

**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:

**Manager People and Culture**

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**

**22 October 2021**

**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

### **LE Legislative Functions**

#### **LE04 Appointed as Public Interest Disclosure Officer under the Public Interest Disclosure Act 2013**

Appointed as a Public Interest Disclosure Officer under the requirements of the *Public Interest Disclosure Act 2013*

### **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.

## **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 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 2005*),
- 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 Lawyer - Employment Disputes**

Instruct 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.