

## **Instrument of Delegation: Safety, Return to Work and Support**

### *Public Sector Employment and Management Act 2002*

I revoke all previous delegations under this Act.

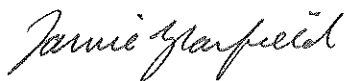
### *Government Sector Employment Act 2013*

Pursuant to section 27 of the *Government Sector Employment Act 2013*, I, Laurie Glanfield, Secretary of the Department of Finance and Services, hereby delegate my functions under this Act and its Regulations, as set out in attached Schedules to:

- a. The officer assigned to a role nominated in the Manual described in the Schedules; and
- b. An officer who, with approval, is acting or relieving in those roles; and
- c. The officer having immediate or ultimate management responsibility for those roles.

This instrument is written to cover the transition from the *Public Sector Employment and Management Act 2002* to the *Government Sector Employment Act 2013* with specific reference to schedule 4, clause 10. The delegation of a function under the *Public Sector Employment and Management Act 2002* is taken to be a delegation of comparable function under the *Government Sector Employment Act 2013*.

The functions are to be exercised in connection with the exercise of the functions of the WorkCover Authority of NSW, the Workers' Compensation (Dust Diseases) Board, the Lifetime Care and Support Authority, the Motor Accidents Authority, the Workers Compensation Commission and the Office of the WorkCover Independent Review Officer in accordance with the policies, procedures and budgets of the Government Service. A delegate must only exercise delegations within the agency of Safety, Return to Work and Support in which he or she is employed, unless I specifically authorise the delegate to exercise delegations more widely. This delegation has effect from this date and remains in force until revoked.



Laurie Glanfield  
Secretary  
Department of Finance and Services  
24 February 2014

## **SCHEDULES**

SRWS Human Resource Delegations

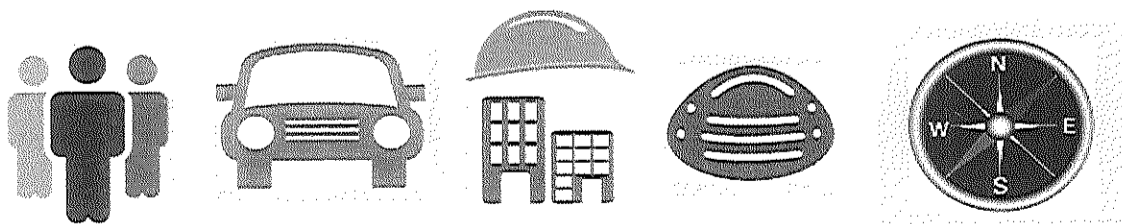
Workers Compensation Commission Human Resource Delegations



# Safety, Return to Work and Support

## Schedule -SRWS Human Resources Delegations Manual

Released: February 2014



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Definition of Delegates

Schedule SRWS HR Delegations

NOTE: Shared Service Providers have delegation in the appropriate Categories across all SRWS Divisions

SRWS

DEFINITION OF DELEGATES

SRWS Delegation	WCA	DDB	LTCSA	MAA	WIRO
Level 1 DFS - Secretary	Level 1 DFS - Secretary				
Level 2 DFS - Chief Executive Officer SRWS	Level 2 DFS - Chief Executive Officer SRWS				
Category 1- (DFS Level 3 equivalent) Position with management responsibility for a Division of SRWS	General Manager (or equivalent) positions, including: Chief Human Resources Officer Director, Legal Group	General Manager	General Manager	General Manager	Chief Financial Officer
Category 2- (DFS Level 4 equivalent) Position with Branch / Group management responsibility, including control of a budget within a Division of SRWS, or Agency within SRWS	Director (or equivalent) positions	Nil positions	Director, Service Delivery	Deputy General Manager, MAAS Deputy General Manager, PPCA Director, Assessment Services	Director, Complaints Director, ILARS Director, Work Capacity Reviews Director, Insurer/Employer Relations Director, Policy & Strategy
Category 3- (DFS Level 5 equivalent) Position with staff management and budgetary responsibilities within a Branch or Group	Manager, (or equivalent) positions includes:  Assistant Director, WHSD Senior Manager, Communications Senior Manager, Customer Service Contact Centre Senior Manager, Government and Ministerial Services Senior Manager, Customer Experience	Director, Client Services Director, Medical Services Manager, Screening Services Manager, Health Care Services	Manager, Business Services Manager, Service Coordination	Manager Case Management Services Manager, Injury Strategy Manager, Insurer Licensing & Performance Principal Information Officer Medical Assessment Reviews Manager Manager, Medical Assessments Manager, Scheme Performance Manager, Ministerial & Community Assistance Principal Claims Assessor Principal Media & Community Relations Officer <del>Business Services Manager</del>	Nil positions
Category 4 - (DFS Level 6 equivalent) Position with staff management or budgetary responsibility	Can include: Team Leader roles Team Co-ordinator roles District Co-ordinators Regional Admin & Business System Supervisors (usually positions at 9/10 level or equivalent)	Manager positions, Grade 7/8 and above	Senior Coordinators Senior Service Development & Review Officer Manager, Assessment Review	Principal Scheme Policy Officer Principal MAS Standards Officer Principal MAS Policy Officer Medical Review Officer Assistant Medical Review Officer Review Case Management Officer Assessor Support Officer Principal Information Officer Team Leader [Case Management Services] Case Manager [Case Management Services] Case Management Officer	Nil positions
Category 5 - (DFS Level 7 equivalent) Position with supervisory responsibilities only	Roles with some supervisory responsibility not captured above.	Nil positions	Office Coordinators	Nil positions	Executive Officer

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## Delegations Manual Guidelines

### SRWS, DUST DISEASES BOARD AND THE OFFICE OF THE WORKCOVER INDEPENDENT REVIEW OFFICER - HR DELEGATIONS MANUAL GUIDELINES

- 1 The Secretary has the power to delegate certain functions under the *Government Sector Employment Act 2013* listed below.
- 2 The purpose of this manual is to establish the level of delegation to staff of SRWS, Dust Diseases Board and the Office of the WorkCover Independent Review Officer to act on behalf of the Secretary, Department of Finance and Services.
- 3 The purpose of such delegations is to facilitate the effective and efficient operations of SRWS, Dust Diseases Board and the Office of the WorkCover Independent Review Officer within the limits as set out in this Manual. If a specific function is not explicitly stated in this manual, the function lies with the Secretary DFS.
- 4 Prior to exercising delegation, consideration must be given to compliance with appropriate legislation, policies and guidelines.
- 5 All delegates are required to comply with directives issued by the NSW Treasury, the Department of Premier and Cabinet and the Public Service Commission.
- 6 Application of delegated authority must comply with the relevant directives of the Minister, the Secretary and Boards and be consistent with any overriding State or Federal laws.
- 7 Delegations do not operate in respect of matters which, in the opinion of the delegate:
  - \* Are potentially controversial
  - \* Create a conflict of interest
  - \* Possess special or complex features
  - \* Are matters of importance which should be submitted to a higher authority
- 8 The authority to approve is also the authority to withhold approval. This does not preclude the review of the decision by a more senior officer at the request of a person affected by the decision or the person who made the recommendation. An officer temporarily appointed to a position may exercise the delegated authority of the position unless restrictions have been imposed by a more senior delegate.
- 10 A person who is carrying out the duties of a position for a brief period should exercise only those delegations which relate to routine matters. Where a matter is not routine, it should be referred to a higher authority up to and including the Secretary.  
In circumstances where the appropriate delegate is temporarily absent and no other officer has been approved to act in that position, the delegation can be exercised by the occupant of a position at a higher level of delegation to whom the absent delegate reports.
- 11 Monetary amounts stated are the maximum delegated amounts in relation to the delegated function. They do not imply or confer authority to spend more than the organisation's or unit's uncommitted budget allocation.
- 12 All monetary amounts stated are deemed to be inclusive of GST. Delegates approving expenditure must ensure that the amount approved includes the GST component.
- 13 No delegate may:
  - \* Approve self related matters, e.g. authorise expenditure or expenditure reimbursement to themselves, certify their own timesheets, authorise own higher duty allowance, overtime or annual/long service leave and travel etc.
  - \* Split items or orders to bring them within any limit to their areas of administrative or financial responsibility.
- 14 Delegates must consider any additional operating costs that will be created as a result of an intended purchase and ensure that the future budget impacts of a purchase are factored in to future budget planning.
- 17 Delegates cannot approve a requisition that results in a payment/benefit to themselves. This includes; travel expenses, overtime, petty cash etc. or to have an officer/employee who is subordinate to them approve such self related matters.
- 18 These rules apply whether the requisitions are submitted 'on-line' or paper based.

#### DELEGATE LEVELS

- 19 There are 2 delegate levels in addition to 5 categories of delegates:
  - Level 1 is the Secretary, Department of Finance and Services
  - Level 2 is the Chief Executive Officer of Safety, Return to Work and Support
- 20 There are 5 categories used to identify delegated authority, specifically:
  - Category 1 (Level 3 equivalent in DFS) - Position with management responsibility for a Division of SRWS, Dust Diseases Board and Office of the WorkCover Independent Review Officer.
  - Category 2 (Level 4 equivalent in DFS) - Position with Branch/Group management responsibility, including control of a budget within a Division of SRWS, Dust Diseases Board and Office of the WorkCover Independent Review Officer.
  - Category 3 (Level 5 equivalent in DFS) - Position with staff management and budgetary responsibilities within a Branch or Group
  - Category 4 (Level 6 equivalent in DFS) - Position with staff management or budget responsibility
  - Category 5 (Level 7 equivalent in DFS)- Position with supervisory responsibilities onlyThe equivalent level within DFS has been shown next to the category for comparability purposes.
- 21 This manual groups all delegated positions into the above categories based on comparable authority of positions. Where there is a specific delegation that can only be exercised by a particular position, the delegated positions are identified as such within the schedules of the manual, quoting the level of approved delegated authority.
- 22 Where the manual specifies a delegate (whether by position title or category) that is the minimum delegated level with authority for that function/activity, the position to whom that delegate reports and positions above, up to the level of Secretary, Department of Finance and Services, are also deemed to have the delegated authority described. For example, if Category 2 appears in the Delegate column, the relevant Divisional General Manager, (i.e. Category 1 delegate) and Secretary, Department of Finance and Services can also exercise that power of delegation.

#### AMENDMENTS TO DELEGATIONS

The following process should be followed to have amendments made to the content of this Manual:

- 23 Submissions outlining the nature of the proposed change/s should be forwarded to the relevant divisional general manager.

## Delegations Manual Guidelines

- 24 If the proposed change is supported by the divisional general manager, it should be forwarded, in the first instance, to the Chief Human Resources Officer, SRWS.
- 25 Subject to the proposed change being considered appropriate (in terms of the particular Act or other Instrument) Finance & Services Division will make arrangements for the amendment/s to be included in the Manual and seek the necessary approvals from the Secretary.
- 26 Subject to the proposed change being considered appropriate (in terms of the particular Act or other Instrument) Finance & Services Division will make arrangements for the amendment/s to be included in the Manual and seek the necessary approvals from the Secretary.

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## Human Resources

		AGENCY	DELEGATE
<b>SCHEDULE - SRWS HUMAN RESOURCES</b>			
<b>* All People and Culture delegations are to be exercised within relevant policy and budget allocation</b>			
<b>S.1 Allowances, Expenses and Payments</b>			
S.1.1	To approve relief in higher positions and authorise payment of higher duties allowances	ALL	Category 3
S.1.2	To authorise payment of expenses to officers and temporary employees who attend professional or technical meetings, conferences, seminars and the like.	ALL	Category 3
S.1.3	Day Travel; Travelling and/or sustenance allowances, expenses etc.; for actual travelling expenses	ALL	Category 3
S.1.4	To authorise payment of allowance during periods of leave in accordance with principles laid down from time to time	ALL	Manager, Payroll Services
S.1.5	To authorise payment of prescribed allowances to qualified persons nominated to act as First Aid Officers. <u>NOTE: Subject to conditions approved from time to time.</u>	ALL	Manager, Payroll Services
S.1.6	To authorise payment of allowances and expenses prescribed in the Crown Employees (Transferred Employees Compensation) Award 2009 to officers transferred at SRWS Agency expense.	ALL	Manager, Payroll Services in consultation with Chief Human Resources Officer
S.1.7	To authorise travel by private vehicle when staff transferred and payment of reasonable actual expenses	ALL	Manager, Payroll Services in consultation with relevant Category 2 officer
S.1.8	To authorise payment of Disturbance Allowance to transferred officers.	ALL	Manager, Payroll Services
S.1.9	To authorise the use of a private motor vehicle in accordance with policy and award	ALL	Category 2
S.1.10	To grant prior approval for the working and payment of overtime	ALL	Category 2
S.1.11	To approve leave in lieu of payment for overtime in terms of prescribed guidelines	ALL	Category 3
<b>S.2 Increments</b>			
S.2.1	To approve the payment of increments to officers and temporary employees in terms of the relevant industrial instruments, provided their conduct and service are satisfactory	ALL	Category 3
S.2.2	To defer an increment where performance has not been at an acceptable level	ALL	Category 3 in consultation with Manager Employee Relations and Policy
S.2.3	To approve of no further action being taken in respect of payment of an increment where an officer or temporary employee, whose increment is currently deferred or, resigns from the Service	ALL	Currently deferred - Chief Human Resources Officer On resignation - Manager, Payroll Services
<b>S.3 Study Assistance</b>			
S.3.1	To approve applications by officers or employees for Reimbursement of expenses incurred when required to attend other centres for the purpose of attending a recognised examination in connection with an approved learning and / or development course.	ALL	Category 3
S.3.2	To approve relevance of courses to SRWS Agency and applications for Financial Study Assistance by officers and employees. Maximum of \$500.00 per subject per year up to a total of \$2000.00 each year.	ALL	Category 3
S.3.3	To approve Study Leave or Study Time to officers in accordance with approved conditions	ALL	Category 3
S.3.4	To approve special leave for special purposes or to attend courses (max. 10 days).	ALL	Category 1
<b>S.4 Attendance</b>			
S.4.1	To vary the hours of duty of staff where agency requirements exist or family/personal circumstances exist. (Provided the amended hours are taken as credit within the flexible working hours scheme and not the basis for payment of overtime.)	ALL	Category 4
S.4.2	To require an officer or a group of officers to revert to working standard hours in accordance with clause 7 (vi) of the agency's Flexible Working Hours Agreement and Clause 20 (r) (2) "Flexible Working Hours" of the Crown Employees (Public Sector Conditions of Employment) Award 2002	ALL	Category 2 in consultation with Manager, Employee Relations & Policy, People & Culture Group
S.4.3	To approve flexible working arrangements subject to operational requirements, including changes to working times and changes to work location, telephone number and email address where domestic violence is concerned.	ALL	Category 1 or Chief Human Resources Officer
<b>S.5 Employment, Recruitment and Transfer</b>			
S.5.1	Advertisement Action - Approve the internal or external advertisement (excluding media advertisement) of a permanent or temporary vacancy  <u>Note: subject to funded position being approved and vacant</u>	ALL	Chief Human Resources Officer Manager, Recruitment
S.5.2	Advertisement Action - To authorise media advertisements outside of jobs.nsw for job vacancies at any level	ALL	Secretary, Department of Finance and Services
S.5.3	To approve acceptance of alternative proof of identity and/or age if a birth certificate or certified copy is not available.	ALL	Manager, Recruitment
S.5.4	To approve commencing rates of pay above the minimum rate for the position and in line with DPC directions.	ALL	Chief Human Resources Officer up to clerk grade 12 and equivalent  Secretary only (Level 1 delegate) for SES positions

Human Resources

S.5.5	Selection committee recommendations - Approve selection committee recommendations	ALL	<p>Recruitment Advisor and relevant Category 2 (up to Clerk grade 6 or equiv) NB: if Category 2 is on the committee, then an alternative Category 2 officer</p> <p>Recruitment Manager and relevant Category 2 (Clerk grade 7 to 12 and equiv) - NB: if Category 2 is on the committee, then an alternative Category 2 officer</p> <p>Recruitment Manager and relevant Category 1 for positions above Grade 12 or equivalent and Chief Human Resources Officer and Chief Executive</p>
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## Human Resources

S.5.6	To approve activation of a current eligibility list for permanent appointment or temporary employment to positions Note: subject to funded position being approved and vacant	ALL	Chief Human Resources Officer up to clerk grade 12 and equivalent  Secretary only (Level 1 delegate) for SES positions
S.5.7	To approve the permanent transfer of staff within or across SRWS Divisions (but not external to SRWS)	ALL	Category 1 in consultation with Chief Human Resources Officer
S.5.8	To approve temporary or permanent transfers or secondments of staff to agencies external to SRWS Note: subject to funded position being approved and vacant	ALL	Chief Human Resources Officer up to clerk grade 12 and equivalent  Secretary only (Level 1 delegate) for SES positions
S.5.9	To approve at grade rotational or exchange programs	ALL	Category 1 and Chief Human Resources Officer (If rotation/exchange is cross Divisional, joint approval from both relevant Divisional General Managers is required)
S.5.10	Temporary employees - Approve employment of a new temporary employee Note: subject to funded position being approved and vacant	ALL	Chief Human Resources Officer up to clerk grade 12 and equivalent  Secretary only (Level 1 delegate) for SES positions
S.5.11	Extensions - Approve extension of - - a current temporary transfer of a permanent employee, - a current temporary employee - a current agency temp Note: subject to funded position being approved and vacant	ALL	Chief Human Resources Officer up to clerk grade 12 and equivalent  Secretary only (Level 1 delegate) for SES positions
S.5.12	Agency temps (under government contract) employment - - in frontline roles up to max 4 weeks (aggregated)  - in non-frontline roles and frontline roles greater than 4 weeks Note: subject to funded position being approved and vacant		Category 2 - in consultation with cat 1  Chief Human Resources Officer and CFO
S.5.13	Agency temps/contractors (outside of government contract) Note: subject to funded position being approved and vacant	ALL	Chief Human Resources Officer and CFO (within financial delegation), or Chief Executive
S.5.14	To approve the appointment or continued employment of members of the same family in other than supervisor/subordinate situations in the same Branch or location	ALL	Category 1 in consultation with Chief Human Resources Officer

## Human Resources

S.5.15	To approve the appointment or continued employment of members of the same family in other than supervisor/subordinate situations in the case of immediate family of Divisional Heads and more senior staff	ALL	Chief Human Resources Officer in consultation with Chief Executive
S.5.16	Approval of work experience arrangements	ALL	Category 3 (in consultation with Manager Organisational, Capability & Talent, People & Culture)
S.6	Appointment to Positions		
S.6.1	To approve the confirmation of appointment after a period of 6 months probation for positions or equivalent positions up to and including Grade 11/12 Administrative & Clerical Grades. Inspectors 12 months.	ALL	Category 1
S.6.2	To approve the extension of an officer's period of probation if the officer's conduct and services are considered unsatisfactory at the completion of a period of probation	ALL	Category 2 in consultation with Manager, Employee Relations and Policy
S.6.3	To approve the annulment of appointment during period of probation	ALL	Chief Human Resources Officer up to clerk grade 12 and equivalent  Secretary only (Level 1 delegate) for SES positions
S.6.4	To approve requests from existing permanent full-time employees to convert to permanent part-time status	ALL	Chief Human Resources Officer and Chief Financial Officer (on recommendation of Category 1)
S.7	Progression - Payroll		
S.7.1	To approve the personal progression of Scientific Officers to Grade 3 and 4	ALL	Category 2
S.7.2	To approve the progression to Senior Inspector subject to meeting award conditions	WCA	Category 1
S.7.3	To approve the progression of a senior technical officer from Grade 2 to Grade 3	ALL	Category 1
S.8	Establishment Variations		
S.8.1	To create a Permanent or temporary position	ALL	Chief Human Resources Officer and Chief Executive (on recommendation of Category 1)
S.8.2	To delete a permanent position	ALL	Chief Human Resources Officer and Chief Financial Officer (on recommendation of Category 1) - up to Clerk Grade 12 and equivalent  Secretary only (Level 1) delegate for SES positions
S.8.3	Restructuring of a branch and/or Division involving creation and deletion of positions	ALL	Chief Executive
S.8.4	To approve a permanent variation to a position hours of an established position (e.g. reducing the permanent position hours from 35 hours per week to 28 hours per week)	ALL	Chief Human Resources Officer and Chief Financial Officer (on recommendation of Category 1)
S.9	Position Descriptions		
S.9.1	To approve evaluations of and/or variations to Position Descriptions	ALL	Manager, Recruitment - up to Clerk grade 12 and equivalent  Secretary only (Level 1 delegate) for SES positions
S.10	Excess Officers		
S.10.1	To redeploy an excess officer to a vacant position, including a lower graded position (with their consent)	ALL	Chief Human Resources Officer
S.10.2	To declare an officer's services excess	ALL	Chief Human Resources Officer
S.11	Industrial Negotiations		
S.11.1	To act in the name of and on behalf of NSW Public Sector Industrial Relations with respect to negotiations, conferences and inspections involved in industrial matters before competent tribunals. NOTE: Provided that the industrial matter does not involve significant costs, no new industrial standards will result, there will be no potential for flow on, and the matter is clearly identifiable as an internal local industrial matter pursuant to Public Sector Employment and Management Act 2002	ALL	Category 1 or Chief Human Resources Officer in consultation with Manager, Employee Relations & Policy
S.12	Leave		
S.12.1	To approve leave matters up to 30 days unless specifically excepted	ALL	Category 4
S.12.2	To approve leave matters of 30 days up to a maximum of six months unless specifically excepted	ALL	Category 2
S.12.3	To approve leave matters of 6 months or more unless specifically excepted	ALL	Chief Human Resources Officer in consultation with the Chief Executive
S.12.4	To direct an officer onto recreation leave, where their recreation leave balance is deemed excess in line with the provisions of the Crown Employees Conditions of Employment Award (Clause 77).	ALL	Category 2
S.12.5	Conservation of Recreation Leave: To approve conservation of leave to staff members who have been prevented by operational or personal reasons from taking sufficient leave to reduce the accrued balance.	ALL	Category 1 and Chief Human Resources Officer
S.12.6	To approve sick leave for WorkCover Inspectors from the Mutual Sick Leave Fund	WCA	General Manager, WHSD in consultation with either the Chief Human Resources Officer, Manager, Employee Relations & Policy or Manager, Employee Safety & Wellbeing
S.12.7	To require the provision of medical certificates for any sick leave absence when an officer or employee has had five cumulative days of sick leave unsupported by a medical certificate in a calendar year.	ALL	Category 3

## Human Resources

S.12.8	Purchased Leave: to approve applications from eligible staff members to purchase either 10 days or 20 days additional leave in a 12 month period (or the equivalent pro rata for part time employees) with a resulting adjustment to their salary	ALL	Category 2
S.12.9	Leave Without Pay: To approve applications for Leave Without Pay (LWOP) under the following circumstances: 1. Short periods of LWOP - up to 2 months (one off approval of up to 2 months only, if a further period of LWOP is requested the application must be escalated to point 2 below). 2. Periods of LWOP where the total period of leave requested is more than 2 months but does not exceed 6 months (in total) 3. Any LWOP request (unbroken / cumulative) that would exceed 6 months and is not related to parental leave or returning from maternity leave part time 4. As part of Parental Leave 5. Returning part-time from Maternity/Parental Leave - up to 12 months at each request	ALL	1. Category 3 2. Category 1 in consultation with Chief Human Resources Officer 3. Chief Human Resources Officer (will only be approved in exceptional circumstances) 4. Category 3 5. Category 2  Note: Any request for LWOP that does not meet the criteria outlined must be referred to the Chief Human Resources Officer
S.12.10	To approve applications to work part time hours (as part of a part-time LWOP arrangement) up to 12 months at each request	ALL	Category 2
S.12.11	To approve up to 5 days "special leave" (per calendar year) where an employee is experiencing domestic violence and all other leave is exhausted. (see Personnel Handbook for criteria and evidence)	ALL	Category 1 or Chief Human Resources Officer
S.12.12	To approve "special sick leave" where the employee; a) has 10 or more years continuous service b) has been or will be absent for a period of at least 3 months; and c) has exhausted or will exhaust, all normal sick leave entitlements. (see handbook for calculations)	ALL	Chief Executive in consultation with Chief Human Resources Officer or Manager, Employee Safety and Wellbeing
S.12.13	To approve "additional family and community service (FACS) leave" to a maximum of two days on the death of a family member or relative, where available FACS leave has been exhausted.  In accordance with Section 71.7 of the Crown Employees (Public Service Conditions of Employment) Award 2009	ALL	Manager, Payroll Services
S.12.14	To approve overseas travel in accordance with approved guidelines.	ALL	Secretary (Level 1) delegate
S.12.15	To recognise previous service for extended leave purposes	ALL	Payroll Supervisor Manager, Payroll Services
S.12.16	To approve the transfer of entitlements from a NSW Statutory Authority to the NSW Public Service	ALL	Manager, Payroll Services
S.13	Fit for Work		
S.13.1	To grant "special leave" where an employee is directed to cease duty or not to resume duty, pending medical assessment.	ALL	Chief Executive in consultation with Chief Human Resources Officer or Manager, Employee Safety and Wellbeing
S.13.2	To grant sick, special sick, (if applicable), recreation or extended leave where an employee has appealed a medical report recommending medical retirement, pending findings of the review.	ALL	Chief Executive
S.13.3	To direct an employee to leave the workplace due to health or safety concerns (fit for work)	ALL	Category 3 in consultation with Category 2
S.13.4	To approve suitable duties in another agency (external to SRWS) for the purpose of a return to work plan (i.e. time limited).	ALL	Category 1 and Chief Human Resources Officer in consultation with Manager Employee Safety and Wellbeing
S.13.5	To approved temporary suitable employment in another division/agency (within SRWS) with the creation of a RTW establishment code.	ALL	Category 1 and Chief Financial Officer and Chief Human Resources Officer with Manager ESW
S.13.6	To approve a non-SES permanent direct appointment to suitable employment internally to SRWS aligned to health and safety concerns	ALL	Chief Executive  Secretary only (Level 1 delegate) for SES positions
S.13.7	Direct an employee to attend a medical examination or other health assessment as considered necessary	ALL	Chief Human Resources Officer
S.13.8	Approve re-credit of recreation or extended leave, during periods of illness, subject to prescribed parameters	ALL	Chief Human Resources Officer Manager, Return to Work
S.14	Secondary Employment and Extra Official Activities (Other Paid Work)		
S.14.1	To approve or decline applications from officers and temporary employees to undertake other paid work or other extra-official activities including lecturing, tutoring and demonstration work, in accordance with the agency's Code of Conduct with consideration of health and wellbeing issues.	ALL	Category 1 in consultation with Manager, Employee Relations & Policy
S.14.2	To approve of the retention of fees by officers and temporary employees who have been appointed as Examiners or members of Examining Committees, under Statutory Authority where the examination fees are laid down under the provisions of the appropriate Act or Regulations	ALL	Category 1
S.15	Resignation, Retirement, Termination		
S.15.1	To accept the resignation or retirement of an officer subject to it being in writing and signed by the officer	ALL	Category 3
S.15.2	To accept the resignation of an officer currently under investigation to determine whether disciplinary action should be taken	ALL	Chief Human Resources Officer
S.15.3	To approve recommendations for the retirement of incapable officers in accordance with Sect 25 of the PSE&MA	ALL	Chief Executive
S.15.4	To determine in accordance with principles laid down from time to time, when services are terminated by resignation	ALL	Chief Human Resources Officer
S.15.5	To determine if an officer qualifies for entitlement of extended leave under the provisions of the Public Sector Employment and Management Act 2002	ALL	Chief Human Resources Officer
S.15.6	To determine if a temporary employee qualifies for entitlement under and in accordance with the extended leave provisions of the Public Sector Employment and Management Act 2002.	ALL	Chief Human Resources Officer
S.15.7	Approve calculation of final payout	ALL	Payroll Supervisor
S.15.8	Approval of payout	ALL	Manager, Payroll Services

## Human Resources

S.16	Misconduct and Unsatisfactory Performance		
S.16.1	Dealing with all functions under Division 2 Dealing with misconduct of Part 2.7 of the Act in respect to officers	ALL	Chief Executive
S.16.2	Approval to initiate formal disciplinary action as a result of unsatisfactory performance	ALL	Chief Executive
S.16.3	Annulment of employment - probationers see S.6.3	ALL	Chief Human Resources Officer - up to clerk grade 12 and equivalent Secretary only (Level 1 delegate) for SES positions
S.17	Payroll, Payroll Tax and Superannuation		
S.17.1	To approve payment of payroll Tax	ALL	Director, Budgeting & Financial Services Manager, Payroll Services Co-ordinator Payroll Services
S.17.2	To approve the suspension from the payroll of staff that have exhausted all available leave entitlements or who have proceeded on unauthorised absence	ALL	Chief Human Resources Officer
S.17.3	To approve of salary payable being withheld during the period of suspension, subject to the provisions of Section 49 of the PSMA 2002	ALL	Chief Executive
S.17.4	Acceptance of repayment rates following overpayment to staff member	ALL	Director, Budgeting & Financial Services
S.17.5	To approve the payment of fixed sums of money in respect of garnishee orders	ALL	Manager, Payroll Services
S.17.6	To authorise payment of employer's contribution for SRWS employees	ALL	Manager, Payroll Services Coordinator, Payroll & Systems
S.17.7	MAA Medical & Claims Assessors	MAA	Category 3
S.18	Other		
S.18.1	To authorise IT access to an employees email and hard drive files by another employee	ALL	Manager, Employee Relations & Policy
S.18.2	To determine the most appropriate course of action for a gift or benefit received by an SRWS employee in the course of their duties, whether it be for retention or return.	ALL	Manager, Employee Relations & Policy
S.19	Interpreters		
S.19.1	To authorise engagement and payment for interpreter services (excluding translation services by the Department of Immigration & Interpreting Services)	ALL	Category 3
S.20	Work from Home		
S.20.1	Working from home on a regular basis (1) Working from home as a "one-off" occurrence (2) in accordance with relevant policy	ALL	Category 1 (1) in consultation with Chief Human Resources Officer Category 3 (2)

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# **SCHEDULE HUMAN RESOURCES DELEGATIONS MANUAL FEBRUARY 2014**

## **PREAMBLE:**

This document contains the Human Resources Delegations of the Workers Compensation Commission. A range of functions under the *Government Sector Employment Act 2013* are delegated to officers of the Department of Finance and Services assigned to roles within the Workers Compensation Commission and, to officers of the Department of Finance and Services assigned to roles within Safety, Return to Work and Support.

## **GENERAL RESPONSIBILITIES**

There are four categories of delegation used within Workers Compensation Commission:

- Category 1 Registrar
- Category 2 Deputy Registrar Legal & Medical Services; Deputy Registrar Operations & Business Support;
- Category 3 Manager Dispute Services; Manager Registry Services; Manager Information Systems; Manager Business Services; Senior Research Associate & Presidential Unit Manager
- Category 4 Manager Organisational Performance; Manager Executive Services; Team Leader Dispute Services; Manager Operations Support; Manager Legal & Medical Support; Senior Lawyer Grade VI

The equivalent level within DFS has been shown next to the Category for comparability purposes.

## Allowances, Expenses and Payments

- |  |  |
|--|--|
| (a) To approve relief in higher positions and authorise payment of higher duties allowances;   | Category 2   |
| (b) To authorise payment of allowance during periods of leave in accordance with principles laid down from time to time;   | Chief Human Resources Officer  |
| (c) To authorise payment of prescribed allowances to qualified persons nominated to act as First Aid Officers subject to conditions approved from time to time;  | Manager, Employee, Safety and Wellbeing                                      |
| (d) To authorise payment of expenses to officers and temporary employees who attend professional or technical meetings, conferences, seminars and the like in accordance with the provisions of Public Sector Employment and Management Act Regulations. | Category 2   |
| (e) To authorise payment of prescribed efficiency allowances to machine operators, stenographers, typists, clerical officers and temporary employees, who meet prescribed conditions.  | Manager Personnel & Employee Services<br>Payroll Supervisor (HR)             |
| (f) To authorise payment of the prescribed allowance to officers and temporary employees who are required to garage a Workers Compensation Commission vehicle at their own home.   | Category 2 in Chief Human Resources Officer                                  |
| (g) Transferred Officers Compensation  |  |
| (i) To authorise payment of allowances and expenses to officers transferred at Workers Compensation Commission's expense other than refund of proportion of expenses incurred in the purchase of a home or land subject to prescribed conditions.        | Manager Personnel & Employee Services  |
| (ii) To authorise payment of Disturbance Allowance to transferred officers as prescribed by the Crown Employees (Transferred Officers) Award.  | Manager, Payroll Services in consultation with Chief Human Resources Officer |
| (iii) To authorise payment of rental allowances to transferred married officers subject to prescribed conditions for a maximum period of 3 months.   | Chief Human Resources Officer  |

- (iv) To authorise payment of removal expenses to an officer or temporary employee incurred as a result of retirement from the Public Service, or

Chief Human Resources Officer

To the surviving spouse or partner whether an officer or temporary employee who has died whilst still in the Service.

(Limited to an amount determined by the PEO from time or, the actual cost of removal, whichever is the lesser.)

- (v) To authorise travel by private vehicle when staff transferred and payment of reasonable actual expenses.

Chief Human Resources Officer

- (h) To approve applications by officers or employees for reimbursement of expenses incurred when required to attend other centres for the purpose of attending a recognised examination.

Category 2

- (i) To approve relevance of courses to Workers Compensation Commission and applications for Financial Study Assistance by officers and employees.

Category 2 in consultation with Chief Human Resources Officer

Maximum of \$500.00 per subject per year up to a total of \$2000.00 each year.

- (j) Meal Allowances

- (i) To authorise reasonable meal costs in excess of the amount provided in Clause 35/36, for lunch money to public servants in prescribed circumstances.

Category 2

- (ii) Travelling Compensation

Refer Travelling Compensation Delegation

## Attendance

- (a) To vary the hours of duty of Staff, where Workers Compensation Commission requirements exist or family/ personal circumstances exist.

Category 1

(Provided the amended hours are taken as credit within the flexible working hours scheme and not the basis for payment of overtime.)

- |  |   |
|--|---|
| <p>(b) To require an officer or a group of officers to revert to working standard hours in accordance with clause 7 (vi) of Workers Compensation Commission's Flexible Working Hours Agreement and Clause 20 (r) (2) "Flexible Working Hours" of the Crown Employees (Public Sector Conditions of Employment) Award 2002</p> | <p>Category 2 in consultation with Manager, Employee Relations and Policy, People and Culture Group</p> |
|--|---|

## **Courses and Conferences – Approval to Attend**

- |   |                   |
|---|-------------------|
| <p>To approve attendance of courses, seminars, schools and conferences within NSW where it is considered that Workers Compensation Commission officers and employees will benefit by such attendance.</p> | <p>Category 2</p> |
|---|-------------------|

## **Employment, Recruitment and Transfer**

- |   |   |
|---|---|
| <p>(a) To recommend recruitment action on relevant Fill Vacancy Form</p>  | <p>Chief Human Resources Officer</p>  |
| <p>(b) To approve a non-SES permanent direct appointment to suitable employment internally to WCC aligned to health &amp; safety concerns</p>   | <p>Category 1, in consultation with Director, Human Resources</p>                     |
| <p>(c) To authorise display advertisements for job vacancies at any level.</p>  | <p>Chief Executive Officer</p>  |
| <p>(d) To approve recommendations of selection committees for permanent or temporary appointment to or reactivation of an Eligibility List for positions up to and including Grade 11/12 Administrative &amp; Clerical Grade or equivalent positions.</p> | <p>Category 1, in consultation with Chief Human Resources Officer</p>                 |
| <p>(e) To approve transfer of staff in consultation with the Director, Human Resources:</p>   |   |
| <p>(i) Across Divisions (joint approval)</p>  | <p>Category 1 in consultation with Director, Office of the Chief Executive</p>        |
| <p>(ii) Within Divisions</p>  | <p>Category 2 in consultation with Chief Human Resources Officer</p>                  |
| <p>(iii) Between Departments and Authorities</p>  | <p>Manager, Workforce Planning in consultation with Chief Human Resources Officer</p> |
| <p>(f) To approve the transfer of a temporary employee to a position carrying salary lower than that employee's present salary, subject to obtaining the employee's consent in writing.</p>   | <p>Category 1 in consultation with the Chief Human Resources Officer</p>              |

(g) To approve circulating short term vacant positions within Workers Compensation Commission only.	Category 1, in consultation with Chief Human Resources Officer
(h) To fill base grade positions with existing staff in accordance with approved guidelines	Chief Human Resources Officer
(i) To approve rotational or exchange programs	Category 2 in consultation with Chief Human Resources Officer
(j) To appoint an officer earning a salary in excess of that attaching to a position involved in the reorganisation of structures, redundancy or diminished effectiveness where it becomes necessary.	Category 1 in consultation with Chief Human Resources Officer
(k) To declare an officer's services excess to Workers Compensation Commission's requirements	Category 1, on the recommendation of Chief Human Resources Officer
(l) To approve reduction in salary for an excess officer in line with Section 57 of Public Sector Employment and Management Act 2002	Secretary
(m) To approve the appointment or continued employment of members of the same family in other than supervisor/subordinate situations:	
(i) In the same Branch or location	Category 2, in consultation with Chief Human Resources Officer
(ii) In the case of immediate family of Divisional Heads and more senior staff	Chief Human Resources Officer in consultation with the Chief Executive
(n) To approve commencing rates of pay:	Up to grade 12 and equivalent:
(i) at the minimum rate for the position	Manager, Recruitment, People and Culture Group
(ii) above the minimum rate for the position.	Chief Human Resources Officer Secretary (Level 1 delegate) for Senior Officer and SES positions
(o) To approve contracting of temporary services (agency staff) from organizations:	
(i) in the Government Contract	
- Between 0 to 3 months	Category 2
- Beyond 3 months	Category 1
(ii) From outside the Government Contract	Chief Human Resources Officer

## Establishment Variations

- |  |   |
|--|---|
| (a) To create, abolish or transfer to another Division any staff position.                 | DFS Secretary (Level 1 delegation) in consultation with Chief Human Resources Officer |
| (b) Restructuring of a branch and/or Division involving creation and deletion of positions | DFS Secretary (Level 1 delegation) in consultation with Chief Human Resources Officer |

## Increments

- |   |  |
|---|--|
| (a) To approve the payment of increments to officers and temporary employees in terms of the relevant industrial instruments, provided their conduct and service are satisfactory.  | Category 4   |
| (b) To defer the payment of increments to officers and temporary employees in terms of the relevant industrial instrument, whose conduct and services are not satisfactory, for a period totalling not more than two years, provided that this delegation is not to be exercised where the increment is prescribed by salary related to the age of the officer or temporary employee. | Chief Human Resources Officer in consultation with Branch Managers                               |
| (c) To approve of no further action being taken in respect of payment of an increment where an officer or temporary employee, whose increment is currently deferred or, resigns from the Service.   | Currently deferred - Chief Human Resources Officer<br>On resignation - Manager, Payroll Services |

## Industrial Negotiations

- |  |   |
|--|---|
| (a) To act in the name of and on behalf of the Industrial Authority Public Employment Office with respect to negotiations, conferences and inspections involved in industrial matters before competent tribunals,<br><br><u>provided</u> that the industrial matter does not involve significant costs, no new industrial standards will result, there will be no potential for flow on, <u>and</u><br><br>the matter is clearly identifiable as an internal local industrial matter pursuant to Public Sector Employment and Management Act 2002. | General Manager specific to Division or Director, Strategy & Policy Group, in consultation with Chief Human Resources Officer |
|--|---|

- (b) To authorise other appropriate staff members to perform the above functions.

General Manager specific to Division or Director, Strategy & Policy Group, in consultation with Chief Human Resources Officer

## Leave Matters

To approve **leave** matters unless specifically excepted below:

- |                   |            |
|-------------------|------------|
| (1) Up to 6 weeks | Category 4 |
| (2) Over 6 weeks  | Category 2 |

### Exceptions

- |  |  |
|--|--|
| (i) To recognise previous service for <b>extended leave</b> purposes   | Payroll Supervisor; Manager, Payroll Services            |
| (ii) To require an employee to take a 2 weeks leave break per annum  | Category 1   |
| (iii) To require the provision of <b>medical certificates</b> for any sick leave absence when an officer or employee has had <b>more than five unsubstantiated sick leave</b> absences in any period of 12 months.     | Category 3 as per SRWS Delegations Manual, February 2014 |
| (iv) To approve <b>Study Leave</b> or <b>Study Time</b> to officers in accordance with approved conditions   |  |
| (a) For relevant courses   | Category 2   |
| (b) For non-relevant courses   | Category 1   |
| (v) Approve re-credit of recreation or extended leave, during periods of illness, subject to prescribed parameters.  | Chief Human Resources Officer, Manager, Return to Work   |
| (vi) To approve the <b>transfer of entitlements</b> from a NSW Statutory Authority to the NSW Public Service   | Manager, Payroll Services                                |
| (vii) To approve <b>leave without pay</b> to officers in <b>full-time tertiary studies</b> other than post-graduate study leave in accordance with principles determined by the Industrial Authority from time to time | Category 2   |
| (vii) Special Leave for special purposes or to attend courses (max 10 days) OED Manager for "Courses"  | Category 1 as per SRWS Delegations Manual, February 2014 |

## Misconduct, dealing with

All functions under Division 2 Dealing with misconduct of Part 2.7 of the Act in respect to officers, including the authority to sub-delegate these functions, subject to:

Chief Human Resources Officer

(1) such sub-delegation be to those officers occupying positions listed under Category 2 as defined in the Workers Compensation Commission delegation of authority manual, and

Chief Human  
Resources Officer

(2) the Registrar consulting with the officer to whom the sub-delegation is to be made before the sub-delegation is made, and

Chief Human  
Resources Officer

(3) the Registrar may at his/her discretion choose to refer matters to the CE for action. In these instances the Registrar will consult with the CE to determine the most appropriate course of action.

Registrar

## **Use of Private Vehicle**

To approve in accordance with prescribed conditions:

Officers and temporary employees using privately owned motor vehicles on official business and being paid rates in terms of Public Sector Employment and Management Act (General) regulations (provided the vehicle is covered by private comprehensive insurance)

Category 2

## **Office Accommodation Repairs and Maintenance**

To authorise expenditure

General Manager, Corporate  
Services Division  
Director, Business Risk  
Management and Site Services  
\$200,000  
Category 1: \$50,000

## **Overseas Travel**

See Travel on Official Business

## **Overtime**

(a) To approve the working and payment of overtime

Category 2

(b) To approve leave in lieu of payment for overtime in terms of prescribed guidelines.

Category 2

## **Part-time Employment**

(a) To approve applications to work part time hours, under a part-time LWOP arrangement.

Category 2 in consultation with the  
Chief Human Resources Officer

(b) To decline applications to work part time hours

Category 2 in consultation with the  
Chief Human Resources Officer

## **Appointment to Positions**

- |  |   |
|--|---|
| (a) To approve the confirmation of appointment after a period of 6 months probation for positions or equivalent positions:       |   |
| (i) Up to and including Grade 11/12 Administrative & Clerical Grades   | Chief Human Resources Officer                                   |
|  | Up to grade 12 and equivalent:<br>Chief Human Resources Officer |
| (b) To approve the annulment of appointment during period of probation   | Secretary (Level 1 delegate) for SES positions                  |
| (c) To approve acceptance of alternative proof of identity and/or age if a birth certificate or certified copy is not available. | Manager, Workforce Planning                                     |

## **Position Descriptions**

- |  |  |
|--|--|
| To approve of variations to Position Descriptions where no Grading Committee action or salary variation is involved. | Chief Human Resources Officer up to grade 12 and equivalent:<br><br>Secretary (Level 1 delegate) for SES positions |
|--|--|

## **Private Employment and Extra Official Activities (Other Paid Work)**

- |   |  |
|---|--|
| (a) To approve or decline applications from officers and temporary employees to undertake other paid work or other extra-official activities including lecturing, tutoring and demonstration work, in accordance with Workers Compensation Commission's Code of Conduct.            | Manager, Employee Relations and Policy, People and Culture Group |
| (b) To approve of the retention of fees by officers and temporary employees who have been appointed as Examiners or members of Examining Committees, under Statutory Authority where the examination fees are laid down under the provisions of the appropriate Act or Regulations. | Category 3 as per SRWS Delegations Manual, February 2014         |

## **Relief in Higher Positions and Payment of Allowance See Allowances, Expenses and Compensation (a)**

## **Resignation, Retirement, Termination**

- |   |            |
|---|------------|
| (a) To accept the resignation or retirement of an officer subject to it being in writing and signed | Category 2 |
|---|------------|

by the officer

- |   |                                 |
|---|---------------------------------|
| (b) To determine in accordance with principles laid down from time to time whether, when services are terminated by resignation:  | Manager, OHS & Payroll Services |
| (i) an officer qualifies for entitlement of extended leave under the provisions of the Public Sector Employment and Management Act 2002; or   | Chief Human Resources Officer   |
| (ii) a temporary employee qualifies for entitlement under and in accordance with the extended leave provisions of the Public Sector Employment and Management Act 2002.   | Chief Human Resources Officer   |
| (c) To approve of no payment being made to an officer or temporary employee for all or part of recreation leave and/or extended leave due on resignation where the officer or temporary employee resigns from the NSW Public Service and applies for transfer of recreation and/or extended leave credits to or a Corporate Body or State Authority and | Manager, OHS & Payroll Services |
| (d) To accept the resignation of an officer currently under investigation to determine whether disciplinary action should be taken.   | Chief Human Resources Officer   |

### **Temporary Staff - Authority to Engage**

Refer Employment, Recruitment and Transfer Delegation

#### **Trainees**

To approve of all matters concerning Workers Compensation Commission trainees, subject to conditions and requirements applicable from time to time.

Chief Human Resources Officer

### **Travel on Official Business**

#### **Domestic Travel**

- |   |                                       |
|---|---------------------------------------|
| (i) To authorise domestic travel other than by air where such travel is required in the performance of official duties. | Category 2, Limit of Budget Authority |
| (ii) To authorise domestic travel by air where such travel is in the performance of official duties.                    | Category 2, Limit of Budget Authority |

- |  |                                       |
|--|---------------------------------------|
| (iii) To authorise travel on aircraft owned or chartered by private individuals or groups or other non-Departmental bodies where such travel is in the performance of official duties. | Category 2, Limit of Budget Authority |
| (iv) To approve country travel itineraries.  | Category 2                            |

### Travelling Overseas

- |  |          |
|--|----------|
| (a) To authorise overseas travel including travel to New Zealand and Papua New Guinea. | Minister |
|--|----------|

*Requests for overseas travel should be submitted to the Registrar for endorsement and referral to Secretary.*

### Travelling Compensation

To approve payment or time in lieu equivalent in respect of time spent travelling on official business, subject to prescribed conditions.	Manager, OHS & Payroll Services
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### Work from Home

To authorise officers to work from home in accordance with Workers Compensation Commission policy.	Category 1 in consultation with the Chief Human Resources Officer; Category 3
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### Unsatisfactory Performance

To deal with all unsatisfactory performance including the taking of remedial or disciplinary action.	Category 1 in consultation with Manager, Employee Relations and Policy, People and Culture Group
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### Amendments

<i><b>Date of amendment</b></i>	<i><b>Amendment</b></i>	<i><b>Rationale</b></i>
21/12/06	Insert Misconduct section	Inserts new delegation from the CE
01/03/07	Replace "Systems & Evaluation" with "Information Services" throughout document	Reflects change of title of the Unit
May 2010	Various amendments and the inclusion of several new expenditure types	To support the new staff structure.
February 2014	Update to reflect DFS Structure	Administrative Arrangement Order 2014