

Delegation Resolution # 1

All of the functions of the Technological University

3 May 2022

Version 1.0

Policy Details	
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Delegation Resolution

The Governing Body, in exercise of the functions conferred on it by Section 9(6) of the Technological Universities Act 2018 and by paragraph 1 of Schedule 2 to the Technological Universities Act 2018 hereby resolves to delegate to the President all of the functions of the Technological University, with the exception of the reserved functions set out in the Schedule A hereto (“the Reserved Functions”) which Reserved Functions shall be performed exclusively by the Governing Body or, if so delegated, by a Committee of the Governing Body.

In so delegating, the Governing Body notes that the President, in performing his or her functions, namely the functions hereby delegated and the other statutory functions of the President continues to be subject to such policies as may be determined from time to time by the Governing Body and shall be accountable to the Governing Body for the efficient and effective management of the Technological University and for the due performance of all of those functions.

The functions hereby delegated to the President are delegated on the basis that the Governing Body consents to the delegation by the President in writing of those functions and the other statutory functions of the President to the various members of the senior management team of the University reporting to the President as per the respective job descriptions of those members of the senior management team specified in Schedule B to this Resolution but noting that the President shall remain accountable to the Governing Body for the performance of functions so delegated by the President.

SCHEDULE A, PART ONE – Technological Universities Act 2018

The functions reserved to the Governing Body and not delegated to the President shall be the following:

1. Functions in relation to the President

- 1.1 The functions relating to the appointment and removal and the setting of the terms and conditions of employment of the President provided for in Section 13 of the Technological Universities Act 2018.
- 1.2 Delegating to the President such other functions, in addition to the statutory functions of the President, as it sees fit from time to time
- 1.3 Holding the President accountable for the efficient and effective management of the technological university and for the due performance of his or her functions (Second Schedule, Section 6 (2) Technological Universities Act 2018))
- 1.4 Agreement to the President holding offices or positions outside of the University (Second Schedule, Paragraph 7, Technological Universities Act 2018).

2. Financial and Budgetary functions

- 2.1 To accept gifts of money, land or other property subject to such trusts and conditions, if any, as are not in conflict with the Technological Universities Act 2018, specified by the donor (Section 9(2) of the Technological Universities Act 2018).
- 2.2 Approval of the budget (Section 20(2) of the Technological Universities Act 2018), the receipt of information with regard to a material departure from the budget (Section 20(6) of the Technological Universities Act 2018) and advising the President as to whether it agrees with his or her opinion (Section 20(7) of the Technological Universities Act 2018).
- 2.3 Approval of the borrowing money (Section 21(1) of the Technological Universities Act 2018).
- 2.4 Approval of the accounts (Section 22(1) of the Technological Universities Act 2018) and the furnishing to the Minister of the accounts and the report of the Comptroller and Auditor General on the accounts (Section 22(3) of the Technological Universities Act 2018).
- 2.5 Approval of the Annual Report in accordance with (Section 23(1) of the Technological Universities Act 2018).
- 2.6 [Approval of fees to be charged as provided for in Section 24 of the Technological Universities Act 2018].¹

¹ Could be delegated to the President

- 2.7 Approval of the establishment of a company by the Technological University and of the acquisition, disposal or holding of shares in any such company as provided for in Section 25 of the Technological Universities Act 2018.

3. **Functions in relation to the Academic Council**

- 3.1 Making regulations providing for the Academic Council as provided for in Section 16 of the Technological Universities Act 2018.
- 3.2 Receiving the recommendations of the Academic Council and making regulations with regard to the academic affairs of the Technological University as provided for in Section 17(3)(f) and (g) of the Technological Universities Act 2018.
- 3.3 Review the Academic Council, in such a form and such frequency as may be required (Section 17(2)(b) of the Technological Universities Act 2018).
- 3.4 Receiving recommendations from the Academic Council on programmes for development of research (Section 17(3)(d) of the Technological Universities Act 2018).
- 3.5 Receiving recommendations from the Academic Council relating to the selection, admission, retention and exclusion of students (Section 17(3)(e) of the Technological Universities Act 2018).
- 3.6 Delegating any other functions to the Academic Council (Section 17(3)(i) of the Technological Universities Act 2018).

4. **Management/Functioning of Governing Body**

- 4.1 Seeking nominations for and appointing members to the Governing Body, while also having regard to the objective that at least 40% of members elected shall be of each gender (Section 12 of the Technological Universities Act 2018) and making regulations relating to the conduct of elections in respect of the Governing Body (Section 12(5) Technological Universities Act 2018).
- 4.2 Provision of such information as is requested by the Minister regarding the performance of its functions (Section 27 (1) Technological Universities Act 2018).
- 4.3 Provision and retention of a seal of the college (Second Schedule, Section 6(1) of the Technological Universities Act 2018).
- 4.4 Appointment of deputy chairperson of Governing Body (Second Schedule, Section 5(4) of the Technological Universities Act 2018).
- 4.5 Appointment by the members of the Governing Body who are present of one of their number to be chairperson of the meeting, if and so long as the chairperson is not present of the office is chairperson is vacant and the deputy-chairperson is not present or the office is vacant (Second Schedule, Section 5(5)(c) of the Technological Universities Act 2018)
- 4.6 Removal from office of a member of the Governing Body subject to the conditions under the First Schedule, Section 3(3).

- 4.7 Holding at least 6 meetings in every 12 month period and such and so many additional meetings as may be necessary (Second Schedule, Section 5(1) of the Technological Universities Act 2018).
- 4.8 Regulating, by standing orders or otherwise, its procedures and business (Second Schedule, Section 11 of the Technological Universities Act 2018)
- 4.9 Making, amending or revoking rules as it thinks fit for the conduct and procedure of business (Second Schedule, Section 12 of the Technological Universities Act 2018).

5. **Strategic Development Plans**

- 5.1 The consideration of and, where it considers appropriate, the approval of the Strategic Development Plan submitted by the President as provided for in Section 18(4) and (5) of the Technological Universities Act 2018.

6. **Human Resources and Related Matters**

- 6.1 Approval of the procedures relating to the appointment of staff (Section 14 of the Technological Universities Act 2018).
- 6.2 Approving procedures relating to the resolution of disputes (Section 9(5) of the Technological Universities Act 2018).
- 6.3 The consideration and, where appropriate, approval of a draft equality statement submitted by the President as provided for in Section 19(4) of the Technological Universities Act 2018.
- 6.4 Establishing procedures following consultation with trade union and/or staff associations for suspension and dismissal of staff (Section 14(5) of the Technological Universities Act 2018).
- 6.5 Complying with information requests from HEA as set out in Section 14(6) of the Technological Universities Act 2018.

SCHEDULE A, PART TWO - Code of Governance and Other Statutory Obligations

1. Policies and Procedures

- 1.1 Approval of the Code of Governance.
- 1.2 Approval of risk management policies. (Code of Governance, Section 7.1)
- 1.3 Approval of staff Code of Conduct and a Governing Body Code of Conduct.
- 1.4 Approval of a written safety statement based on the hazard identification and Risk Assessment carried out in accordance with the criteria in Section 19 of Safety, Health and Welfare at Work Act 2005.
- 1.5 Approval of corporate governance statement and statement of the system of internal control as included in the financial statements.
- 1.6 Approval of the Annual Governance Statement.
- 1.7 Reviewing and overseeing the implementation of major plans of action and provision of strategic direction.

2. Financial and Risk Compliance

- 2.1 Approval of all capital projects and reinvestments [specify thresholds].
- 2.2 Approval for the operation of bank accounts (Banking Requirement).
- 2.3 Approval of bank authorised signatories (executive / management) authority (Banking Requirement).
- 2.4 Approval of significant disposals and retirement of assets (including land) of the University or any of its subsidiaries (value at or above €150,000 excluding VAT) (Code of Governance, Section 8.33).
- 2.5 Approval of any diversification from teaching and research.
- 2.6 Approval for granting of access to property or infrastructure for commercial arrangements with third parties with an anticipated value at or above €150,000 excluding VAT (Code of Governance, Section 8.36).
- 2.7 Approval where competitive tendering for disposal of assets have taken place and the highest bid was not accepted. (Code of Governance, Section 8.34).
- 2.8 The disposal of assets over €150,000 excluding VAT to a charitable organisation or which are not put to a competitive tendering process (Code of Governance, Section 8.36).
- 2.9 Approval for disposals to staff or persons connected exceeding a threshold of €1,000 net book value (Code of Governance, Section 8.38).
- 2.10 The approval of terms of major contracts [specify thresholds].
- 2.11 Exercise oversight in the management of the financial affairs of the Technological University to ensure value for money and its financial viability.

2.12 Provision for and maintaining systems of audit, risk management and quality assurance.

3. **President**

3.1 Assessment of the performance of and succession planning for the President.