

# Delegations Policy 2020

## Branch Executive Committee



### PURPOSE

The management of the Branch and of the Victorian Branch Council is vested in the Branch Executive Committee (BEC).<sup>1</sup> While Scouting is undertaken through various formations throughout the State, all assets and liabilities of the organization are ultimately those of The Scout Association of Australia, Victorian Branch, being the legal entity.<sup>2</sup>

When a member signs a document or makes a verbal commitment it may be legally binding and/ or Scouts Victoria may feel bound to honour the commitment.

It is important for the protection of our members and the integrity of Scouts Victoria that there are clear limits of authority that define what a Member can and cannot commit to on behalf of Scouts Victoria.

### SCOPE

This policy applies to all members of Scouts Victoria, all Scouts Victoria formations and bodies and their members (ie whether a member of the Scout Association or not) and all employees of Scouts Victoria. It covers the signing of documents or other making of a commitment on behalf of the Association. It does not cover delegations related to admission to membership or authorisation of day-to-day youth activities.<sup>3</sup>

### POLICY STATEMENT

It is Scouts Victoria policy that no member or body or employee shall commit the Association to expenditure or other contractual arrangement without the relevant authority or appropriate approval as outlined below, as well as any required funding, being in place. Authorizations and approvals are to be in written form.<sup>4</sup> All legal documents must be made in the name of The Scout Association of Australia, Victorian Branch.

As a general principle, a transaction is to be authorized or approved by a person or body other than the person undertaking or seeking the transaction,<sup>5</sup> and the actual payment of goods and services is to be undertaken by another separate person.<sup>6</sup>

### RESPONSIBILITIES

#### **Groups / District / Regions and associated bodies**

Subject to the procedures defined in this policy, the leader-in-charge and/or nominated office-bearer of a Group, District, Region or of an activity team, event team or support group under the auspices of, and reporting to, a District or Region, may act on the behalf of the Association with respect to:

- Hall hire licences (short term)
- Venue hire (one off, short term)
- Trailer, boat and vehicle registrations
- Operation of bank accounts
- Travel arrangements within Victoria

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<sup>1</sup> Clause 23, Constitution of the Scout Association of Australia, Victorian Branch

<sup>2</sup> Being incorporated by the Scout Association Act 1932 (Vict).

<sup>3</sup> These aspects are intended to be covered by separate policies.

<sup>4</sup> Note, an email is a form of written document.

<sup>5</sup> i.e. you can't give approval to yourself.

<sup>6</sup> i.e. a third person or body e.g. the relevant formation's Treasurer.

- Provision of activities by third parties
- Asset purchases
- Service arrangements
- Applications for grants for local purposes.

### **BEC**

Subject to the procedures defined in this policy, the chairman and/or nominated member of the BEC may act on behalf of the Association with respect to:

- Any item as above (ie as listed for a Group / District /Region), where requested by a Group/District/Region or where required for a Branch formation activity.
- Property leases and licences
- Building contracts
- Purchase and sale of property
- Asset purchases and service arrangements
- Agreements with Government
- Memoranda of Understanding with other organizations and groups
- Grant applications and sponsorships from organizations/bodies/companies
- Legal proceedings taken by or against Scouts Victoria
- Any other matter consistent with the BEC's constitutional powers.<sup>7</sup>

### **Executive Manager, or other nominated employee**

The Executive Manager shall:

- Ensure that this policy is made available to all members, bodies and employees.
- Ensure that a list of BEC defined 3<sup>rd</sup> party providers of goods and services, if any, is placed on the Scouts Victoria website and made available on request.
- Maintain a list of all BEC delegations.

Subject to the procedures defined in this policy, the Executive Manager, or other nominated employee, may act on the behalf of the Association with respect to:

- Tax File Number Declarations
- Working with Children Checks and Police Checks
- Staff employment and payroll matters
- Establishment of preferred 3<sup>rd</sup> party providers of goods and services<sup>8</sup>
- Asset purchases and service arrangements
- Travel arrangements including those outside Victoria
- Operation of bank accounts
- Investment of funds in accordance with a decision of the BEC.
- Issue of debit/credit cards
- Property leases and licences, building contracts and the purchase and sale of property in accordance with a decision of the BEC.
- Purchase and registration of vehicles, trailers and boats.

### **BEC Sub-committee, other Branch body or State Leadership Team.**

Subject to the procedures defined in this policy, the chairman of a BEC sub-committee, the leader-in-charge and/or nominated office-bearer of an activity team, event team or support group under the auspices of, and reporting to Branch, a commissioner on the State Leadership Team in charge of a

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<sup>7</sup> As defined in clause 24 of the Constitution of the Scout Association of Australia Victorian Branch.

<sup>8</sup> For any given category of goods or services, a panel of providers may be defined.

Branch budget cost-centre,<sup>9</sup> or nominated employee other than the Executive Manager, may act on the behalf of the Association with respect to:

- Venue hire (one-off, short term)
- Grant applications
- Operation of bank accounts
- Investment of funds
- Travel arrangements including those outside Victoria
- Provision of activities by third parties
- Asset purchases
- Service arrangements

## PROCEDURES

**Bank Accounts:** All bank accounts must be in the name of the 'Scout Association of Australia, Victorian Branch – [insert local formation here]' and require two authorisations for payments.

**Conflicts of Interest:** If any person with a delegated authority has a conflict of interest in undertaking their delegation, then the delegation reverts to the next higher level ie if the nominated District personnel has a conflict of interest, then the equivalent Region level personnel would exercise the delegation.

**Further delegation:** Where a formation or member or body or employee has a delegated authority to commit the Association, this delegation cannot be further delegated.

**Transactions of larger value:** Larger transactions, as defined in the 'Schedule of Financial and Other Delegations', require the provision of supporting detail (as listed on the attached checklist) and independent authorisation by the Executive Manager, or the Chairperson of the Independent Control Group (where relevant), or District Commissioner (if transaction is proposed by a Group), or Region Commissioner (if transaction is proposed by a District) - prior to making any commitment to purchase an asset or engage a service provider or apply for a grant. Once the supporting documentation is checked and the transaction authorised, a process envisaged to take no longer than 7 days, the relevant formation or body can proceed with the proposed transaction.

**Investment of funds:** Cash assets not immediately required for operating expenses are to be deposited in an at-call cash deposit account or bank term deposit at an Australian licensed/regulated bank with a Standard and Poor's credit rating of no less than BBB+.<sup>10</sup> No other investments are to be made without obtaining the advice-approval of the BEC Investment Sub-committee.

**Major National Events:** The procedures for the management of 'national major events' shall be in accordance with the provisions of the 'Policy for the Conduct of Major National Events'.

**Obtaining legal and/or professional advice:** Documents requiring legal and/or professional advice through the Executive Manager's office before signature, certification or commitment include:

- asset purchases >\$50K
- property leases
- agreements with government
- MOUs with other organizations

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<sup>9</sup> The Branch budget and chart of accounts identifies areas of activity known as 'cost-centres', many of which are allocated to a specific commissioner of the State Leadership Team for the purposes of accountability.

<sup>10</sup> Such banks currently (as at June 2016) include the ANZ Banking Group, Commonwealth Bank of Australia, National Australia Bank, Westpac Banking Corporation, Suncorp Bank, Bendigo & Adelaide Bank, Bank of Queensland, Bank of Melbourne, Bank West and St. George.

- sponsorships

**Purchase, sale, and leasing of real estate:** All purchase and sale of real estate must be approved by the BEC. The entering into lease agreements must be approved by the BEC or its delegate. The relevant delegations and required procedures are defined in the 'Real Property Policy'.

**Trailers, boats and motor vehicles:** All motor vehicles, whether required to be registered by law or not, shall be covered by third party insurance. All trailers, boats and vehicles that are registered are to be registered in the name of the 'Scout Association of Australia, Victorian Branch', with local responsibility identified through the garaging address. Scouts Victoria has a single client ID with VicRoads that provides for an ongoing fee waiver. To access this fee waiver, insert details of the trailer, boat or vehicle acquisition and disposal in the Scouts Victoria extranet site (Property>Group Assets>Trailers) and notify the Victorian Scout Centre via <reception@scoutsvictoria.com.au>.<sup>11</sup>

**Reporting / documentation:** All commitments to expenditure or other contractual arrangement shall be documented in writing and a copy retained for 7 years and all approvals shall be documented by way of approved minutes or other documentation. Any such documentation shall be available for viewing by a member, on request. Every Group, and every District activity team, event team and support group shall provide an annual financial report to the relevant District within 3 months of the end of the financial year. All other formations shall provide an annual financial report to the respective Region and/or Branch within 3 months of the end of the financial year.<sup>12</sup> Financial reporting can be undertaken via the Branch extranet.

**Revocation of Delegations:** The BEC may revoke any delegation at any time. The BEC may also exercise its powers concurrently with any delegation.

**Splitting of Accounts:** While it may be convenient and appropriate for accounts arising from a particular item of expenditure to cover part payment of the whole project, for the purposes of assessing the threshold limit of any delegation, the total item or project cost shall be used.

**Use of company seal:** The Common Seal of the Branch shall not be used except pursuant to a resolution of the BEC and every instrument to which the Seal is affixed shall be signed by two members of the BEC and shall be counter signed by the Executive Officer (in their role as 'General Secretary') or some other person appointed by the BEC for the purpose.<sup>13</sup>

**Re delegations to those acting on behalf of a Group, District or Region and associated bodies:** Before the leader-in-charge and/or nominated office-bearer of a Group, District or Region or of an activity team, event team or support group under the auspices of, and reporting to, a District or Region, signs or otherwise commits the Association the following requirements must be met:

- approval of the relevant Group Council and/or Group Support Committee / District Executive / Region Executive<sup>14</sup> and/or independent control group;
- the relevant formation funds being available;
- a Branch defined 'preferred 3<sup>rd</sup> party provider' is used, if relevant;
- hall hire licences to use the Branch approved form;
- the item being primarily for the use of the relevant formation, or primarily for use directly related to the charter or terms of reference or duties of an associated body;
- that they have no conflict of interest; and

<sup>11</sup> It is intended that a separate 'Trailer, Boat and Vehicle Policy' be prepared, which will provide further procedures and requirements for the purchase, registration, insurance and operation of trailers, boats and vehicles.

<sup>12</sup> The current Scout financial year is 1 July to 30 June.

<sup>13</sup> This is a requirement defined in clause 60 of the Constitution of the Scout Association of Australia Victorian Branch.

<sup>14</sup> Where there is no Region Executive in place, the approval of the Assistant Chief Commissioner – Development is required.

- that any expenditure is within the financial delegation limits listed in the 'Schedule of Financial and other Delegations'.

**Re delegations to those acting on behalf of the BEC:** Before the chairman and/or nominated member of the BEC signs or otherwise commits the Association the following requirements must be met:

- a specific delegation or approval by the BEC
- the relevant funds being available;
- a Branch defined 'preferred 3<sup>rd</sup> party provider' is used, if relevant; and
- that they have no conflicts of interest.

**Re delegations to those acting on behalf of a BEC Sub-committee, other Branch body, or State**

**Leadership Team:** Before the chairman of a BEC sub-committee, the leader-in-charge and/or nominated office-bearer of an activity team, event team or support group under the auspices of, and reporting to, Branch,, or a commissioner on the State Leadership Team in charge of a Branch budget cost-centre, signs or otherwise commits the Association the following requirements must be met:

- a specific delegation from the BEC and/or approval of the relevant Sub-committee or other Branch body and/or in the instance of a commissioner of the State Leadership Team the approval of the Chief Commissioner or in the instance of the Chief Commissioner the approval of the Chairman of the BEC;
- the relevant funds being available;
- a Branch defined 'preferred 3<sup>rd</sup> party provider' is used, if relevant;
- the item being primarily for use directly related to the charter or terms of reference or duties of the respective sub-committee/body/person;
- that they have no conflicts of interest; and
- that any expenditure is within the financial delegation limits listed in the 'Schedule of Financial and other Delegations'.

**Re delegations to the Executive Manager or other employee:** Before the Executive Manager signs or otherwise commits the Association, the following requirements must be met:

- a specific delegation and/or approval of the BEC;
- the relevant funds being available;
- a Branch defined 'preferred 3<sup>rd</sup> party provider' is used, if relevant;
- that they have no conflicts of interest; and
- that any expenditure is within the financial delegation limits listed in the 'Schedule of Financial and other Delegations'.

## DEFINITIONS

**Activity team, event team, support group:** A team or group under the auspices of, and reporting to, a District, Region or Branch, with an approved charter or terms of reference. They include, for example, activity teams such as scout shows and Branch adventurous activity teams, event teams such as those established to run large camps and events such as Kangarees, Cuborees, Scout Hike, Gilweroo, Barcom, Hoadley Hide, VicGathering, Mudbash, and Surf Moot, and support groups such as scout campsites and scout heritage centres.

**Asset:** For the purposes of this policy, an asset is something costing \$1000 or more.

**Executive Manager:** The senior employee of Scouts Victoria appointed by the BEC to, amongst other things, manage the business activities of the Branch including the oversight of employed staff and to perform the duties of the General Secretary as outlined in the Constitution of the Scout Association of Australia, Victorian Branch.

**Leader-in Charge:** Being the person listed as being the leader-in-charge of the relevant formation in the Scouts Victoria extranet membership records listing.

**Major National Events:** Being events run on behalf of the Scout Association of Australia as defined the 'Policy for the Conduct of Major National Events' ie national Jamborees, Ventures or Moots and approved by the National Executive Council.

**Member:** As defined by 'Policy 3.1 Members' of Policy and Rules 2017 (National Council of the Scout Association of Australia).

**Nominated employee:** An employee listed in the 'Schedule of Financial and Other Delegations'.

**Office-bearer:** Being a person listed as an office-bearer of the relevant formation in the Scouts Victoria extranet membership records listing.

**Preferred 3<sup>rd</sup> party provider:** A provider of goods or services that has been negotiated by Branch as a preferred provider and listed on the Info and Forms page of the Scouts Victoria website(<[www.scoutsvictoria.com.au](http://www.scoutsvictoria.com.au)>).<sup>15</sup>

**Independent Control Group:** A group independent of the management body of a District, Region or Branch activities team, event team, support group, scout show or scout campsite established as part of the governance structure for the activity or event and appointed by the auspicing body (ie the relevant District Executive, Region Executive or Branch Executive Council).

**Specified Budget Item:** An item of expenditure for an asset or service that is specifically identified as a line item within an approved budget, for example 'Purchase of photocopier \$XX'. A 'Non-specified Item' would be an item not specifically identified in the budget, but come under a more general line item e.g. under 'Purchase of Office Equipment'.

**State Leadership Team:** As nominated by the Chief Commissioner, with responsibilities for defined areas of program delivery and development.

#### **RELATED DOCUMENTS, REFERENCES**

Conflicts of Interest Policy 2019.

Investment Policy 2019.

Real Property Policy 2016.

Policy for the Conduct of Major National Events – 2012 (amended 2014) (National Executive Council).

Note: This policy replaces the Delegations Policy 2016.

#### **ATTACHMENTS**

Checklist for larger proposed asset purchases and service arrangements.

Schedule of Financial and Other Delegations.

#### **PROCEDURE OWNER**

The Chairman of the BEC. Email: <[bec.chairman@scoutsvictoria.com.au](mailto:bec.chairman@scoutsvictoria.com.au)>.

#### **DATE OF APPROVAL / EFFECTIVE DATE / DATE OF REVIEW**

26 May 2020 / 9 June 2020 / June 2023.

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<sup>15</sup> Note: Currently, as at May 2020, there are no preferred 3<sup>rd</sup> party providers.

## CHECKLIST FOR PROPOSED ASSET PURCHASES AND SERVICE ARRANGEMENTS

The Branch Delegations Policy procedure for larger transactions requires: “the provision of supporting detail ... and independent authorisation ... prior to making any commitment to purchase an asset or engage a service provider or apply for a grant”. To assist with this process the following checklist has been developed.

Item	Yes	No	N/A
<b>SECTION A – ASSET PURCHASE OR LEASE (NOT REAL ESTATE)</b>			
1. Have at least two written quotes been received?			
2. Is the proposal the cheapest quote? If not, outline why preferred quote is proposed?			
3. Does your formation have an asset register that is regularly up-dated?			
4. Will the asset be securely stored? Provide details.			
5. If the asset is a trailer, boat or motor vehicle, is it proposed that the item will be registered in the name of the ‘Scout Association of Australia, Victorian Branch’?			
6. Will the asset be covered by your formation’s current insurance policy? If not, do you propose to ensure that the item be covered by your insurance?			
7. Is the item primarily for the use of your formation?			
<b>SECTION B – PURCHASE, SALE OR LEASE OF REAL ESTATE</b>			
8. Has approval for any proposed property purchase, sale or lease been approval by the BEC or its delegate in accordance with the procedures set out on the ‘Real Property Policy’?			
<b>SECTION C – SERVICE ARRANGEMENTS (INCLUDING BUILDING MAINTENANCE AND IMPROVEMENTS).</b>			
9. Have at least two written quotes been received?			
10. Is the proposal based on the cheapest quote, if not, outline why preferred quote is proposed?			
11. If the services involve building works, is the preferred supplier or a registered service provider and have public and professional liability insurance?			
12. If the services to be procured involve additions to a building, has the Branch Group Facilities Subcommittee’s endorsement been obtained?			
13. If any proposed additions to a building require a building permit, or a planning scheme permit under the local Council planning scheme, have such permit been sought and/or obtained?			
<b>SECTION D – ALL ITEMS</b>			
14. Has the approval of the relevant Group Council and/or Group Support Committee / District Executive / Region Executive been obtained?			
15. Are the relevant formation funds available? Provide details of the source of funding proposed, including internal and external, current investments, other.			
16. Have you checked to see if a Branch defined ‘preferred 3 <sup>rd</sup> party provider’ is required?			
17. Can you confirm that all of those involved in the proposed procurement process have considered possible conflicts of interest and declared that no conflicts of interest arise?			

I declare that the above declaration is to the best of my knowledge true.

Signed (proposer): \_\_\_\_\_

Position: \_\_\_\_\_ .

Purchase authorised (Executive Manager OR Chairperson of Independent Control Group OR District Commissioner [if transaction is proposed by a Group] OR Region Commissioner [if transaction is proposed by a District]) :

Signed: \_\_\_\_\_

Position: \_\_\_\_\_

Date: \_\_\_\_\_

## SCHEDULE OF FINANCIAL AND OTHER DELEGATIONS - 2020

All delegations are subject to meeting the responsibilities and procedures detailed in the Delegations Policy 2020.

FORMATION &/OR POSITION	FINANCIAL DELEGATION (per transaction)	OTHER DELEGATION
BEC	N/A (Unlimited)	N/A (Unlimited)
BEC Group Facilities Subcommittee	\$50,000	Procurement of legal advice.
BEC Investment Subcommittee	Acquisitions: As provided for in the Investment Policy 2015. Disposal: Up to 20% of the Investment Portfolio per reporting month	
Branch event team	As per a specific delegation approved by the BEC for a specific event, or: \$50,000 for a specified budgeted item. \$5,000 for non-specified items. >\$50,000 but <\$100,000 with specific authorisation by the Executive Manager or the relevant 'independent control group'	
Branch Rover Council, Branch activity team or support group,	\$15,000. >\$15,000 but <\$50,000 with specific authorisation by the Executive Manager or relevant State Commissioner.	
Groups	\$15,000. >\$15,000 but <\$50,000 with specific authorisation by the Executive Manager or the relevant District Commissioner. No limit for payment of Scout Association membership fees or Scout event participation fees to Scouts Victoria.	
Districts / Regions and District or Region auspiced activity team, event team or support group (other than scout shows or scout campsite)	\$15,000. >\$15,000 but <\$50,000 with specific authorisation by the Executive Manager or, if a District, the relevant Region Commissioner.	
Scout show or Scout campsite management body	\$20,000. >\$20,000 but <\$100,000 with specific authorisation by the Executive Manager or the relevant 'independent control group'.	
Commissioner on the State Leadership Team	\$10,000.	
Executive Manager with Branch Treasurer	Unlimited for a specified budget item or BEC approved item	
Executive Manager	\$75,000 for a specified budgeted item or BEC approved item. \$10,000 for non-specified items.	Procurement of legal or professional advice.
Finance Manager	\$5000 for a specified budgeted item.	Operation of bank accounts, asset purchases and service arrangements,



		Tax File Number Declarations, staff payroll.
People and Culture Manager	\$5000 for a specified budget item.	Working with Children Check, Tax Files Number Declarations, staff payroll.
Other Branch Managers (incl. Gilwell Park Manager)	\$5000 for a specified budget item.	
Facilities – Property Assistant	\$2000 for recurring property costs.	(eg light and power, water, Council fees, licence / lease fees, fire prevention services).