



Delegations Policy

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Related Policy/Procedure:	<ul style="list-style-type: none"> ➤ Conflict of Interest Policy ➤ Enrolment Policy ➤ Enrolment Procedure ➤ Board and Committee Charter and Terms of Reference documents ➤ Delegations Register ➤ Company Constitution 		

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Delegations Policy

Purpose

This Policy sets out how Lyons College delegates corporate, academic, financial and operational authority and decision-making capabilities.

Scope

This Policy applies to all Employees of Lyons College.

Definitions

Committee means the Academic Board, the Finance and Audit Committee, the Risk Committee, the Learning and Teaching Committee, the Course Advisory Committee or any other body or Committee set up under the Constitution of Coleraine Share Trading Pty Ltd under the authority of the Board, or under another instrument with delegated authority.

Committee Members means all members of the Academic Board, the Finance and Audit Committee, the Risk Committee, the Learning and Teaching Committee, the Course Advisory Committee or any other body or Committee set up under the Constitution of Coleraine Share Trading Pty Ltd under the authority of the Board or under another instrument with delegated authority.

Employee means all Lyons College Board Members, Committee Members, Staff and Contractors.

Contractor means any person, entity or organisation providing training and/or assessment services for any Lyons College vocational education and training unit or course.

Governance Instrument means an instrument establishing or outlining the duties of any governance structure, Employee or delegate of Lyons College. This includes, but is not limited to:

- The Constitution of Coleraine Share Trading Pty Ltd
- The Board Charter
- The Academic Board Terms of Reference
- The Finance and Audit Committee Terms of Reference
- The Risk Committee Terms of Reference
- The Learning and Teaching Committee Terms of Reference
- The Course Advisory Committee Terms of Reference
- Letters of engagement for the Board or Committee
- Employment contracts

Staff means any person employed by Lyons College in any capacity (full-time, part-time or casual), any contractor engaged to perform work on behalf of or to represent Lyons College or any sessional academic staff.

Policy

This Policy sets out the delegated authority conferred on the Board, Committees, Committee Members and Staff of Coleraine Share Trading Pty Ltd trading as Lyons College.

Boards and Committees

The Constitution of Coleraine Share Trading Pty Ltd establishes the Board and empowers it to manage the business and operations of Lyons. The Board is responsible for the corporate governance of Lyons College. Members of the Board are required to abide by the Board Charter.

The Academic Board (AB) was established under the authority of the Board through the Academic Board Terms of Reference. The Board has delegated academic governance to the AB. Members of the AB are required to abide by the Academic Board Terms of Reference.

The Finance and Audit Committee (FAC) and the Risk Committee (RC) were established under the authority of the Board through the FAC and RC Terms of Reference. The FAC is responsible for providing advice to the Board on effective financial management.; and the RC is responsible for providing risk management advice. Members of the FAC and RC are required to abide by the respective Committee's Terms of Reference. There is no specific delegation of decision-making authority to these Committees.

The Learning and Teaching Committee (LTC) was established under the authority of the Academic Board through the Learning and Teaching Committee Terms of Reference. The LTC is responsible for providing advice and making recommendations to the AB in relation to learning and teaching for the higher education programs of Lyons College. Members of the LTC are required to abide by the Learning and Teaching Committee Terms of Reference. There is no specific delegation of decision-making authority to this Committee.

The Course Advisory Committee (CAC) was established under the authority of the Board through the Course Advisory Committee Terms of Reference. The CAC is responsible for providing the Learning and Teaching Committee (LTC) with industry and content specific advice on academic course requirements, design and innovations. Members of the CAC are required to abide by the Course Advisory Committee Terms of Reference. There is no specific delegation of decision-making authority to this Committee.

Delegations made beyond the above delegation framework will be recorded in the Delegations Register.

Overarching Delegations Principles

The following overarching principles must be applied upon the granting of a delegation:

- Lyons College will have a Delegations Register which will outline the roles and delegated authority for those roles.
- A delegation may be financial, operational or both.
- Financial delegations will have limits applied.
- Any delegated authority applies to the delegate's position and not to the individual in that position.
- Where a delegation is to a body (such as a Committee or a Board), The delegation relates to the body acting as a body, not to individual members of the body.

- A person acting in any role that has a delegated authority is entitled to exercise the authority under that delegation, but only for time the period that they are so acting.
- All delegations must be executed with honesty and integrity, in accordance with all Lyons College Governance Instruments, all Lyons College Policies and Procedures and in accordance with all regulatory requirements.
- Delegations must not be exercised where the delegate, any relative or associate of the delegate, or another Employee gains an unfair or unearned benefit. A delegate must make a Conflict of Interest Declaration if this is the case.
- A person who has direct line management of a delegate can exercise the delegated authority of their subordinate, unless otherwise expressly stated in the Delegations Register.
- Sub-delegation is only permitted where it is approved by the Board or the CEO (unless contained within the delegation instrument). Any sub-delegation must be approved in writing and may require an end date. If a sub-delegation is approved, the original delegate and sub-delegate are jointly responsible and accountable if the sub-delegate exercises the delegation.

Any breach of this Policy may result in disciplinary action, including termination if the breach is of a serious nature.

Monitor and Review

The Board will review this Policy at least every three years from the date of the last approval. The Board will conduct a review, if needed prior to that time. The Board will take into account the operational and strategic needs of Lyons College when reviewing the Delegations Policy or the Delegations Register.

In reviewing the Delegations Policy, the Board must take into account:

- Current and future strategic goals;
- Current and future operational needs;
- The Governance structure including the Academic Board and other Committees; and
- The organisational structure including newly created and deleted roles.

The Board may update or amend the Delegations Register independently of the Delegations Policy. Changes to the Delegations Register must be made by a Board Resolution.

The Board will monitor the exercise of delegations. This will be done through regular reporting from the CEO, in particular where there have been issues with a delegation or exercise of a delegation. Where the Board believes that the action of an Employee is not authorised under this Policy or subordinate Delegations Register, the Board may take appropriate disciplinary action.

The Board has the discretion to suspend or revoke a delegation if it believes it is the best interest of Lyons College. Suspension or revocation of a delegation must be done through a Board Resolution.

Version	Date	Resolution	Comments
V1.0	21/08/2018	20190821/08	Initial policy created
220928	20/09/2022	221220/02	Changes to Committee names, other minor changes