SCHEDULE

The Vice-Chancellor is the employer of all staff at Massey University and, under Section 197 (7) of the Education Act 1989, has delegated authority to all managers of staff in the University the general responsibility for managing day-to-day staffing matters, within the parameters and limitations set out in the Delegations of Authority Policy and associated Schedules.

### 1.0 Application and scope of HR Authority

- 1.1 All positions which have formal line management responsibilities for fixed term and/or permanent staff will be assigned an Authority Band. Positions with an assigned Authority Band who do not have fixed term and/or permanent staff reporting to them, will only exercise HR delegations if positions reporting to them are approved and established.
- 1.2 Where an HR authority is held by a staff member, this authority is only to be exercised in relation to staff that are within their direct line management responsibility.

### 2.0 Eligibility and adherence to University Policy and Guidelines

- 2.1 Any authority described in the HR Schedule must be exercised and provided at all times in accordance with specified eligibility requirements and applicable University Policies and Guidelines. Where eligibility is uncertain, confirmation must be confirmed by an HR Advisor or the Employment Relations Manager.

### 3.0 In addition to the HR related authorities provided below in section 4, the University Council and Vice-Chancellor retain some specific authorities, as follows:

- 3.1 **Council:** Appointment of Honorary Academic positions “Professor Emeritus” (On recommendation of Vice-Chancellor to the Honorary Awards Committee.)
- 3.2 **Vice-Chancellor:**
  - Appointment to Senior Leadership Team positions, including acting appointments to these positions.
  - Approval of salary increases for SLT members
  - Approval of Settlement of Collective Employment Agreements
  - Appoint Massey Ambassador/Industry Expert

### 4.0 The Vice-Chancellor provides the following delegated authorities to specific authority bands:

Ref	HUMAN RESOURCE AUTHORITY	AUTHORITY BAND					Conditions
		A	B	C	D	E	
4.1	Establish new positions <u>above</u> approved establishment FTE	✓					
4.2	Establish all Associate Professor and Professor positions	✓					
4.3	Appoint to Associate Professor and Professor positions	✓					
4.4	Appoint to Honorary Academic, Adjunct and Distinguished Visitors, Friends, Visiting Scholars or Researcher positions	✓					Strategic Individual (Non-Employment) Relationships Policy applies.



	HUMAN RESOURCE AUTHORITY	AUTHORITY BAND					Conditions
		A	B	C	D	E	
	<b>Positions and appointments</b>						
4.5	Appoint to academic position where the prospective appointee does not have the required level of academic qualification	✓					
4.6	Appoint where applicant has not passed a pre-employment check	✓					In consultation with ER Manager
4.7	Approve Academic Promotion (progression in “rank” and accelerated progression within rank) from Tutor to Senior Tutor through to and including Senior Lecturer Range 2	✓					With endorsement of the College Promotions Committee
4.8	Establish new academic positions (up to and including Associate Professor level) and all professional services positions within approved establishment FTE	✓	✓				Subject to consultation with the one up manager for B level and subject to PVC protocols around establishing new positions
4.9	Confirm existing ongoing position vacancies within establishment FTE for advertising	✓	✓	✓			Subject to SLT protocols for managing vacancies
4.10	Advertise vacancies of more than 12 months via the University’s recruitment system	✓	✓	✓			
4.11	Appoint to vacancies not exceeding 12 months without advertising	✓	✓	✓	✓		
4.12	Appoint (academic up to Senior Lecturer Range 2 and professional services) staff to an approved vacancy of an existing position or approved new position	✓	✓	✓			
4.13	Appoint to a position where a staff member would have direct or indirect line management responsibility of a relative	✓	✓				Conflict of Interest and Commitment Policy applies. HR advice required.
4.14	Approve staff transfers between departments/ institutes/schools and/or Colleges and/or Campuses	✓	✓	✓			
4.15	Approve secondments to or from outside organisations or within the University	✓	✓	✓			
4.16	Sign fixed term and permanent employment offer documentation, prepared by People and Culture	✓	✓	✓	✓		To include use of future People and Culture system-generated documentation authored by managers.
4.17	Prepare and sign casual employment agreement documentation for casual (as and when required) appointments	✓	✓	✓	✓		In line with People and Culture guidelines and advice from HR Advisor, using the current, approved University template documents.
	<b>Leave</b>	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>Conditions</b>
4.18	Approve leave without pay up to 30 days	✓	✓	✓	✓		
4.19	Approve leave without pay greater than 30 days	✓	✓	✓			
4.20	Approve annual, sick and discretionary leave in accordance with relevant employment agreement provisions	✓	✓	✓	✓		*Note Leave Administrator may be nominated to process leave requests
4.21	Approve annual, sick and discretionary leave over and above relevant employment agreement provisions	✓	✓				In line with People and Culture guidelines and advice from HR Advisor
4.22	Approve long service leave within entitlements	✓	✓	✓	✓		
4.23	Approve annual leave in advance of accrued balance	✓	✓	✓	✓		
4.24	Approve University / overseas duties up to 23 days	✓	✓	✓	✓		



HUMAN RESOURCE AUTHORITY		AUTHORITY BAND					
4.25	Approve University / overseas duties over 23 days	✓					
4.26	Approve parental leave where eligible	✓	✓	✓	✓		
	<b>Remuneration</b>	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>Conditions</b>
4.26	Approve appointment salary and new salary at promotion to Associate Professor or Professor Level	✓					
4.27	Approve payment of special allowances including allowances relating to appointment, retention, special responsibilities or for duties over and above a staff member's existing employment agreement	✓	✓	✓			In line with People and Culture guidelines and advice from HR Advisor
4.28	Set appointment salary for new appointments outside of salary band or range	✓					In line with People and Culture guidelines and advice from HR Advisor
4.29	Set appointment salary for new appointments within salary band or range	✓	✓	✓	✓		In line with People and Culture guidelines and advice from HR Advisor
4.30	Approve standard progression for academic staff up to Senior Lecturer Range 2 who directly report to the manager	✓	✓	✓	✓		
4.31	Approve standard progression salary increment for professional services staff who directly report to the manager	✓	✓	✓	✓		
4.32	Approve accelerated professional services staff salary progression recommendations, from managers of professional services staff who report to the manager making the recommendation	✓	✓	✓	✓		
4.33	Approve annual salary reviews for staff who are Management Individual Employment Agreements and who directly report to the manager	✓	✓	✓	✓		In consultation with one up manager
4.34	Approve recommendations by managers for payment of a performance bonus for professional services staff reporting to them	✓	✓	✓	✓		In consultation with one up manager
4.35	Approval of overtime agreed in advance	✓	✓	✓	✓		
	<b>Other</b>	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>Conditions</b>
4.36	Approve variations of employment <u>such as</u> changes to staff FTE within approved establishment, change of duties/job description, change of reporting line.	✓	✓	✓			
4.37	Approve variation of employment to change job classification, e.g. from Lecturer to Professional Clinician	✓					
4.38	Approve staff study fees concession	✓	✓	✓	✓		
4.39	Approve Retirement Gratuity being paid as paid leave (with payment of superannuation) rather than a lump-sum termination payment.	✓					
4.40	Approve request for Retirement Gratuity for less than 10 years' service, where eligibility confirmed by ER Manager.	✓					
4.41	Approve initiation, consultation and implementation of a restructuring/staff review process which may result in changes to the organisational structure or roles, staffing	✓					Managers are required to seek the advice of the HR Advisor.



	HUMAN RESOURCE AUTHORITY	AUTHORITY BAND					
		A	B	C	D	E	
	levels, redundancies, and or major change to work practices.						
4.42	Co-approve payment of a non-taxable compensation for humiliation and loss of dignity under section 123 (c) (i) of the Employment Relations Act.	✓					Co-approval from ER Manager required.
4.43	Approve dismissal of employee	✓					Managers are required to seek the advice of Employment Relations and follow due process
4.44	Manage employment relationship problems that arise in the workplace, including unsatisfactory performance.	✓	✓	✓			Managers are required to seek the advice of the HR Advisor.
4.45	Authorise staff disciplinary investigation into non-performance or alleged misconduct/serious misconduct, including the application of any penalty or sanction up to and including the level of final warning.	✓	✓	✓			Managers are required to seek the advice of HR Advisor. Where outcome of an investigation potentially results in dismissal, written approval to proceed should be obtained from SLT manager.
4.46	Undertake PDPs for nominated staff	✓	✓	✓	✓	✓	Also allocated to F band
4.47	Verifying renewal of work permits	✓	✓	✓	✓	✓	Also allocated to F band
	<b>POD Specific Delegated Authorities</b>	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>Conditions</b>
4.48	Approve appointments without advertising to ongoing positions and fixed-term positions of over 12 months						DVC People and Culture
4.49	Variation to standard conditions of employment						ER Manager or ER Advisor
4.50	Variation to standard relocation assistance allowances						DVC People and Culture or Recruitment Manager, in consultation with SLT manager
4.51	Response to a personal grievance, dispute or compliance order						DVC People and Culture, ER Manager, ER Advisor, or HR Advisor.
4.52	Settling a personal grievance or a dispute about interpretation, application or operation of an employment agreement						DVC People and Culture or ER Manager, ER Advisor or HR Advisor - with concurrence of SLT manager
4.53	Responses to requests under the Privacy Act 1993, in respect of named staff						DVC People and Culture, or ER Manager or ER Advisor
4.54	Drafting response to requests under the Official Information Act in respect of staff.						DVC People and Culture or ER Manager, approval by Director Risk and Assurance
4.55	Negotiation of a Collective Employment Agreement						DVC People and Culture, and ER Manager
4.56	Negotiation and approval of an Employee Participation Agreement for Health and Safety.						DVC People and Culture
4.57	Approve grading or re-grading of positions for professional services staff						POD Remuneration Advisor
4.58	Determining if a person is covered by MUCEA / IEA or a Management IEA						ER Manager or ER Advisor
4.59	Obtain external legal advice on employment related matters on behalf of the University						DVC People and Culture, or ER Manager



	HUMAN RESOURCE AUTHORITY	AUTHORITY BAND				
4.60	Authority to approve changes to the IEA template					DVC People and Culture, or ER Manager

### **PART THREE: CONTRACT SIGNING DELEGATION SCHEDULE**

Under the provisions of the Education Act 1989, only the Vice-Chancellor or his/her delegated nominee may sign contracts, which commit the University.

The term “contract” in this context means any agreement, which commits the University in financial or legal terms, and includes contracts relating to

- [Construction, buildings, and leases relating to property and land](#)
- [Equipment, consumables, services, non-research consulting, and commercial contracts](#)
- [Research, academic or research related consultancy, and commercialisation of IP](#)
- [Teaching](#)
- [International](#)
- [Sponsorship](#)
- [Student Recruitment](#)
- [Miscellaneous signing authorities](#)

#### **General provisions**

- Contracts in excess of 5 years duration, and/or \$2 million per annum are considered material transactions and must be signed by the Vice-Chancellor.
- Staff negotiating contracts must seek guidance and assistance from the appropriate responsible area referred to in the Contract Management Policy.
- All contracts must adhere to the policies and procedures relating to the specific class of contracts (i.e. Sub-Contracting of Teaching, Procurement).
- A list of approved external legal service providers is maintained by the DVC People and Culture, in accordance with the Contract Management Policy. Where contract review is required by an external party, an approved provider must be engaged by an authorised delegate, refer Other Delegations Schedule, Engagement of Solicitors.
- The establishment of specific individual delegations for the purposes of the signing contracts will be by letter from the Vice-Chancellor on the recommendation of the DVC Operations. The Director Risk and Assurance will maintain a register of these delegations. All persons delegated to sign contracts must satisfy themselves that the contract is entered in the Contracts Register with all necessary properties identified to enable effective monitoring and management.
- Purchases/expenditure in excess of \$100,000 are required to go through the Procurement and Contracts Governance Board and therefore associated contracts must be signed in accordance with the Board’s approval.
- The signing authorities specified in this schedule are subject to full compliance with the Procurement Policy and Procedures and the Contract Management Policy and Procedures. Where a contract or agreement has been drafted or negotiated with an external party, and has not complied with the requirements of those policies, this must be notified to the Director Risk and Assurance. Contract signing authority for these contracts is restricted to the Vice-Chancellor.



## **1.0 Construction, buildings and leases relating to property and land**

### **1.1 Standard contracts up to \$100,000 (with financial approval)**

1.1.1 Pre-signature review and assessment must be undertaken by the applicable responsible area, as specified in the Contract Management Policy, or by an approved external legal services provider.

1.1.2 Where the assessed risk level is not high, standard contracts within this category may be signed by any one of the following, for contracts relating to their area of responsibility and oversight:

- National Facilities Director
- Capital Development Manager
- DVC Operations
- DVC Finance and Technology
- Individual employees with specific delegations to sign contracts as authorised in writing by the Vice-Chancellor.

1.1.3 Where the assessed risk is high, the contract must only be executed by one of the following:

- DVC Operations
- DVC Finance and Technology
- Vice-Chancellor

### **1.2 Standard contracts in excess of \$100,000 (up to \$2M/p.a.)**

1.2.1 Pre-signature review and assessment must be undertaken by the applicable responsible area, as specified in the Contract Management Policy, or by an approved external legal services provider.

1.2.2 Where the assessed risk level is not high, standard contracts within this category may be signed by any one of the following:

- DVC Operations
- DVC Finance and Technology
- Individual employees with specific delegations to sign contracts as authorised in writing by the Vice-Chancellor.

1.2.3 Where the assessed risk is high, the contract must only be executed by one of the following, after seeking appropriate legal review and advice on the contract:

- DVC Operations
- DVC Finance and Technology
- Vice-Chancellor

1.3 Contracts pertaining to land and buildings, and all Deeds must be signed under Seal, see Other Delegations Schedule.

**2.0 Equipment, consumables, services, non-research consulting, and commercial contracts (including IT licence agreements)**

2.1 Within approved budget up to \$50,000 (total value, whole of term), New Zealand jurisdiction only, 1 year or less in duration:

2.1.1 Where the contract is not a standard Massey template, or terms are required to be varied, pre-signature review and assessment must be undertaken by the applicable responsible area, as specified in the Contract Management Policy, or by an approved external legal services provider.

2.1.2 Where the assessed risk level is not high, standard contracts within this category may be signed by any one of the following:

- Senior Leadership Team Member
- Chief Procurement and Contracts Officer
- Capital Asset Manager
- Chief Information Officer (IT Equipment & Services)
- Individual employees with specific delegations to sign such contracts as authorised in writing by the Vice-Chancellor.

2.1.3 Where the assessed risk is high, the contract must only be executed by one of the following, after seeking appropriate legal review and advice on the contract:

- DVC Operations
- DVC Finance and Technology
- Vice-Chancellor

2.2 Within approved budget, up to \$100,000, 3 years or less in duration:

2.2.1 Where the contract is not a standard Massey template, or terms are required to be varied, pre-signature review and assessment must be undertaken by the applicable responsible area, as specified in the Contract Management Policy, or by an approved external legal services provider.

2.2.2 Where the assessed risk level is not high, contracts within this category may be signed by any one of the following:

- Senior Leadership Team Member
- Chief Information Officer
- Chief Procurement and Contracts Officer
- Individual employees with specific delegations to sign such contracts as authorised in writing by the Vice-Chancellor.

2.2.3 Where the assessed risk is high, the contract must only be executed by one of the following, after seeking appropriate legal review and advice on the contract:

- DVC Operations
- DVC Finance and Technology
- Vice-Chancellor

2.3 Within approved budget up to a maximum of \$2M whole of contract cost, and less than 5 years in duration:

2.3.1 Pre-signature review and assessment must be undertaken by the applicable responsible area, as specified in the Contract Management Policy, or by an approved external legal services provider.

2.3.2 Where the assessed risk level is not high, contracts within this category may be signed by any one of the following:

- DVC Operations
- DVC Finance and Technology
- Individual employees with specific delegations to sign such contracts as authorised in writing by the Vice-Chancellor.

2.3.3 Where the assessed risk is high, the contract must only be executed by the Vice-Chancellor.

### 3.0 Research, academic or research related consultancy, and commercialisation of IP

Includes both the provision of research and consultancy services to third parties, and the purchase of research and consultancy services by the University. Note that purchase of research and consultancy services must be within approved budgets and subject to Procurement Policy requirements.

3.1 Delegated authority to sign:

RISK FACTORS	AUTHORITY TO SIGN		
	Any one of: Directors of Research Centres (only where expressly authorised in Centre Agreement), Director Research Operations SLT Member	Any one of: SLT Member, Director Research Operations	Any one of: Director Research Operations, Provost
Liability cap	\$0 - \$50,000	\$0 - \$200,000	\$0 - \$1,000,000
Total contract value	\$0 - \$50,000	\$0 - \$200,000	\$0 - \$1,000,000
Jurisdiction	New Zealand only	New Zealand Only	Within or outside NZ
Maximum Duration of Contract	0 - 3 years	0-5 years	0 - 5 years

3.2 All other contracts (i.e. those for which the liability cap is greater than \$1,000,000 or the total contract value is greater than \$1,000,000 or the contract has a maximum duration greater than 5 years) will be signed by the Vice-Chancellor, with the exception of:

3.2.1 Contracts within this category where they are with organisations listed in clause 3.4 below, or the contract is a variation or extension to an existing contract signed, following due process, by the Vice-Chancellor. These may be signed by one of either the Director Research Operations, Director Business Development and Commercialisation or the Provost.

3.3 Where the University is the provider of research and consultancy services, the contract must include clauses approved by the Office of Research & Enterprise which cover the following\*:

- Ownership of Intellectual Property;
- A liability cap of \$1,000,000 in respect to direct failure of the University to perform;
- No acceptance of consequential or indirect liability by the University.

\*If the liability clause is inconsistent with the above, the contract may be signed following the review and recommendations of the Office of Research & Enterprise.

3.4 The clauses in 3.3 need not be applied in respect to contracts with the following agencies:

- Any New Zealand Government Department, the Royal Society of New Zealand, the Health Research Council of New Zealand, where the contract is with these agencies alone or in combination with other of these agencies;
- All Statutory Crown Entities listed under Schedule 1 (Parts 1-3) of the Crown Entities Act 2004 where the contract is with these agencies alone or in combination with other entities listed under this Schedule. Contracts with these agencies *will* require the inclusion of the blanket Intellectual Property sub-clause, but not liability sub-clauses.

3.5 At all times those staff members involved in the negotiation, preparation and/or execution of any research and academic or research consultancy contract, whether the University is procuring or providing the service, must comply fully with the requirements of this policy, the Contract Management Policy and other associated policies and procedures of the University.

3.6 The Provost can withdraw delegated authority to conclude research and consulting contracts in whole or part, with immediate effect for any material breach of this Policy or for any other matter or event likely to put the University under material risk. The Provost must notify the staff member and relevant Pro Vice-Chancellor of this decision in writing and cite the reason for this decision, with a copy also provided to the Director Risk and Assurance.

3.7 Authorities provided to the Provost within this section (3.0) may also be exercised by DVC Operations as alternate, as and when required.

#### **4.0 Teaching Agreements**

Includes conjoint arrangements, articulation agreements and sub-contracting of teaching.

4.1 All contracts for sub-contracting of teaching activity must be signed by the Vice-Chancellor, or DVC Operations, (as alternate), after approval of the relevant Pro Vice-Chancellor. Refer to the [Sub-contracting of Teaching Activity Policy](#) and the Policy relating to the [International Delivery of Qualifications](#).

#### **5.0 International Agreements**

5.1 Agreements, including Memorandums of Understanding in respect of student exchange programmes must be approved and signed by;

- the Vice-Chancellor in cases of institution to institution level agreements

- the DVC Operations (in consultation with the VC)
- the Provost or the DVC Operations in cases of College level agreements. Prior approval must be obtained from the relevant PVC. Prior approval must also be obtained from the Provost, if the agreement includes contract research collaboration.

5.2 All other International contracts must be approved and signed by the Vice-Chancellor. Prior approval must be obtained from the relevant SLT member. Prior approval must also be obtained from the Provost, if the agreement includes contract research collaboration. The Vice-Chancellor may choose to sub-delegate this authority to an SLT member on a case by case basis. Confirmation must be provided to the Director Risk and Assurance, and maintained as part of the contract record.

### **6.0 Sponsorship Agreements**

6.1 Sponsorship contracts up to \$5,000 and 1 year or less in duration may be signed by an SLT member. Where the duration is over 1 year or the total value of the contract exceeds \$5,000, the contract must be signed by the DVC Operations. Sponsorship Agreements greater than \$10,000 or exceeding 2 years must only be executed by the Vice-Chancellor, unless delegated to the DVC Operations. Appropriate templates and/or legal review must be undertaken prior to execution.

6.2 All sponsorships involving media and/or media outlets must have prior approval from the DVC Operations

### **7.0 Student Recruitment**

7.1 Authority to execute agency contracts allowing third parties to act as representatives to recruit overseas students is delegated to the DVC Operations. Contracts must be on the standard University template, unless the alternative template has been legally reviewed and approved, and must not exceed 5 years in duration.

7.2 Termination of agreements with international recruitment agents may be authorised by the DVC Operations, having due regard to contractual obligations and dispute clauses. The DVC Operations will follow internal or external legal advice before terminating any contract.

### **8.0 Miscellaneous signing Authorities**

8.1 The Director Business Development and Commercialisation has authority to sign patent documentation, including power of attorney forms on the University's behalf. Patent register is to be maintained.

8.2 The University Publisher is authorised to sign publishing contracts where these are on an approved Massey template, and appropriate pre-signature review has been undertaken. Management of contracts will comply with all requisite University policies and procedures.

8.3 DVC Finance and Technology will authorise the Ministry of Education Single Data Return (SDR) on behalf of the University.

## **PART FOUR: OTHER DELEGATIONS SCHEDULE:**

### **1.0 Management of Student Misconduct**

1.1 Authority to investigate and resolve complaints is delegated in accordance with the policy and procedures outlined in the [Student Disciplinary Regulations](#), [Student Academic Integrity Policy](#), and [Procedure for Managing Breaches of Academic Integrity](#).

### **2.0 Admission and enrolment of students**

2.1 The Provost will have authority to consent to the enrolment of a person who has not attained the minimum age for entry to the University or if the person does not have the minimum entry requirements for applicants under 20.

2.2 The Provost and the DVC Operations are authorised to refuse to permit or cancel the enrolment of a person as a student at Massey University or in a particular programme or scheme.

### **3.0 Student Fees**

3.1 Fee reductions or subsidies applied to International cohorts are authorised by the Vice-Chancellor.

3.2 The Provost will authorise the discounting of fees for domestic students. Refer to International Fees Scholarship and Discounts Policy.

3.3 Director Student Administration is authorised to approve fee waivers or refunds up to a maximum value of \$10,000 per item per debtor, subject to conditions and criteria set out in relevant policies and procedures, and subject to any requirements of an exchange partner.

3.4 The DVC Operations or the Provost can authorise fee waivers, refunds and determination of fee appeals by Domestic or International students up to a maximum of \$50,000 per item. Any commission paid to a Recruitment Agent, in good faith by the University, in relation to a student, will be deducted from the amount of any refund payable to a student withdrawing prior to completion of the first year of study.

### **4.0 Engagement of Solicitors**

4.1 Engagement of external legal services is subject to the approval of one of the following: Provost, DVC Operations, DVC Finance and Technology, DVC People and Culture, Director Risk and Assurance or, the Director Research Operations.

4.2 Engagements must comply with internal guidelines or preferred supplier agreements in place at any time.

### **5.0 University Seal, Coat of Arms and Name**

5.1 Execution of Documents and the University's Seal (Delegated Authority). In terms of Section 167 of the Education Act 1989, any two of:

- the Chancellor
- the Vice-Chancellor and
- the DVC Operations

are authorised to execute documents, including documents affixed with the University's common seal. This delegation is subject to details of documents executed under seal being subsequently reported to Council.

## **6.0 Research Centres and Other Independently Constituted Organisations**

6.1 The Vice-Chancellor, with advice from the University Research Committee (URC), will approve the establishment or disestablishment of College and University Research Centres. Advice from the URC is not required for Commercial Centres.

6.2 Council, on the recommendation of the Vice-Chancellor, will approve the establishment or disestablishment of foundations, trusts, University owned companies, or other independently constituted organisations.

6.3 Appointment of Directors of controlled entities will be made by the Vice-Chancellor, unless otherwise directed by Council or in circumstances where the Vice-Chancellor is likely to be appointed into such roles.

## **7.0 Space Allocation**

7.1 The DVC Operations has authority for allocation of space for University purposes in each campus.

## **8.0 Records and Documents**

8.1 The Director Information and Records Management will approve disposal of University Records in accordance with the General Disposal Authority (GDA) approved by Archives New Zealand.

## **9.0 Information requests**

9.1 The Director Risk and Assurance is authorised to respond on behalf of the University to requests for information made under the Privacy Act 1993 and the Official Information Act 1982, and to respond to requests made by the Office of the Privacy Commissioner or the Ombudsman relating to complaints and investigations.

## **10.0 Other General Delegations**

10.1 The DVC Operations as Registrar is the University's proper officer and has authority to accept service of court process on behalf of the University.



SUMMARY OF AUTHORITIES BY AUTHORITY BAND				
AUTHORITY BAND	FINANCIAL AUTHORITY See Financial Authority Schedule for detail.	HR AUTHORITY Refer to HR Schedule for full detail. (each Band inherits all authorities of the levels below see Note 1)	CONTRACT COMMITMENTS Must comply with Contract Management Policy.	EXAMPLES
A	<ul style="list-style-type: none"> <li>OPEX \$200,000</li> <li>One-off capital purchase item within approved budget and less than \$100,000 per purchase order total</li> <li>Credit card</li> </ul>	<ul style="list-style-type: none"> <li>Establish new positions <u>above</u> establishment</li> <li>Appoint to Associate Professor and Professor positions</li> <li>Appoint to Honorary Academic, Adjunct and Visiting Lecturer or Researcher positions</li> <li>Appoint where applicant has not passed a pre-employment check, or does not have required level of academic qualifications</li> <li>Advertise and appoint Associate Professor &amp; Professor, appointment exceptions</li> <li>Approve appointment salary or promotion salary at Associate Professor or Professor Level</li> <li>Academic promotions from Tutor through to Senior Lecturer Range 2</li> <li>Set appointment salary for new appointments, outside of salary band or range</li> <li>Approve dismissal of an employee</li> </ul>	<ul style="list-style-type: none"> <li>Equipment, consumables, services, non-research consulting, and commercial contracts (including IT licence agreements): Within approved budget, up to \$100,000, less than 3 years in duration.</li> <li>Research, academic or research related consultancy, and commercialisation of IP (provision and purchase of research and consultancy services by the University): Liability and contract value does not exceed \$200,000, less than 5 years duration, NZ only.</li> </ul>	SLT
B	<ul style="list-style-type: none"> <li>OPEX \$70,000</li> <li>Credit card</li> <li>One-off capital purchase item within approved budget and less than \$50,000 per purchase order total</li> </ul>	<ul style="list-style-type: none"> <li>Appointment to role where a staff member is in a position to manage a relative</li> <li>Approve annual, sick and discretionary leave over and above relevant employment agreement provisions</li> </ul>	*Authorities provided to specific roles, refer to schedule for full detail.	Available to managers with or without budget management responsibilities (typically with). i.e. HoDs, HoI, HoS Directors of Units/functions
C	<ul style="list-style-type: none"> <li>OPEX \$30,000</li> <li>Credit card</li> </ul>	<ul style="list-style-type: none"> <li>Establish new academic (up to Senior Lecturer, Senior Research Officer) and all professional services positions <u>within</u> approved establishment FTE</li> <li>Staff transfers and secondments</li> <li>Approve of leave without pay greater than 30 days</li> <li>Advertise and appoint within establishment FTE for all professional services and academic positions up to Snr Lecturer (Range 2) to approved vacancy or approved new position</li> <li>Management employment relationship problems, authorise disciplinary investigations</li> <li>Approve payment of special allowances</li> <li>Authorise staff disciplinary investigation</li> </ul>	Nil	Available to managers with or without budget management responsibilities, i.e. Managers, Team Leaders, Senior Administrators. Note 2,3
D	<ul style="list-style-type: none"> <li>OPEX \$10,000</li> <li>Credit card</li> </ul>	<ul style="list-style-type: none"> <li>Sign fixed term and permanent employment offer documentation</li> <li>Prepare and sign casual employment agreement documents for new and existing casual positions</li> <li>Approve annual, sick, discretionary, bereavement, parental leave, long leave, leave without pay up to 30 days, and University/overseas duties &lt; 23 days.</li> <li>Set appointment salary for new appointments, within salary band or range</li> <li>Approve standard and accelerated salary progression and increments, performance bonus, and salary reviews</li> <li>Approval of staff study fees concession</li> </ul>	Nil	Managers with or without budget management responsibilities, i.e. Team Leaders, Practice-leaders, Senior Administrators. Note 2,3
E	<ul style="list-style-type: none"> <li>OPEX \$5,000</li> <li>Credit Card</li> </ul>	<ul style="list-style-type: none"> <li>(Note: Payment of wages and salaries is an operating expense. Therefore, staff with an authority band E may approve timesheet payments up to the extent of their financial authority.)</li> <li>Undertake PDPs for nominated staff, verifying renewal of work permits</li> </ul>	Nil	Administrative and supervisory staff who support managers – no line management responsibility for staff
F	Nil	<ul style="list-style-type: none"> <li>Undertake PDPs for nominated staff, verifying renewal of work permits</li> </ul>	Nil	Supervisory staff

**Note 1.** Each band includes all authorities provided in lower levels, e.g. B includes all B to F.

**Note 2.** HR authorities within each band can only be exercised for staff within delegates area of responsibility and management.

**Note 3.** Managers who have formal line management responsibilities (who have salaried staff reporting to them), must be assigned either A, B, C, or D levels of authority.