

*Board Policy for  
Delegation Instrument*



ST ANDREWS  
CHRISTIAN COLLEGE

INSPIRED BY  
FAITH

DISTINGUISHED BY  
CHARACTER

LEADERS BY  
INFLUENCE



# *Board Policy for Delegation Instrument*

## PREAMBLE

All policy, protocols and procedures flow from the St Andrews Christian College Mission Statement:

*“To educate our students so that they are well skilled, understand life on the basis of biblical truth, and are motivated to walk with God and serve Him in their lives, so that they will be a positive Christian influence in the world.”*

## POLICY DOCUMENT INFORMATION

<b>TITLE:</b>	Board Policy for Delegation Instrument
<b>AUTHORS:</b>	James Bligh & RK Russell Kennedy Lawyers
<b>ACKNOWLEDGEMENTS:</b>	
<b>PURPOSE:</b>	To provide policy and direction for all the College Community.
<b>RELATED DOCUMENTS:</b>	The Constitution

## KEY DATES

<b>ISSUE DATE:</b>	August 2022
<b>REVIEWED AND APPROVED:</b>	6 <sup>th</sup> October, 2022
<b>SCHEDULED REVIEW DATE:</b>	February, 2025

## 1. DELEGATION

- 1.1** The Board of the St Andrews Christian College (the **College**) has the full power to manage and conduct the business and affairs of the College, subject to any restrictions contained in the College Constitution (including, for example, restrictions requiring the College to comply with any not-for-profit requirements under the *Education Training and Reform Act 2006* (Vic)).
- 1.2** The Board has implemented a Delegation Matrix, which contains:
- 1.2.1 delegations from the Board to sub-committees in accordance with clause 8.2.1(b) of the Constitution; and
  - 1.2.2 delegations from the Board to:
    - a) the Principal;
    - b) the Deputy Principals;
    - c) Business Manager;
    - d) Head of Secondary and Head of Primary; and
    - e) any other officers or employees of the College in accordance with clause 8.2.1(a) of the Constitution.
- 1.3** This document should be read in conjunction with the Delegation Matrix.
- 1.4** Delegations made do not include a power of sub-delegation unless expressly permitted under the Delegation Matrix. Any powers of sub-delegation must be exercised in accordance with any limits and restrictions specified in the Delegation Matrix.
- 1.5** All power and authority not expressly delegated under this document will reside with the Board, or the Principal in accordance with any contract of employment



## 2. DECISION-MAKING BY DELEGATES

2.1 (**Next higher levels of authority**) If a decision cannot be made by a delegate (whether due to absence, conflict or incapacity, or something else), the next higher level of delegation is as set out in the following table:

Delegate	Next higher level of authority
Chair	Board
Sub-committee	Board
Principal	Board
Deputy Principal(s)	Principal
Business Manager	Principal
Head of Secondary/Head of Primary	Principal

2.2 (**Other approvals**) For convenience, the Delegation Matrix may refer to approval of members in special general meeting, or other third party or regulatory approvals.

Please refer to the other legal documents (e.g. Constitution, funding agreements) to identify the nature and scope of the relevant approval.

2.3 (**Reports**) As a consequence of delegation, the delegate is responsible for reporting to the higher authority on the delegated activities. The Board will monitor the exercise of delegations to ensure compliance with this Delegation Instrument and the Delegation Matrix.

## 3. DELEGATION LIMITATIONS

3.1 (**Delegation Limit**) Delegation limits must not be exceeded.

3.2 (**Direction from higher authority**) Delegates must not exercise a delegation where they have been expressly directed not to do so by a higher authority.

3.3 (**Requirement of good faith, care and diligence**) Authorities must be exercised in good faith and with reasonable care and diligence. The delegate must refer a matter to the next higher level of authority if the delegate reasonably believes the delegation is:

3.3.1 not in the best interest of the College;

3.3.2 of special significance, importance or sensitivity; or

3.3.3 of a nature which should be submitted to a higher level of authority.



- 3.4 (**Disciplinary action for exceeding authority**) A delegate who exceeds his or her authority may be subject to disciplinary action. The College may also seek compensation from the delegate for any loss or damage suffered.
- 3.5 (**Other policies and procedures**) Delegates must use their authorities in compliance with the Delegation Matrix, the Constitution and relevant College policies, procedures or directions.
- 3.6 (**Acting positions**) Unless otherwise notified, acting delegates may exercise the full range of delegations applicable to the original position.
- 3.7 (**No approval permitted for personal gain**) Delegates are not able to exercise an authority in which they have an actual, potential or perceived conflict of interest (see the College's Conflict of Interest Policy for more detail) and cannot implement an authority or decision that directly affects them personally unless they have received prior written approval from a higher level of authority.
- 3.8 (**No split transactions**) For the purposes of determining whether an authority limit is reached, multiple transactions which substantially form part of a single transaction must be aggregated and approved as one transaction.
- 3.9 (**Entering agreements**) A delegation to enter into an agreement includes a delegation to vary, change or terminate an agreement within the delegate's authority limit.
- 3.10 (**GST**) All delegation limits refer to a GST inclusive amount, unless otherwise specified.

## 4. REPLACEMENT OF EXISTING DELEGATION POLICIES

Upon adoption of this Delegation Instrument, the St Andrews Christian College – Board Policy for Delegation of Authority is repealed and replaced with this Delegation Instrument and the Delegation Matrix.

## 5. REVIEW OF DELEGATION INSTRUMENT

The Delegation Instrument and Delegation Matrix must be reviewed by the Board on a regular basis, and at least once per year, to ensure their alignment with and relevance to the College.

## 6. APPROVAL AND ADOPTION OF THIS DELEGATION INSTRUMENT

Adopted by the Board on 6<sup>th</sup> October, 2022.