

Delegation of Responsibility and Authority Policy and Procedure

1.0 Purpose

The purpose of this policy is to establish a clear framework for delegating responsibility and authority within SilaCa Tasmania Pty Ltd, in order to promote operational efficiency, accountability, and sound governance practices.

Delegations are the mechanisms through which staff and volunteers are authorised to act on behalf of the organisation. These delegations are essential for maintaining effective service delivery, informed decision-making, and alignment with organisational goals.

This policy also ensures that delegated responsibilities support participant safety, uphold individual rights, and maintain service quality in accordance with the expectations of the NDIS Practice Standards and Quality Indicators, the NDIS Code of Conduct, and relevant governance requirements.

2.0 Scope

The policy applies to all staff involved in decision-making and service delivery at SilaCa Tasmania Pty Ltd.

3.0 Policy

SilaCa Tasmania Pty Ltd is committed to ensuring that all delegated responsibilities are assigned, exercised, and monitored in a manner that reflects the organisation's values of integrity, accountability, and participant-centred care.

Delegations must be applied with consideration to the following principles:

- All delegated responsibilities must align with the NDIS Practice Standards, NDIS Code of Conduct, and organisational safeguarding obligations
- Delegated staff must hold a current NDIS Worker Screening clearance and have demonstrated suitability under the NDIS Suitability Assessment Framework
- Delegations must only be given to individuals who are appropriately qualified, trained, and competent to carry out the assigned responsibilities
- Delegated officers must understand their duty to identify, report, and respond to risks of harm, abuse, neglect, or exploitation
- Delegations will be reviewed annually or sooner if significant changes occur to the staff member's role, performance, or risk profile

The Director's retain overarching responsibility for managing SilaCa Tasmania Pty Ltd and may delegate specific functions, powers, or duties to designated staff. However, the following core responsibilities cannot be delegated:

- Adoption of the organisation's Strategic Plan
- Approval of the Annual Budget
- Endorsement of the Business Plan

The Manager is accountable for the strategic and operational oversight of SilaCa Tasmania Pty Ltd, including financial management, staff supervision, and service performance. Delegated authority does not remove accountability from the Manager, who must ensure that all delegated functions are being performed in accordance with applicable standards and organisational values.

Delegations involving high-risk matters such as restrictive practices, incident responses, or complaints related to abuse or neglect must comply strictly with the NDIS (Incident Management and Reportable Incidents) Rules 2018. The Board will retain final oversight of such critical decisions.

SilaCa Tasmania Pty Ltd upholds a zero-tolerance approach to unethical conduct. No delegated officer may act outside the scope of their authority, and no delegation exempts any individual from their duty to comply with legal, ethical, and professional obligations.

All delegations will be documented, communicated clearly to relevant staff, and recorded in organisational systems to ensure accountability and transparency.

4.0 Procedure

The overarching policy applies to SilaCa Tasmania Pty Ltd as a whole. Units within the organisation must align their delegation of authority and responsibility policies with the central strategy. Delegations must ensure that delegated staff hold the requisite qualifications and skills.

Delegations must not be granted to any individual who:

- Does not hold a current NDIS Worker Screening clearance
- Has not completed mandatory training, including NDIS Worker Orientation and safeguarding responsibilities
- Has unresolved conflicts of interest related to the delegated area

Delegations will be reviewed:

- Annually as part of governance review
- Immediately following any incident, complaint, or investigation that may affect the person's fitness and propriety
- When the person's role or position changes

The Board holds responsibility for the oversight of the delegation framework and reviews any high-risk or sensitive delegations. All staff members holding a delegation must complete conflict of interest declaration, aligned with the NDIS Code of Conduct and Practice Standards, to ensure transparency and avoid any real or perceived conflicts when exercising delegated authority.

In emergency circumstances where participant safety or critical service delivery is at risk, temporary delegations of authority may be approved by the Manager, with subsequent ratification by the Board where necessary. All emergency delegations must be documented and reviewed post-incident for governance oversight.

4.1 Delegations to the Manager

Delegations are attached to the position occupied, not to the occupant. The responsibilities of a position appear in a duty statement, role statement, or statement of responsibility appropriate to the position.

Delegations reflect SilaCa Tasmania Pty Ltd's organisational structure. Levels of authority are hierarchical through relevant lines of responsibility, including the Manager. 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.

The Manager may, at any time, vary or terminate any delegation, subject to confirmation by the Board at its next meeting.

A delegation cannot be exercised where the officer holding the delegation has a conflict of interest or where the delegation will directly or indirectly result in any tangible benefit to the delegate. In such cases, a function transfer to another appropriate position must be arranged by the Manager.

Permanent changes to delegations, either permissive or restrictive, require written authority from the Manager. The Board must approve any significant variation to the standard delegations.

This policy applies only to formal delegations. Delegations of an informal nature, where no commitment or liability is incurred on behalf of SilaCa Tasmania Pty Ltd, are carried out in the organisation's normal business without the requirement of written authority.

A staffing delegation can only be actioned by the delegate who holds management responsibility for the individual staff member. A staffing delegation example follows:

Position	Authority to ensure staff replacement	Authority to authorise contracts	Authority to access My Place	NDIS Compliance
Manager	Yes	Yes	Yes	Yes
Financial Officer	No	No	Yes	Yes

Position	Corporate Governance - Quality, risks, complaints and incidents	Reporting and recording risks, complaints and incidents	HR Management	Work with participant	NDIS Compliance
Manager	Yes	Yes	Yes	No	Yes
Supervisor	Yes	Yes	Yes	Yes	Yes
Support workers, including allied health	Yes	Yes	No	Yes	Yes

The Board of SilaCa Tasmania Pty Ltd will review and approve high-level delegations to key personnel, including the Manager, ensuring ongoing alignment with organisational risk appetite, NDIS compliance, and safeguarding obligations.

5.0 Related documents

- Delegation of Responsibility and Authorisation
- Corporate Governance Policy and Procedure
- Human Resource Management Policy and Procedure
- Corporate Governance Policy and Procedure
- Risk Management Policy and Procedure
- Participant Safeguarding Policy

6.0 References

- NDIS Practice Standards and Quality Indicators (2021)
- NDIS (Provider Registration and Practice Standards) Rules 2018
- NDIS (Code of Conduct) Rules 2018
- NDIS (Incident Management and Reportable Incidents) Rules 2018

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- NDIS (Worker Screening) Rules 2018
- Privacy Act 1988 (Commonwealth)
- Fair Work Act 2009 (Commonwealth)