

SUTHERLAND SHIRE COUNCIL
INSTRUMENT OF DELEGATION BY THE CHIEF EXECUTIVE OFFICER

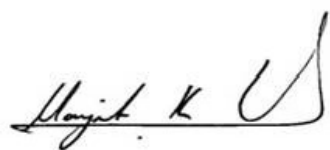
In accordance with section 378 of the *Local Government Act 1993*, I hereby:

1. Delegate to the position of:

Chief Human Resources Officer

and to those people who may act in that position from time to time, the following functions subject to the limitations stated in this Instrument of Delegation and any subsequent written direction made by the Chief Executive Officer; and

2. Revoke any previous Instrument of Delegation to that position.



Manjeet Grewal

Chief Executive Officer

15 April 2024

DELEGATIONS

FS Finance Functions

FS09 Write off debts (other than rates and charges) up to \$25

Write-off debts for unpaid fees due to maximum \$25 in any one instance

FS13 Waive or Amend Fees and Charges up to \$2,000

The position holder is delegated authority to waive or amend or determine various fees as detailed in Council's Schedule of Fees and Charges in accordance with Section 610E of the *Local Government Act 1993*.

FS15 Issue Tax Receipts

Issue an official tax receipt on behalf of Sutherland Shire Council.

FS17 Council Timesheets Approval

Approve and certify staff timesheets within the position holder's area of responsibility.

FS27 Refunds – Approve Refund of Security Bonds and Deposits

Draw on, release or authorise the refund of security fund deposits provided that the purpose for which the deposit is held has been satisfied or the deposit is no longer required.

FS32 Hold Corporate Credit Card \$5000

Hold a Corporate Credit Card for the supply, purchase, or hire of goods, works, services, plant, equipment in accordance with the Credit Card Determination and Procurement Policy and Guidelines to the value of \$5000

CN Contract Functions

CN12 Grants - Prepare and submit grant funding applications

Prepare and submit grant funding applications to seek additional resources through grant opportunities that align to Council's strategic direction.

LE Legislative Functions

LE04 Appointed as Public Interest Disclosure Officer under the Public Interest Disclosure Act 2022

Appointed as a Public Interest Disclosure Officer under the requirements of the Public Interest Disclosure Act 2022 to receive reports of voluntary public interest disclosures.

PC People and Culture Functions

PC01 Represent Council and Industrial Courts and Tribunals

Represent Council in industrial matters, including at the Industrial Relations Commission and Anti-Discrimination Board

PC02 Authorise Sick Leave Safety Net

Authorise payment of the sick leave safety net as required under the relevant Enterprise Bargaining Agreement.

PC04 Authorise Payment Untaken Sick Leave

Authorise untaken sick leave payments, in accordance with the Core Enterprise Agreement (clause 6.5), provided the employee meets the criteria for payment.

PC05 Determine Overtime and Time in Lieu Requests

Determine requests for the accrual of overtime and time in lieu

PC06 Direct Employee Leave

Direct employee to take leave in accordance with the *Local Government (State) Award* and Council policy

PC07 Authorise Disciplinary Actions; general

Sign and issue;

- 1st Written Warning,
- 2nd Written Warning and
- 3rd and Final Written Warning

disciplinary letters in accordance with the provisions of the *Local Government (State) Award* and Council policy.

PC08 Authorise Disciplinary Actions; verbal warnings and performance improvement plans

Issue verbal warnings and Performance Improvement Plans.

PC10 Authorise Suspension or Stand Down Employees

Suspend and stand down employees in accordance with the *Local Government (State) Award* and Council policy with the concurrence of the Manager People and Culture

PC11 Authorise termination of employment

Terminate the employment of Employees with the concurrence of the Manager People and Culture

PC12 Amend conditions of employment

With the concurrence of the Chief Executive Officer, interpret and make amendments to conditions of employment, except for the Delegates own position and, in relation to the Manager of P&C, positions within their team.

PC13 Appoint to Vacant Positions

Appoint persons to vacant positions in accordance with the provisions of the *Local Government Act 1993*, except for the Delegates own position and, in relation to the Manager of P&C, positions within their team.

PC14 Authorise Permanent Appointment of Employees following Probation

Determine the permanent appointment of Employees following the probation period, except for the Delegates own position and, in relation to the Manager of P&C, positions within their team.

PC16 Authorise to Evaluate Position Grading

Authorise the evaluation of position grading in accordance with requirements under any relevant Enterprise Agreement, Industrial Agreements, Award, Council Agreements, Industrial Instruments and Council policy except for the Delegates own position and, in relation to the Manager of P&C, positions within their team

PC17 Authorise the Advertisement of Vacancies

Authorise the advertisement of vacant positions, except for the Delegates own position and, in relation to the Manager of P&C, positions within their team.

PC18 Authorise the Engagement of Temporary Staff

Authorise the engagement of temporary staff.

PC21 Approve Allowances - Operational

Approve operational allowances in accordance with requirements under any relevant Enterprise Agreement, Industrial Agreements, Award, Council Agreements, Industrial Instruments and Council policy.

PC26 Authorise Temporary Unfit Stand Down

Temporarily stand down an employee in accordance with Council's Alcohol & Other Drugs Determination and Guidelines, Code of Conduct for Council Staff, Work Health and Safety Policy and the Local Government (State) Award.

PR Procurement Functions

PR07 Authorise Expenditure \$100,000

Authorise expenditure for the procurement of goods, works and services, in accordance with the Procurement Policy and Guidelines up to the value of \$100,000 including;

- Council Stores issued goods and materials,
- prescribed contracts (within the meaning of clause 163 of the *Local Government (General) Regulation 2021*),
- endorsed Preferred Supplier Agreement, or
- where Council has resolved to do so.

CF Correspondence Functions

CF02 Authorise Correspondence of a Non-standard Nature

Authorise correspondence of a non-standard nature such as interpretation of Council policy or position in accordance with other delegations granted to the position or in accordance with the responsibilities of the position

CF03 Respond with Council's Position

Correspondence that is making a submission in relation to draft legislation or government position, on behalf of Council, in

accordance with the responsibilities of the position

LG Legal Functions

LG08 Instruct External Lawyer - Employment Disputes

Instruct external lawyers to provide advice, act for Council, defend and do all things necessary in court proceedings or other matters in relation to Employment Disputes brought against Council.

LG13 Replacement of Staff Personal Property

Determine claims for the replacement of, or compensation for, lost or damaged personal property up to \$1500.

INTERPRETATION

Where appearing in this Instrument of Delegation:

- Headings are for convenience only and do not affect interpretation.
- Monetary amounts are inclusive of GST, unless the contrary is expressly stated.
- *Law* includes an Act, regulation, instrument and the like and any amendment, re-enactment, consolidation or replacement of that law by a similar provision in that law or any other law.
- A reference to a policy means a policy adopted by resolution of the Council and includes an amendment or replacement of that policy where adopted by resolution of the Council.
- A reference to “written objections” or “public submission” refers to objections or submissions received from the general public and not from a Commonwealth or State Government department, authority, agency and the like.
- A petition, objection or submission that is signed by or contains the names of more than one person is taken to be one objection or submission as the case may be.
- A reference to a Commonwealth or State Government department, authority, agency and the like includes any successor to it.
- A reference to a concurrence includes any later or amended concurrence.
- A reference to a function includes a reference to a power, authority, duty and the like and to the exercise or performance of such.
- Where the exercise or performance of a function requires other functions to be exercised or performed or requires the delegate to do other things to exercise or perform that function, the delegate is authorised to exercise or perform those other functions and to do those other things.
- A word which denotes the singular denotes the plural and vice versa.
- An authority to ‘approve’ includes approve with conditions or to refuse.