

Artistic Swimming WA Delegations Policy			
Version number	Version 1		
Drafted by	Treasurer	Board approval on	22/08/2023
Person Responsible	Treasurer	Scheduled review date	22/02/2024

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1. Introduction

All Board decisions are made as a group and all Directors share equal responsibility for Board decisions.

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

The *Associations Incorporations Act 2015 Western Australia* 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.

Delegations policies are common. They set out the extent of the Board's delegations and include spending limits, for example, for EOs over and above budget allocations.

2. Policy Statement

The Delegations Policy establishes a framework for delegating authority within Artistic Swimming WA 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 Artistic Swimming WA who have delegated authority to act on behalf of Artistic Swimming WA

Delegations of authority within Artistic Swimming WA 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 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 Executive Officer (EO) a mechanism to ensure that only Artistic Swimming WA staff and volunteers with appropriate skills and seniority will make decisions and enter into commitments on behalf of Artistic Swimming WA.

Delegations are a key element in effective governance and management of Artistic Swimming WA 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 Artistic Swimming WA, and any other persons and / or Committee that is delegated responsibility by the Board.

4. Policy

The Board of Artistic Swimming WA is responsible for the management of the organisation. Under the *Associations Incorporations Act 2015 Western Australia* and under Clause 28.2 of the Artistic Swimming WA Constitution, the Board can delegate any of its functions except:

- (a) the power of delegation, and
- (b) any functions reserved to the Board under *Associations Incorporations Act 2015 Western Australia*.

Under clause 28.1 of the Constitution, The Board may delegate its functions to:

- A member or members of the Board, and
- A sub-committee of the Board

Under clause 27 of the Constitution, The Board may delegate its functions to the EO and through the EO to members of the staff of the organisation.

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 EO:

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

The EO 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.

Artistic Swimming WA 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 EO, 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 Artistic Swimming WA or any of its employees or contractors to knowingly and deliberately not comply with the law or to act unethically in the course of performing or advancing Artistic Swimming WA's business.

5. Responsibilities

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

6. Processes

The overarching Delegations Policy applies to Artistic Swimming WA as a whole, and committees within the organisation must align their delegations policies with the central policy.

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 Artistic Swimming WA organisational structure. Levels of authority are hierarchical through relevant lines of responsibility up to and including the EO. 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 EO.
- 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 Artistic Swimming WA 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 EO.
- 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 Human Resources Delegations. The schedule will provide reports by function, by position profile and by administrative area.

Special care must be taken to retain currency 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 EO, 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 Artistic Swimming WA'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
- Unbudgeted capital expenditure
- Unbudgeted operating expenditure valued above \$500.00;
- Varying budgeted capital expenditure
- Varying budgeted operational expenditure by more than \$500.00; and
- Writing off or writing down assets or bad debts above the amount of \$4000.00

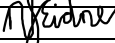
Limits expressed refers to the maximum amount committed on behalf of the Artistic Swimming WA, not individual invoices.

8. Policy Review Process

8.1 This policy will be reviewed at least annually, in line with the Board's policy review schedule, or as otherwise required by this Policy.

8.2 The Board may at any time initiate a review outside of the normal schedule.

9. Authorisation

Signature of Board Chair	
Date of approval by the Board	22/08/2023
Artistic Swimming WA	

APPENDIX A

Sample Delegations Schedule

NB: Sporting organisations should take the following considerations in to account when reviewing and developing their delegations schedule:

1. The below list is not an exhaustive list and will need to be tailored to suit the sport's needs and circumstances.
2. The conditions set within the schedule are for illustrative purposes only and to be used as a guide, they are not recommendations and should be tailored to suit the sport's needs and circumstances.
3. Sport Governance Standard 9.6 provides that the board should implement documented non-financial delegations including staffing, public relations, strategic actions, business plans, board resolutions, grievances and complaints.
4. At the highest level of governance maturity; *“The board documents non-financial delegations, and the relevant board committee member reviews them on an annual basis. Appropriate education is provided to delegates with respect to their responsibilities”*.

Constitution Reference (if applicable)	Function and Power	Position	Conditions	Date of Delegation
FINANCIAL	EXAMPLE	EXAMPLE	EXAMPLE	
	Annual budget	Board		
	Budget variations	EO and Board	Managers 5% variation; EO 10% variation	
	Coordinate the preparation of the Association's financial report before its submission to the AGM	EO		
	Bad debt write-off	EO and Board	EO under \$2,000 Board over \$2,000	
	Team travel, tours, camps, conferences	EO		
	Domestic travel	EO and Board	EO up to \$3,000 Board over \$3,000	
	Other expenditure outside of budget	EO and Board	EO under \$15,000 Board over \$15,000	
14.12, 14.13	Reimbursements	EO, FAR Chair and Managers	Chair – signed by FAR Chair EO – signed by Senior Manager under \$1,000 EO – signed by Chair over \$1,000 Staff – signed by EO	

	Signatory to banking transactions	EO, Chair and FAR Chair		
15.1	Enter into contracts considered necessary or desirable	Board and EO	EO - budgeted or under \$10,000 Board – if not budgeted and over \$10,000	
15.1	Signatory to funding agreements	EO and Chair		
MEMBERSHIP				
9.1	Setting of fees and charges	Board		
5.2	Approval of Membership	Board		
5.7 (a)	Maintain the register of members, and record in the register any changes in the membership, as required under the Act	EO		
	Inspection of the register by members	EO		
8.2	Suspension or Expulsion of Membership	Board		
8.2	Notice of proposed suspension or expulsion	EO		
CORRESPONDENCE				
	Coordination of correspondence of the organisation	EO		
COMMUNICATIONS				
	Spokesperson on behalf of the organisation	EO and Chair		
COMMERCIAL				
	Engage in sponsorships discussions	EO and Chair	Subject to parameters set by the Board (e.g. industry restrictions – gambling, fast food, etc)	
SECRETARIAL FUNCTIONS/RECORD KEEPING				
10.3	Preparing the notices required for meetings and for business to be conducted at meetings	EO	EO in consultation with Chair	

16.11	Proper minutes of all proceedings at all general meetings and Board meetings kept and recorded	EO		
HUMAN RESOURCES				
18.1, 18.4	Appoint staff	Board and EO	Board to appoint EO EO to appoint all other staff	
18.4	Staff Performance Management	EO		
18.1	EO Performance Management	Chair	With Board input	
18.4	Recruitment and terminations	EO		
18.4	Staff remuneration within approved budget	EO		
	Staff remuneration increases which are not budgeted	Board		
18.4	Work practices	EO		