

HEALTH INFRASTRUCTURE

# Health Infrastructure Delegations Manual

MAY 2023

## Document Management

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# Introduction

## Purpose of the Delegations Manual

The purpose of this Manual is to establish clear and consistent approach to the levels of authority delegated to duly appointed office holders and staff working at Health Infrastructure, an administration unit of the Health Administration Corporation (HAC).

The intention of this Manual is to clarify accountability and responsibility for the day-to-day operation of Health Infrastructure, to make office holders and staff aware of the limits of their authority, and who they can escalate matters to when their authority is exceeded.

This Manual replaces any implied authority within other delegations manuals held by Local Health Districts or other health entities, and together with the NSW Ministry of Health Combined Delegations Manual is the only source of delegations for Health Infrastructure. Health Infrastructure may also be allocated projects, authorisation and funding for Health Infrastructure to undertake these projects and attend to related matters.

## Health Infrastructure's Authority and Role

The Health Infrastructure Constitution articulates the role of Health Infrastructure as a division of the Health Administration Corporation (HAC), pursuant to Section 8A of the *Health Administration Act 1982* (NSW) and section 126B of the *Health Services Act 1997*. The Health Infrastructure Constitution is included at **Appendix A**.

HAC is the legal entity and acts through its Health Infrastructure division for the purposes of these delegations.

This Manual is the one instrument setting out the delegations to Health Infrastructure, arising from the following:

- the Health Secretary delegates, under section 126B(4) of the *Health Services Act 1997*, those powers vested in the Health Secretary under section 126B of the *Health Services Act 1997*, being provision of health support services;
- the Health Secretary delegates, under section 21 of the *Health Administration Act 1982*, those staff related powers vested in the Health Secretary under Chapter 9 of the *Health Services Act 1997* as to the "NSW Health Service" and any other Act which vests similar powers in the Health Secretary; and
- HAC delegates, under section 21 of the *Health Administration Act 1982*, those powers vested in HAC under the *Health Administration Act 1982*.

The Minister for Health and Cabinet approve the annual capital works program and the allocation of funds for which HAC is taken as the authority to incur such expenditure. All financial delegations made by the Health Secretary and determined through this Delegations Manual are subject to the amount specified in the capital works allocation letters and availability of funds. This also extends to capital works projects requested by local health districts and other public health organisations.

Officers authorised to incur expenditure are also authorised to sign and execute contracts on behalf of Health Infrastructure up to the limits indicated in respect to that officer in the Delegations Manual. The executing organisation and legal entity shall be HAC.

## NSW Health Accounts & Audit Determination

The Accounts and Audit Determination for Public Health Entities in NSW (the Determination) is a NSW Health framework for good financial governance, accountability and performance. Through the Determination, the Health Secretary as the accountable authority of the Health Administration Corporation (HAC), has determined that public health organisations and HAC entities must comply with:

- the Determination;
- the Accounting Manual for Public Health Organisations;
- Directions, Policy Directives, Information Bulletins, Guidelines, Manuals or other policies; and
- procedures issued or approved by the Health Secretary or the Minister.

The Determination makes the following specific references to the Delegations Manual:

*“PHEs [Public Health Entities] must:*

- a) maintain an up-to-date, approved, delegations manual for the PHE;
- b) ensure the delegations manual is consistent with the Minister and Health Secretary Delegations;
- c) ensure that delegated financial authority aligns with approved expenditure and revenue budgets;
- d) ensure that authority to incur expenditure is only exercised by persons authorised to do so and in accordance with their delegated authority...”

The Delegations as specified hereunder comprise the Delegations Manual for Health Infrastructure as required by the Determination.

## Principles of Delegation

1. This Delegations Manual has been compiled in order to:
  - a. ensure that there is a set of clear and unambiguous directions in the matters of authorisations and quantification of expenditure, personnel matters and general business matters encountered by the Health Infrastructure organisation on a day-to-day basis; and
  - b. facilitate compliance with relevant directions from the Minister of Health, Ministry of Health and HAC.
2. Delegated authority is subject to any overriding state or federal legislation.
3. Delegation of authority is considered, for the purposes of this Manual, to be conferred by the Health Secretary and HAC in accordance with relevant state and federal legislation, manuals and policy directives.
4. The delegation of authority to a specified person is unique and may not be transferred or further delegated, except where, the absence of the person to whom the delegation is made requires that the authority be exercised by the person acting in the position to which the authority is delegated. Where officers are acting or relieving in a position and exercise a delegation in this way, the officer should specify the position, and the 'acting' nature of their occupancy in that role.
5. Delegates may apply more restrictive delegations to staff over which they have direct managerial control. A clear set of the revised delegations must be provided to the staff member in question where this occurs. See Principle 18 regarding amendment of delegations.
6. Where this Manual specifies a delegation to a person or position, the position to which they report is also deemed to have the delegated authority unless otherwise indicated.
7. All financial delegations requiring the commitment of expenditure must only be exercised by HI employees to the NSW Health Service (**contractors engaged by HI do not have financial delegations**).
8. Monetary amounts stated in this Manual are the maximum delegated amounts in relation to the delegated function and do not include GST. They do not imply or confer authority to spend more than the organisation's uncommitted budget allocation.
9. No delegate may:
  - a. Approve self-related matters (e.g. authorise expenditure or expenditure reimbursement to themselves, certify their own timesheets, authorise their own higher duty allowance, overtime or annual or long service leave);
  - b. Approve matters that are for an officer for whom the delegated officer has no responsibility unless the authority is otherwise specifically delegated for administrative purposes; and
  - c. Split items or orders to bring them within any limit of their position's administrative responsibility.
10. The authorising person for the above, and other matters of a like nature, shall be a more senior member of staff unless otherwise specifically delegated for administrative purposes.
11. Operation of the delegations for Health Infrastructure staff may be withdrawn by determination of the Chief Executive of Health Infrastructure.
12. Delegates are expected to exercise the powers, authorities, duties, or functions delegated to them in a responsible, efficient, consistent and cost-effective manner and in accordance with the NSW Health Code of Conduct. Individuals have a duty to undertake the necessary due diligence to verify expenditure or other exercise of power is appropriate, in accordance with applicable laws, NSW Health and Health Infrastructure policies, manuals or directives and within the budget capacity of the relevant service. Whether a delegation should be exercised (or the matter referred to a higher authority) requires the exercise of discretion by the delegate.
13. In principle, all expenditure is to be approved on the basis of availability of funding within the budget allocation (or for capital projects or programs, within the Estimated Total Cost (ETC) for each project)

14. Delegates must consider any additional recurrent costs that will be incurred as a result of a purchase. In the case of non-current assets, delegates must consider the effect a purchase will have on the future operating costs and the availability of funding.
15. These delegations cover:
  - operational activities and expenditure of Health Infrastructure as well as infrastructure-related activities and expenditure on behalf of Ministry of Health (for Asset Management or other programs where Health Infrastructure is an agent for delivery for Ministry of Health) but do not cover requisitions on behalf of Health Services or other approved clients (where Health Infrastructure is an agent); and
  - Capital Expenditure or Programs (and associated works) for conventional procurement projects over \$10million (and any smaller projects allocated to Health Infrastructure).
16. Health Infrastructure conducts all procurement of goods and services which form part of construction and infrastructure projects, in accordance with the NSW Health Goods and Services Procurement Policy. Refer to PD2022\_020 – NSW Health Procurement for further information and the NSW Health Procurement Procedures (Goods & Services) for the procedures.
17. The following Ministry of Health policy and procedure manuals are to be observed in the exercise of the delegations and in the day to-day operations of the organisation:
  - Accounts and Audit Determination for Public Health Organisations (AAD)
  - Accounting Manual (AM)-Public Health Organisations
  - NSW Health Combined Delegations Manual (CDM)
  - Corporate Governance and Accountability Compendium for NSW Health
  - NSW Health Procurement
  - Leave/Salaries – Public Service
  - Protecting People and Property Manual: NSW Health Policy and Standards for Security Risk Management in NSW Health Agencies
  - Health Infrastructure Procurement Policy and Procedures
18. Amendments, additions, and deletions to the Delegations Manual must be considered and endorsed by the Health Infrastructure Board, Health Secretary and HAC. Once endorsed, the change must be incorporated into the manual and any parties affected by the amendment formally notified.
19. All financial delegations are subject to the annual allocation letter and ad hoc directions issued by:
  - Secretary, Ministry of Health; or
  - Chief Financial Officer, Ministry of Health.

# Delegations Manual Overview

## Structure of the Delegations Manual

The Delegations Manual relates to the Health Infrastructure’s Operating Budget (Schedule A) as well as the delegations for Capital Budget (Schedule B) for conventional procurement projects, Capital Works or Programs over \$10 million (and any smaller projects allocated to Health Infrastructure).

The delegations detailed in this Manual have been arranged according to functional area to allow for easy identification and reference. The schedules within which the delegations are arranged are set out below.

Delegation Type	Schedule
Schedule A: Operating Budget Delegations	<b>Schedule A.1:</b> Delegations for expenditure
	<b>Schedule A.2:</b> Capital & Minor Works
	<b>Schedule A.3:</b> General Financial Delegations
	<b>Schedule A.4:</b> Human Resources
	<b>Schedule A.5:</b> Training & Travel
	<b>Schedule A.6:</b> Non-financial delegations
Schedule B: Capital Budget Delegations	<b>Schedule B:</b> Capital Works

## Overview of Delegates

Delegates have been classified according to the following levels of delegation. The level and positions (including an equivalent position title as amended, with the approval of the Chief Executive, from time to time) are set out below:

Level	Position(s)	Abbreviation
Level 1	Chief Executive	CE
Level 2	Chief Operating Officer	COO
	Executive Director, Regions <sup>1</sup>	EDR
	Executive Director, Advisory	EDA
	Executive Director, Development & Commercial	EDDC
Level 3	Director, Communications & Engagement	DOCE
	Director, People	DOP
	Director, Procurement	DOP2
	Director, Finance	DOF
	Director, Regions <sup>2</sup>	DOR
	Director	D
	General Counsel	GC
Level 4	Senior Project Director	SPD
	Program Director	PGD
	Program Manager	PGM
	Project Director	PD
	Manager <sup>3</sup>	HIM
	Manager, ICT	MICT
Other	HI Board	HI Board
	NSW Health Secretary	Health Secretary
	NSW Health Chief Financial Officer	Health CFO
	NSW Health Chief Procurement Officer	Health CPO
	Ministry of Health	MoH
	NSW Treasury	TSY
	Health Administration Corporation	HAC
	Audit and Risk Committee	ARC

<sup>1</sup> Includes Western, Northern and Rural & Regional

<sup>2</sup> Includes Western, Northern and Rural & Regional

<sup>3</sup> HI Manager refers to positions with direct reports

## Schedule A: Operating Budget Delegations

All schedules within the **Operating Budget Delegations (Schedules A.1 to A.6)** section of this manual relate to authorities needed to perform Health Infrastructure's business operations from its capital budget allocation or recurrent funding allocations.

Reminder: As per the Principles of Delegation (Principle #7) in the introduction to this Delegations Manual, all financial delegations requiring the commitment of expenditure must only be exercised by HI employees to the NSW Health Service (contractors engaged by HI do not have financial delegations).

### Schedule A.1 – Operating Expenditure

Schedule	Delegation	Level 1	Level 2	Level 3	Level 4	Other / Notes
A1.1 Budget						
A1.1.1	Approval of Operating Budget model as it relates to NSW Health capital program funding (allocation of a portion of the capital funds)					Health Secretary approval required
A1.1.2	Approval of allocations for Recurrent Budgets					Health CFO approval required
A1.1.3	Endorsement of annual Operating Budget as it relates to the approved budget set out through A1.1.1	✓				
A1.1.4	Determination of fees and charges payable for any service provided by Health Infrastructure to any NSW Health entity or other clients approved by HAC	✓				

Schedule	Delegation	Level 1	Level 2	Level 3	Level 4	Other / Notes
<b>A1.2 Invite Tenders and enter into contracts (excluding Consultants / Professional Services)</b>						
	<p><b>Authority to invite tenders, make and enter into contracts or agreements with any person for the performance of services or for the supply of goods, plant, machinery or material</b></p> <p><i>This delegation is subject to appropriate delegations of authority to incur expenditure being obtained prior to inviting tenders. Officers authorised to incur expenditure are also authorised to sign and execute contracts on behalf of Health Infrastructure up to the limits indicated in respect to that officer in this Manual. The executing organisation &amp; legal body shall be the Health Administration Corporation. Condition precedent that funds are available as part of an approved budget.</i></p> <p><i>The 'Other / Notes' column is not an exhaustive list of requirements and Health Infrastructure must conduct procurements in accordance with the NSW Health Procurement Policy Directive (PD2022_020). WofG and WofH Prequalification Schemes should be leveraged.</i></p>					
A1.2.1	Up to \$30K	✓	✓	✓	✓	All procurement of goods and services must comply with the requirements of NSW Health Procurement Policy Directive PD 2022_020.
A1.2.2	Over \$30K but not more than \$250K	✓	COO EDA EDDC	✓		As per A1.2.1
A1.2.3	Over \$250K but not more than \$1M	✓	COO EDA EDDC			As per A1.2.1
A1.2.4	Over \$1M but not more than \$5M	✓				As per A1.2.1 <b>For over \$5M, Health CFO approval is required.</b>

Schedule	Delegation	Level 1	Level 2	Level 3	Level 4	Other / Notes
<b>A1.3 Invite Tenders and enter into contracts for Consultants / Professional Services</b>						
	<p><b>Authority to invite tenders, make and enter into contracts or agreements with any person for consultants/professional services and approve variations in consultants work, time or cost.</b></p> <p><i>This delegation is subject to appropriate delegations of authority to incur expenditure being obtained prior to inviting tenders. Officers authorised to incur expenditure are also authorised to sign and execute contracts on behalf of Health Infrastructure up to the limits indicated in respect to that officer in this Manual. The executing organisation &amp; legal body shall be the Health Administration Corporation. Condition precedent that funds are available as part of an approved budget. Note: significant changes in work, time or cost are not to be approved by employees in direct supervision of the consultant.</i></p> <p><i>The 'Other / Notes' column is not an exhaustive list of requirements and Health Infrastructure must conduct procurements in accordance with the NSW Health Procurement Policy Directive (PD2022_020). WofG and WofH Prequalification Schemes should be leveraged.</i></p>					
A1.3.1	Up to \$30K	✓	✓	✓		All procurement of goods and services must comply with the requirements of NSW Health Procurement Policy Directive PD 2022_020.
A1.3.2	Over \$30K but not more than \$250K	✓	COO EDA EDDC			As per A1.3.1
A1.3.3	Over \$250K but not more than \$1M	✓				As per A 1.3.1
A1.3.4	Over \$1M					As per A1.3.1. <b>For over \$1M, Health CFO approval is required.</b>
A1.3.5	Approve not undertaking full tender action in exceptional circumstances in procurement of consultancy services	✓				As per A.1.3.1 <b>For over \$1M, Health CFO approval is required.</b>
<b>A1.4 Acceptance of Tenders</b>						
	<p><i>All acceptance of tenders must be in accordance with MoH policy and subject to appropriate authority to incur expenditure having been obtained.</i></p> <p><i>The 'Other / Notes' column is not an exhaustive list of requirements and Health Infrastructure must conduct procurements in accordance with the NSW Health Procurement Policy Directive (PD2022_020).</i></p>					

Schedule	Delegation	Level 1	Level 2	Level 3	Level 4	Other / Notes
A1.4.1	Under \$250K for a period of up to three years	✓	COO EDA EDDC			
A1.4.2	Approval for tenders covering more than three years and/or greater than \$250K	✓				Contracts must not cover a total period exceeding five years (including extension options) without the approval of the Health CPO.
<b>A1.5 Requisitions and Purchase Orders</b>						
<b>Approve requisitions (orders) for goods and services for operational expenditure of Health Infrastructure:</b> <i>Note: These delegations cover operational activities and expenditure of Health Infrastructure as well as infrastructure-related activities and expenditure on behalf of Ministry of Health (for Asset Management or other programs where Health Infrastructure is an agent for delivery for Ministry of Health) but do not cover requisitions on behalf of Health Services or other approved clients (where Health Infrastructure is an agent).</i>						
A1.5.1	Up to \$30K	✓	✓	✓	✓	
A1.5.2	Over \$30K but not more than \$250K	✓	COO EDA EDDC	✓	✓	
A1.5.3	Over \$250K but not more than \$1M	✓	COO EDA EDDC	✓		
A1.5.4	Over \$1M but not more than \$5M	✓				<b>For over \$5M, Health CFO approval is required.</b>

Schedule	Delegation	Level 1	Level 2	Level 3	Level 4	Other / Notes
A1.5.5	Approve Non-Order Vouchers up to limits specified in A1.5.1	✓	✓	✓		
A1.5.6	Approve Non-Order Vouchers up to limits specified in A1.5.2	✓	COO EDA EDDC			
A1.5.7	Approve Non-Order Vouchers up to limits specified in A1.5.3.	✓				<b>For over \$1M, Health CFO approval is required.</b>
A1.5.8	Approve Non-Order Vouchers up to limits specified in A1.5.4	✓				<b>For over \$1M, Health CFO approval is required.</b>
<b>A1.6 Accounts Payable</b>						
A1.6.1	<p>Checking and authorising function for accounts payable for operational expenditure of Health Infrastructure. (AM 4.4)</p> <p>Note: These delegations do not cover requisitions on behalf of Health Services or other approved clients (where Health Infrastructure is an agent).</p>	✓	COO	DOF		

Schedule	Delegation	Level 1	Level 2	Level 3	Level 4	Other / Notes
<b>A1.7 Corporate Purchase Card<sup>4</sup></b>						
A1.7.1	Approve card limit for use of corporate purchase card, within predefined limits set by HealthShare	✓	COO			
A1.7.2	Authority to allocate / issue corporate purchase card	✓	COO			
A1.7.3	Authority to incur expenditure within approved limits	✓	✓	✓		
<b>A1.8 Mobile Phones</b>						
A1.8.1	Approve purchase of mobile phones and payment of mobile phone expenditure	✓	COO			Delegates cannot approve self-related expenses CE's expenses to be approved by COO.
<b>A1.9 Out of Pocket Expenses</b>						
A1.9.1	Approve out of pocket expenses	✓	✓ Up to \$1,000	✓ Up to \$500		Delegates cannot approve self-related expenses CE's expenses to be approved by COO.
<b>A1.10 Cab Vouchers</b>						
A1.10.1	Authority to approve cab voucher use for workforce	✓	✓	✓		Delegates cannot issue / authorise cab vouchers for themselves.
A1.10.2	Cab voucher reconciliation			DOF		

<sup>4</sup> Refer to PD2016\_005 and Treasury Circular TC17-09.

## Schedule A.2 – Capital & Minor Works Delegations

These delegations cover Health Infrastructure Operations which are the operational activities and expenditure of Health Infrastructure as well as infrastructure-related activities and expenditure on behalf of Ministry of Health (for Asset Management or other programs where Health Infrastructure is an agent for delivery for Ministry of Health) but do not cover requisitions on behalf of Health Services or other approved clients (where Health Infrastructure is an agent).

Schedule	Delegation	Level 1	Level 2	Level 3	Level 4	Other / Notes
<b>A2.1 Minor Works for Health Infrastructure Operations</b>						
	<p><b>Approve and commit to minor works &amp; expenditure for minor works within approved allocation, and in relation to the operational activities of Health Infrastructure, subject to budget approval and authorisation limits.</b></p> <p>Consideration is to be given to the mandatory WofG scheme SCM0256 <i>General Construction Works up to \$1M</i> and recommended WofG scheme SCM1461 <i>Construction Works over \$1M</i>.</p>					
A2.1.1	Up to \$30K	✓	COO			
A2.1.2	Over \$30K but not more than \$250K	✓	COO			
A2.1.3	Over \$250K but not more than \$1M	✓				
A2.1.4	Over \$1M	✓				<p><b>For over \$1M, Health CFO approval is required.</b></p> <p>For procurement delegations, refer to the NSW Health Procurement Policy Directive (PD 2022_020).</p>
<b>A2.2 Purchase of Assets for Health Infrastructure Operations</b>						
	<p><i>Purchase of any asset should not be made without consideration of the anticipated annual operating costs that will be incurred as a result of the purchase and subject to funding approval within capital allocation limits.</i></p>					
A2.2.1	Authority to approve the purchase / lease of motor vehicles within budget allocation	✓				(following budget approval (as per A1.1.3 above) in accordance with the policies of the MoH regarding fleet additions.

Schedule	Delegation	Level 1	Level 2	Level 3	Level 4	Other / Notes
A2.2.2	Authority to approve fleet replacements	✓	COO			
	<b>Authority to purchase plant &amp; other equipment for Health Infrastructure Operations</b>					
A2.2.3	Up to \$30K	✓	COO			All procurement of goods and services must comply with the requirements of NSW Health Procurement Policy Directive PD 2022_020.
A2.2.4	Over \$30K but not more than \$250K	✓	COO			Per A2.2.3
A2.2.5	Over \$250K but not more than \$1M	✓				Per A2.2.3
A2.2.6	Over \$1M	✓				Per A2.2.3 <b>For over \$1M, Health CFO approval is required.</b>
	<b>A2.3 Disposal of Assets relating to Health Infrastructure Operations</b>					
	<i>In accordance with the NSW Health Procurement Policy Directive (PD2022_020). Note: Value is based on Written Down Value (WDV)</i>					
A2.3.1	Up to \$30K	✓	COO			

Schedule	Delegation	Level 1	Level 2	Level 3	Level 4	Other / Notes
A2.3.2	Over \$30K but not more than \$250K	✓	COO			
A2.3.3	Over \$250K	✓				

## Schedule A.3 – General Financial Delegations

Schedule	Delegation	Level 1	Level 2	Level 3	Level 4	Other / Notes
<b>A3.1 Asset Register</b>						
A3.1.1	Identify items for inclusion on the Health Infrastructure asset register (AM 1.19)	✓	COO			In consultation with DOF and MICT
A3.1.2	Approve adjustments of the asset register (AAD 5.9 & AM1.19)	✓	COO			In consultation with DOF and MICT
<b>A3.2 Funding Agreements &amp; Government Grants</b>						
<b>Authority to accept and sign (on behalf of Health Infrastructure) funding contracts and government grants between Health Infrastructure, and other Health Entities or other approved clients.</b>						
A3.2.1	Up to \$50K	✓	✓			
A3.2.2	Over \$50K	✓				
A3.2.3	Approve payments for Service Level Agreement invoices	✓	✓			

## Schedule A.4 – Human Resources

Schedule	Delegation	Level 1	Level 2	Level 3	Level 4	Other / Notes
<b>A4.1 Timesheets</b>						
A4.1.1	Approve timesheets / hours worked for staff	✓	✓	✓	✓	Extends to Managers / People Leaders <sup>5</sup> for staff under their responsibility.
A4.1.2	Approve amendments to timesheets / hours worked	✓	✓	✓	✓	Extends to Managers / People Leaders for staff under their responsibility.
<b>A4.2 Recruitment &amp; Selection</b>						
A4.2.1	Approval to create a new position	✓	COO			HM6 and Health Executive Services (HES) positions require MoH approval and HES require Health Secretary approval (via MoH)
A4.2.2	Approval to recruit to an existing funded staff establishment vacancy	✓	✓	✓		
A4.2.3	Approval to restructure and delete established positions	✓	COO			In consultation with DOP
A4.2.4	Approval to convert an existing temporary position to a permanent position (up to and including HM6)	✓	COO			HM6 positions require MoH approval
A4.2.5	Approval to fill an existing funded staff establishment vacancy using temporary agency staff <sup>6</sup>	✓	✓	✓		

<sup>5</sup> People Leaders are defined as staff members with direct reports

<sup>6</sup> Refer to PD2017\_040

Schedule	Delegation	Level 1	Level 2	Level 3	Level 4	Other / Notes
A4.2.6	Approval to appoint permanent and temporary staff	✓	✓			Level 3 and above require CE approval.
A4.2.7	Approval to extend the current engagement of temporary or agency staff for a further designated period of employment	✓	✓			
A4.2.8	Determine the Award, grade/level and salary within the relevant Award of NSW Government policies	✓	✓	✓		HM6 and HES positions require MoH approval
A4.2.9	Authorise expenditure on advertising / fees for recruitment of workforce to approved positions within the funded establishment and within the relevant NSW government policies.	✓	✓	DOP		
A4.2.10	Authorise secondment/use of or transfer of staff from public health organisations	✓	✓			In consultation with DOP
A4.2.11	Review details of recommended applicant with criminal record(s) and make determination	✓	✓	DOP		
<b>A4.3 Regrading &amp; Increments</b>						
A4.3.1	Regrading of CE in accordance with award provisions and MoH policy					Health Secretary approval required
A4.3.2	Regrading of staff positions (other than CE) HM6 and HES	✓				HM6 and Health Executive Services (HES) positions require MoH approval and HES require Health Secretary approval (via MoH)
A4.3.3	Regrading of staff positions lower than HM6	✓	COO			In consultation with DOP

Schedule	Delegation	Level 1	Level 2	Level 3	Level 4	Other / Notes
A4.3.4	Approval of workforce increments in pay	✓	✓			Cannot approve self-related increases. In consultation with DOP.
A4.3.5	Approval of Temporary Additional Allowance for HES (excluding CE)	✓	✓			Cannot approve self-related increases.
A4.3.6	Approval of higher duties allowances for other staff (excluding Director)	✓	✓	✓		Cannot approve self-related increases. In consultation with DOP.
A4.3.7	Approval of Temporary Additional Allowance for persons acting as CE	✓				Cannot approve self-related increases.
<b>A4.4 Resignation</b>						
A4.4.1	Authority to accept written notification of resignation for a staff member leaving the organisation at HES level	✓	✓			Health Secretary to accept resignation of CE
A4.4.2	Authority to accept written notification of resignation (excluding HES) and complete all necessary documentation related to a staff member leaving the organisation	✓	✓	✓	✓	Extends to Managers / People Leaders for staff under their responsibility.
<b>A4.5 Leave</b>						
A4.5.1	<b>Authority to approve leave without pay:</b>					
A4.5.1.1	For CE					Health Secretary to approve
A4.5.1.2	For staff at HES level	✓	✓			Cannot approve self-related leave.

Schedule	Delegation	Level 1	Level 2	Level 3	Level 4	Other / Notes
A4.5.1.3	For staff below HES level	✓	✓	✓	✓	Extends to Managers / People Leaders for staff under their responsibility. In consultation with DOP. Cannot approve self-related leave
A4.5.2	<b>Authority to approve paid leave in accordance with award provisions and entitlements:</b>					
A4.5.2.1	For the CE					Health Secretary to approve
A4.5.2.2	For staff at HES level	✓	✓			In consultation with DOP. Cannot approve self-related leave
A4.5.2.3	For staff below HES level	✓	✓	✓	✓	Extends to Managers / People Leaders for staff under their responsibility. In consultation with DOP. Cannot approve self-related leave
A4.5.3	Approve conservation of annual leave of staff (not under the provision of the <i>Annual Holidays Act 1944</i> ) beyond prescribed limits where good and sufficient reasons are advanced (15.3 CDM)	✓	COO			
A4.5.4	Authority to approve application for re-credit of Long Service Leave due to incapacity (AAD 3.1 & LM 3.17)	✓	COO			
A4.5.5	Authority to approve time-in-lieu for project and staff	✓	✓	✓	✓	Extends to Managers / People Leaders for staff under their responsibility. In accordance with MoH policies and in consultation with DOP.

Schedule	Delegation	Level 1	Level 2	Level 3	Level 4	Other / Notes
<b>A4.6 Allowances and Overtime</b>						
A4.6.1	Authority to approve allowances for staff	✓	✓	✓	✓	In accordance with MoH policies and in consultation with DOP.
A4.6.2	Approval of occasional overtime for staff	✓	✓	✓		In accordance with MoH policies and in consultation with DOP.
<b>A4.7 Hours</b>						
A4.7.1	Authorise variation of working hours for staff reporting to this position in accordance with approved budget and staff establishment	✓	✓	✓		In consultation with DOF and DOP or their delegate.
<b>A4.8 Staff Conduct &amp; Performance</b>						
A4.8.1	Authority on matters and decisions that relate to unsatisfactory professional or personal conduct by a HES staff member	✓	COO			HI Board to manage the CE in consultation with Health Secretary CE to manage the COO
A4.8.2	Authority on matters and decisions that relate to unsatisfactory professional or personal conduct of staff	✓	✓	✓	✓	Extends to Managers / People Leaders for staff under their responsibility. In consultation with DOP
A4.8.3	Authority to terminate the services of a HES staff member	✓				
A4.8.4	Authority to conduct appraisal of the performance of staff	✓	✓	✓	✓	Extends to Managers / People Leaders for staff under their responsibility. In consultation with DOP.
A4.8.5	Authority to terminate the services of a staff member	✓	✓			Board to manage the CE In consultation with DOP.

Schedule	Delegation	Level 1	Level 2	Level 3	Level 4	Other / Notes
<b>A4.9 Secondary Employment</b>						
A4.9.1	Approval for HES staff member to undertake work outside Health Infrastructure (secondary employment)	✓	COO			Health Secretary to approve for the CE, with advice from HI Board and approval consistent with NSW Health Policy Directives.
A4.9.2	Approval for staff below HES level to undertake work outside Health Infrastructure (secondary employment)	✓	COO			In consultation with DOP.

## Schedule A.5 – Training & Travel

Schedule	Delegation	Level 1	Level 2	Level 3	Level 4	Other / Notes
<b>A5.1 Overseas Travel</b>						
A5.1.1	Approve overseas travel	✓				Requires Secretary approval.
<b>A5.2 Conferences, Courses, Off-site work visits</b>						
<i>Including domestic travel &amp; overnight stays as well as payment and adjustment of allowances</i>						
A5.2.1	Approve conference/course expenditure other than approved leave entitlements for HES Staff	✓	COO			CE's expenses to be approved by COO.
<b>Approve conference/course expenditure other than approved leave entitlements for workforce</b>						
A5.2.2	Up to \$5K	✓	✓	✓		
A5.2.3	Over \$5K to no more than \$20K	✓	COO			
A5.2.4	Over \$20K but no more than \$50K	✓				
<b>A5.3 In-house training</b>						
A5.3.1	Approve expenditure on in-house training for HES Staff.	✓	COO			
A5.3.2	Approve expenditure on in-house training for workforce	✓	✓	✓		Engagement of a training provider must be done in accordance with the NSW Health Procurement Policy Directive (PD 2022_020).

## Schedule A.6 – Non-Financial Delegations

Schedule	Delegation	Level 1	Level 2	Level 3	Level 4	Other / Notes
<b>6.1 Records Management</b>						
A6.1.1	Authority to dispose of records in accordance with the State Records Act	✓	COO			
<b>6.2 Information Systems</b>						
A6.2.1	Approve Network Access and Internet Access	✓	COO	DOP		
A6.2.2	Approve corporate software applications	✓	COO	DOP		
A6.2.3	Approve external connections to the Health Support network /corporate network	✓	COO			
A6.2.4	Approve and or restrict access to files & records	✓	COO	DOP		
<b>6.3 Legal</b>						
A6.3.1	Authority to seek legal opinion from MoH.	✓	COO	GC		In consultation with GC
A6.3.2	Authority to seek legal opinion from outside firm. All costs associated with obtaining legal services are to be reported to Legal and services are to be procured in accordance with NSW Health Procurement Policy Directive (PD 2022 020). All litigation matters are to be referred to the MoH Legal Branch.	✓	✓	GC		In consultation with GC
A6.3.3	Authority to coordinate responses to subpoenas	✓	COO	GC		

Schedule	Delegation	Level 1	Level 2	Level 3	Level 4	Other / Notes
A6.3.4	Authority to enter into or vary a legal contract or undertaking with an external party where such an agreement has not been detailed elsewhere in this manual.	✓	COO	GC		Does not apply to Capital Budget
<b>6.4 Media</b>						
A6.4.1	Approval of media statements or releases in relation to Health Infrastructure activities	✓	✓ If content pre-approved by CE	DOCE If content pre-approved by CE		In consultation with DOCE as required.
A6.4.2	Verbal discussions with media personnel	✓		DOCE		In consultation with DOCE as required. Applies to Media specialists in DOCE team.
<b>6.5 Motor Vehicle Use</b>						
A6.5.1	Allocation of vehicles for the purpose of private use.	✓	COO			In accordance with MoH policies.
A6.5.2	Approval of private use of official vehicle during periods of leave	✓	COO			In accordance with MoH policies.
A6.5.3	Authority to suspend use as a result of inappropriate use	✓	COO			In accordance with MoH policies.
A6.5.4	Approve official use of private vehicles and reimbursement of expenses (P&S 5.22)	✓	✓	✓		In accordance with MoH policies.
<b>6.6 Use of Official Resources</b>						
A6.6.1	Approval of use of official resources for non-official purposes (e.g. to aid charitable event or for non-commercial use) - see NSW Health Code of Conduct	✓	COO			

Schedule	Delegation	Level 1	Level 2	Level 3	Level 4	Other / Notes
<b>6.7 Building Access</b>						
A6.7.1	Approve building access	✓	COO	DOP		In consultation with DOP.
<b>6.8 Memorandum of Understanding Agreements</b>						
A6.8.1	Authorise	✓	COO			In consultation with GC
<b>6.9 Investigation</b>						
A6.9.1	Appoint officers to appropriately deal with public interest disclosures, support staff who report, and ensure reprisals are not taken against them.	✓				In consultation with GC
A6.9.2	Authorise investigations into complaints referred by the NSW Ombudsman.	✓				In consultation with GC
<b>6.10 Government Information (Public Access) Act 2009</b>						
A6.10.1	Responsibility to process a GIPA application	✓	✓			In consultation with GC
A6.10.2	Authority to conduct an Internal Review under GIPA	✓	COO			In consultation with GC
<b>A6.11 Obligations Under Privacy Legislation</b>						
A6.11.1	Management of access requests and privacy complaints	✓	COO			
A6.11.2	Authority to conduct an Internal Review under PPIP Act	✓	COO			

Schedule	Delegation	Level 1	Level 2	Level 3	Level 4	Other / Notes
<b>A6.12 Correspondence to External Agencies</b>						
A6.12.1	Authority to sign-off correspondence to SafeWork and Environmental Protection Authority	✓	COO			In consultation with GC as required
A6.12.2	Authority to sign-off correspondence to NSW Ombudsman and ICAC.	✓				In consultation with GC as required
A6.12.3	Authority to sign-off correspondence to external accrediting bodies	✓	COO			
<b>A6.13 Annual Attestation Statement</b>						
A6.13.1	Authority to sign-off Audit and Risk Management Attestation Statement	✓				
<b>A6.14 Annual Corporate Governance Statement</b>						
A6.14.1	Authority to sign-off Annual Corporate Governance Statement	✓				
<b>A6.15 Risk Management – Organisational Risks (Strategic, Operational and Fraud)</b>						
<b>Authority to accept risks or take-up opportunities for Organisational level risks rated as follows:</b>						
A6.15.1	Medium or Low	✓	✓	✓		Note: Acceptance of any High or Extreme Risks should be in consultation with the Audit and Risk Committee and HI Board
A6.15.2	High	✓	COO			
A6.15.3	Extreme	✓				

Schedule	Delegation	Level 1	Level 2	Level 3	Level 4	Other / Notes
<b>A6.16 Risk Management – Organisational Risks – Business Level</b>						
<b>Authority to accept risks or take-up opportunities for Business level risks rated as follows:</b>						
A6.16.2	Medium or Low	✓	✓	✓		Note: Acceptance of any High or Extreme Risks should be in consultation with the Audit and Risk Committee and HI Board
A6.16.3	High	✓	COO			
A6.16.4	Extreme	✓				
<b>A6.17 Insurance Claims</b>						
<b>Authority to manage and deal with insurance claims as follows:</b>						
A6.17.1	Professional indemnity / liability claims	✓	COO			In consultation with GC.
A6.17.2	Workers compensation claims	✓	COO			
A6.17.3	Motor vehicle claims	✓	COO			
A6.17.4	Property / miscellaneous claims	✓	COO			

## Schedule B – Capital Budget Delegations<sup>7</sup>

Reminder: As per the Principles of Delegation (Principle #7) in the introduction to this Delegations Manual, all financial delegations requiring the commitment of expenditure must only be exercised by HI employees to the NSW Health Service (contractors engaged by HI do not have financial delegations).

The delegations contained in this Schedule are subject to compliance with directions/circulars issued by NSW Government from time to time that apply to capital works.

Schedule	Delegation	Level 1	Level 2	Level 3	Level 4	Other / Notes
<b>B1.1 Development Applications</b>						
B1.1.1	Submission of development applications on behalf of Health Administration Corporation. Procedures: <ul style="list-style-type: none"> <li>Subject to being an approved project within the budget.</li> </ul> Refer section 13 of the Health Administration Act 1982.	✓	COO EDR EDDC			
<b>B1.2 Acceptance of Development Applications</b>						
B1.2.1	Acceptance of Development Application conditions on behalf of the Health Administration Corporation Procedures: <ul style="list-style-type: none"> <li>Project being within budget and scope.</li> </ul>	✓	EDR			

<sup>7</sup> All expenditure is to be approved on the basis that it is within the Estimated Total Cost (ETC) for each project or program.

Schedule	Delegation	Level 1	Level 2	Level 3	Level 4	Other / Notes
<b>B1.3 Environmental Assessment</b>						
B1.3.1	Exercising the functions of a determining authority under Part 5 of the Environmental Planning and Assessment Act 1979 (NSW).	✓				Delegation is subject to being an approved project within the budget and scope.
<b>B1.4 Call Tenders for Consultancy or Contractor Services</b>						
<i>Tenders to be called on the basis that funds are available within the Estimated Total Cost (ETC) for each project or program. WofG and WofH Prequalification Schemes should be leveraged.</i>						
B1.4.1	Up to \$30K	✓	COO EDR EDDC Up to \$5M	DOR	SPD	Minimum one written quote required for \$10K to \$30K
B1.4.2	Over \$30K but not more than \$250K	✓	COO EDR EDDC Up to \$5M	DOR		One written quote required if using a WofG or WofH Prequalification Scheme as referred to in the NSW Health Procurement Policy Directive PD 2022_020. Three written quotes required if not using WofG and WofH Prequalification Scheme.
B1.4.3	Over \$250K but not more than \$1M	✓	COO EDR EDDC	DOR Up to \$500K		<u>Tender process required</u> or three written quotes required if using a WofG or WofH Prequalification Scheme as referred to in the NSW Health Procurement Policy Directive PD 2022_020; and A project-specific Procurement Strategy is required to support tender processes and consultation with DOP2 (or Senior Procurement Advisor) required.
B1.4.4	Over \$1M	✓	COO EDR EDDC Up to \$5M			As per B1.4.3.

Schedule	Delegation	Level 1	Level 2	Level 3	Level 4	Other / Notes
B1.4.5	Approve not undertaking full tender action in exceptional circumstances in procurement of consultancy or contractor services	✓				<b>For over \$1M, Health CFO approval is required</b> except where using a whole-of-government or whole-of-health contract as referred to in the NSW Health Procurement Policy Directive (PD2022_020).
<b>B1.5 Appointment of Consultants</b>						
<b>Authority to engage, and authorise expenditure for consultants' services and approve variations in consultants' work, time or cost</b> <i>All expenditure is to be approved on the basis that it is within the Estimated Total Cost (ETC) for each project or program.</i>						
B1.5.1	Approval of preferred tenderer, contract documentation and appointment of consultants and authorisation of expenditure within approved ETC.	✓ Up to \$10M	COO EDR EDDC Up to \$1.5M	DOR Up to \$500K		Consideration of cumulative contract value is required in approving variations and where cumulative variations exceed 25% of contract value consultation with DOP2 required. <b>For over \$10M, Health CFO approval is required.</b>
<b>B1.6 Appointment and Payment of Building Contractors</b>						
<b>Authority to engage, and authorise expenditure for contractors' services and approve variations in contractors' work, time or cost</b> <i>All expenditure is to be approved on the basis that it is within the Estimated Total Cost (ETC) for each project or program.</i>						
B1.6.1	Approval of preferred tenderer, contract documentation and appointment of contractors and raising purchase orders, within approved ETC.	✓ Up to \$20M	COO EDR EDDC Up to \$5M	DOR Up to \$500K.		Consideration of cumulative contract value is required in approving variations and where cumulative variations exceed 25% of contract value consultation with DOP2 required. <b>Variations \$1M to \$5M require counter signature from another Level 2 delegate or CE approval.</b> <b>For over \$20M, Health CFO approval is required.</b>

Schedule	Delegation	Level 1	Level 2	Level 3	Level 4	Other / Notes
<b>B1.7 Execution of Contracts</b>						
B1.7.1	Execute contracts on behalf of HAC: <ul style="list-style-type: none"> <li>Contracts arising from sections B1.5.1 and B1.6.1 – approving delegate to approve and sign. This will include Letters of Award and Letters of Intent.</li> <li>Any other contracts (not captured by sections B1.5.1 and B1.6.1):                             <ul style="list-style-type: none"> <li>If the Project implementation measures in section B1.9 below apply - the corresponding Level 1, 2, 3 and 4 Delegates (in section B1.9) will have approval and signing authority.</li> <li>If section B1.9 does not apply, the Level 1, 2 and 3 Delegates will have approval and signing authority, without limiting and subject to any other applicable parts of these Delegations,</li> </ul> </li> </ul> subject in each case to consultation with the GC.	✓	COO EDR EDDC	DOR		Consultation with GC required.
<b>B1.8 Business Case</b>						
B1.8.1	Approval of submission by HI of “Business Case” and variations to Health Secretary.	✓				Applies to Investment Decision Documents, Project Briefs, Strategic Business Cases and Final Business Cases.
B1.8.2	Endorsement of “Business Case” and Business Case Addendums.	✓				Applies as noted above. Executive Steering Committee (ESC) and Health Secretary or MoH delegated officer approval required

Schedule	Delegation	Level 1	Level 2	Level 3	Level 4	Other / Notes
<b>B1.9 Project Delivery</b>						
Delegations are subject to compliance with any Treasury requirements regarding contract variation						
B1.9.1	<p>Approve use of budget within the projects approved estimated total cost (ETC) Procedures:</p> <ul style="list-style-type: none"> <li>• Subject to change control procedures for the project.</li> <li>• Subject to the “existing major projects constraints” of Treasury Circular TC12-20 as applied in respect of HI’s capital works program;</li> <li>• Subject to Section B1.9.4 for changes in the timing of expenditure for capital works projects.</li> </ul>	✓	COO EDR EDDC Up to \$5M	DOR Up to \$500K	SPD Up to \$30K	Relates to use of budget only, with tender or expenditure approvals covered under B1.4 – B1.6
B1.9.2	<p>Approve project implementation measures (e.g. change of construction staging) that will not result in changes to the project’s approved ETC budget.</p> <ul style="list-style-type: none"> <li>• Subject to change control procedures for the project.</li> <li>• Subject to Section B1.9.4 for changes in the timing of expenditure for capital works projects.</li> </ul>	✓	COO EDR EDDC	DOR		
B1.9.3	<p>Approve changes to the project’s approved ETC budget. Procedures:</p> <ul style="list-style-type: none"> <li>• Subject to the “existing major projects constraints” of Treasury Circular TC12-20 as applied in respect of HI’s capital works program and identified offsets from within the funding limits of the approved HI capital program;</li> <li>• Subject to change control procedures for the project.</li> </ul>					Any request to change the project’s ETC budget is subject to approval from the Executive Steering Committee (ESC) before progressing to the Capital Strategy Group (CSG) for final consideration.

Schedule	Delegation	Level 1	Level 2	Level 3	Level 4	Other / Notes
B1.9.4	Approve changes to the timing of expenditure for capital works projects. Procedures: <ul style="list-style-type: none"> <li>Subject to the “existing major projects constraints “of Treasury Circular TC12-20 as applied in respect of HI’s capital works program and identified offsets from within funding limits of the approved HI capital program;</li> <li>Subject to change control procedures for the project.</li> </ul>	✓ Unlimited	COO EDR EDDC Up to \$1M change in any financial year			
B1.9.5	Approve all variations other than those in Sections B1.9.1, B1.9.2, B1.9.3 and B1.9.4.					See Treasury Circular TC12/20.
<b>B1.10 Advance Requests</b>						
B1.10.1	Approve the making of an advance request on the Department Procedures: <ul style="list-style-type: none"> <li>Subject to such payments being in respect of projects assigned to HI</li> </ul>	✓	COO EDR EDDC			
<b>B1.11 Land Acquisition</b>						
B1.11.1	Approve the acquisition of land needed to deliver an approved project. Procedures: Subject to compliance with <ul style="list-style-type: none"> <li>Approved Project Budget, Scope and Cashflow, and</li> <li>Government property acquisition policy and guidelines (i.e. NSW Government Asset Management Policy)</li> </ul>	✓				For over \$5M, <b>Health CFO approval is required.</b>  For general delegation regarding land, refer NSW Health Combined Delegations Manual, which also gives general acquisition (including leases) and disposal authority to the Board and CE in respect to land matters other than just capital works projects. Note compulsory acquisition requires approval of Governor on recommendation of Minister for Health.

## Appendix A – Health Infrastructure Constitution