



# Delegation of Authority

Category:	Governance
Number:	
Audience:	Board of Governors and All University Employees
Last Revised:	January 29, 2017
Owner:	President
Approved by:	Board of Governors
Contact:	Secretary to the Board at (306) 790-5950 ext. 2100

## Introduction

Appropriate delegation of authority is fundamental to the effective and efficient management and operation of the University.

The purpose of this policy is to establish the principles that govern the delegation of authority and to outline the process by which the authority to act and to make decisions is delegated.

A clear delegation of authority will:

- a) assign clear authorities and accountabilities, thereby ensuring that decisions made and actions taken are by the appropriate levels;
- b) create a sound internal control environment;
- c) facilitate efficient decision making;
- d) maintain fiscal integrity; and
- e) ensure that transactions are executed as intended and in accordance with applicable law, regulations, and University policy.

This policy applies to the First Nations University of Canada and the authorities and duties held by the Board of Governors of the First Nations University of Canada.

## Definitions

“Delegate” - To entrust to another; to assign responsibility and authority.

“Designated Individual” – means a University Employee with delegated authority in accordance with this policy.

“Employee” – means a person employed by the First Nations University of Canada for wages or salary. For clarity, this term includes support staff, management and professional staff, and faculty members but does not extend to Independent Contractors.

“University” means the First Nations University of Canada.

# Policy

## 1. Statutory Authority

1.1 The *First Nations University of Canada Act* gives the Board the authority to:

- a) control the operation and management of the First Nations University of Canada and the University's resources [Part III, articles 7 and 8 (a) to (k)], and
- b) delegate certain authorities and responsibilities to the President of the First Nations University of Canada. [Part III, article 13 (l)]

1.2 The President of the University has:

- a) the responsibility and authority to direct and supervise the operation of the University;
- b) any other powers, duties, and functions assigned by the Board; and
- c) the authority to delegate these powers, duties, or functions including the power of sub-delegation.

1.3 The Vice-Presidents of the University have all of the powers, duties and functions that are assigned to them by:

- a) the President; or
- b) the Board on the recommendation of the President.

## 2. Delegation of Authority

2.1 Vice-Presidents may, with approval of the President, assign or delegate certain responsibilities to Designated Individuals.

2.2 No matter what responsibility or authority is delegated, the Board or President of the University retains control and accountability as required by the *First Nations University of Canada Act* and law.

2.3 All delegations of authority must be in writing.

2.4 Delegations of authority will be approved by the Board on the recommendation of the President. The Board will delegate authority through a formal resolution or Board approved policy.

2.5 No person is authorized to make any decisions or sign any document if it creates an obligation or undertaking on behalf of the University unless:

- a) the person has authority as set out in the *Delegation of Authority*; or
- b) the person has sub-delegated or temporary authority.

### **3. Exercise of Delegations**

3.1 Unless otherwise specified, authority is delegated to a position as opposed to a person.

3.2 Unless otherwise specified, authority delegated to a position extends to any person acting in that position.

3.3 Authority may be temporarily delegated to a position when the person in the position with permanent authority is absent; for example, when the President is temporarily absent, his or her authority is temporarily delegated to another position.

3.4 A temporary delegation will be in writing and fully documented on the *Temporary Delegation of Authority Form*

3.4 A delegation of authority to an individual also confers authority on that individual's supervisor unless a particular qualification or certification, which must be held by the Designated Individual, is not held by the supervisor.

3.5 A Designated Individual will be aware of and refer to all relevant University policies and procedures as well as external legislative requirements.

### **4. Record of Responsibilities and Delegated Authorities**

4.1 All approved delegations and sub-delegations of authority must be recorded in the University's Record of Responsibilities and Delegated Authorities.

4.2 No person is authorized to make a decision or sign a document that creates an obligation for the University unless he or she has that responsibility or has been delegated the authority (and it is recorded in the University's Record of Responsibilities and Delegated Authorities).

### **5. Delegation of Authority Reviews and/or Changes**

5.1 The Board's Governance and Human Resources Committee will review this policy and the University's Record of Responsibilities and Delegated Authorities annually and revise both if necessary.

5.2 The President may request changes to delegations of authority. His or her request must be reviewed and approved by the Board.

### **6. Risk and Conflict of Interest**

6.1 No person may exercise a delegated authority if to do so would pose a real or potential conflict of interest.

6.2 Notwithstanding a delegation of authority, a Designated Individual will bring any matter to the attention of the President or the Board if that matter has an unusually high risk factor, if it brings the activities of the University under scrutiny or disrepute, or if it involved controversial matters.

6.3 The Designated Individual will investigate allegations of irregularity or impropriety with respect to the implementation of this policy. The Designated Individual will notify the Board Secretary about active investigations who will advise the Chair of the Governance and Human Resources Committee and/or the Chair of the Board.

## Responsibility

### **7. Board of Governors**

- a) ensure appropriate rigour and due diligence in the development or revision of this policy.

### **8. President**

- a) review the Delegation of Authority;
- b) ensure that University staff are aware of this policy and related procedures;
- c) monitor compliance with the policy;
- d) regularly review the policy to ensure consistency in practice; and
- e) sponsor the revision of this policy and related procedures when necessary.

### **9. Delegator**

- a) ensure that Designated Individuals understand the powers, duties, and functions that have been delegated to them.

### **10. Designated Individuals**

- a) ensure sound stewardship of financial resources and assets;
- b) understand and comply with the University's policies, control procedures, and operating systems;
- c) ensure that required governance reviews are complete prior to the execution of a contract;
- d) act in good faith and solely in the best interests of the University;
- e) avoid situations that could lead to a real or perceived conflict of interest.

## Consequences for Noncompliance

Violators of this policy may be subject to in disciplinary action up to and including termination of employment according to the applicable collective agreement and/or disciplinary process.

## Related Information

- [Delegation of Authority Policy – Procedure Statement](#)
- [Signing Authority Policy](#)
- [Absence of the President Policy](#)
- Record of Responsibilities and Delegated Authorities (under development)
- Temporary Delegation of Authority Form (under development)