

Chief Executive Officer Delegation Policy

Policy Statement

The Activ Board has delegated the responsibility for management to the Chief Executive Officer (CEO) under the provisions of the Board Charter for achieving the organisation's Purpose and Strategic Objectives.

This policy has been developed to clarify the extent of the CEO's authority and provide a broad summary of the circumstances and activities allowed to be undertaken by the CEO subject to those powers reserved by the Board. This Policy should be read in conjunction with the Board Charter (AQuA: 2022) and the Delegation of Authority Policy (AQuA: 2032).

Principles

In exercising their delegated authority, the CEO must:

- Ensure Activ's practices, activities and decisions are ethical, lawful and consistent with sound risk management principles, internal policies and values.
- Ensure compliance with the legislation, National Standards for Disability Services, NDIS Quality and Safeguarding Framework and funding agreement requirements.
- Interpret the Delegation of Authority Policy within the authority levels allowed.
- Ensure that customers, families and carers are at the centre of planning and decision making in relation to service development and delivery. Therefore:
 - a. customers, families and carers will have reasonable opportunity to participate in policy formulation and review, service provision and decision-making;
 - b. policies, procedures and practises will facilitate and encourage communication and feedback between Activ and customers, families and carers;
 - c. service provision will be tailored to the goals and specific needs of the customer through proper planning with the families and carers to ensure efficacy and quality of support;
 - d. processes will exist to make Activ's Board aware of the views and concerns of customers, families and carers; and
 - e. processes will support easy accessibility of customers and families to transition between Activ services and other providers, when they choose.

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- Ensure that customers, family members and carers are safe, treated in a respectful manner, not neglected, and not subjected to discrimination. Therefore:
 - a. it will be clearly stated, in the appropriate mode of communication and terms that customers can understand, what customers, family members and carers can reasonably expect from Activ's services;
 - b. Activ's services will have practices and procedures in place to actively ensure individuals are free from discrimination, exploitation, abuse, harm, neglect and violence;
 - c. Activ's services will promptly address any breach of rights to ensure opportunity for improvement and investigation of any allegations of violence, abuse, neglect or exploitation;
 - d. conditions and procedures will be safe and customers' privacy, dignity and confidentiality will be maintained through appropriate and secure management systems that ensure customers are informed about the privacy of their personal information;
 - e. Activ's service development and delivery will be informed by professional standards, with all representatives of Activ having the required knowledge and understanding of the NDIS policies relevant to their position, industry best practice and the goals and preferences of customers, their family members and carers;
 - f. Activ will comply with all duty of care, anti-discrimination and privacy legislation and records management standards; and
 - g. Activ will comply with the National Standards for Disability Services and the NDIS Quality and Safeguarding Framework.
- Ensure Activ's programs and services are fully funded and meet Board and community standards. Therefore:
 - a. appropriate policies, procedures and practices for the operation of Activ's programs and services will be established; and
 - b. a fees and levies policy for each of Activ's programs and services will be established and published.
- Ensure the identification, protection and utility of Activ's resources (financial, assets, information) in the delivery of sustainable performance. Therefore:
 - a. Activ's resources will be protected, adequately maintained and not placed at unnecessary risk or liability;

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- b. financial decisions, contracts and transactions and fundraising activities will support and facilitate Activ's strategic objectives and key operational priorities;
 - c. Activ's achievement of sustainable organisational performance will be monitored;
 - d. financial and other corporate reporting to the Board will be fit for purpose;
 - e. appropriate strategic and business planning, budgeting and policies, procedures and processes will be in place; and
 - f. appropriate delegation, financial reserves and investment policies, procedures and processes will be in place.
- Ensure that for succession in an emergency there are at least two Executive Team members capable of acting as CEO while the Board seeks to appoint a replacement CEO.
 - Monitor organisational culture, ensure safe workplaces, sound remuneration practices, compliance with employment and workplace legislation, sound work practices, appropriate codes of conduct and professional behaviour by all staff and volunteers.
 - Ensure the Board remains informed about all matters essential to the meeting of its legal duties, moral obligations and the carrying out of its responsibilities. Therefore:
 - a. financial and other corporate reporting will be contemporary and continuous;
 - b. the Board will be informed as to matters or issues considered contentious by the sector or the wider community; and
 - c. approval of legal instruments prior to execution with a quantum equal to or greater than \$500k over the life of each agreement.
 - Manage Activ's risk culture and ensure an appropriate risk framework, internal controls, crisis management and business continuity plans are developed, implemented and monitored. Therefore:
 - a. the risk culture within Activ and the services provided will be proactively managed to include risks to customers and staff, financial, work health and safety risk and risks associated with provision of supports;
 - b. a best-practice, systematic and proactive risk management framework and internal controls will be developed, implemented and monitored;
 - c. risk management will be central to Activ's strategic and business planning, embedded in Activ's strategic, operational and line functions and processes;

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- d. risk management reporting to the Board will be contemporary and continuous; and
 - e. crisis management and business continuity plans will be developed and implemented.
- Protect, preserve and enhance Activ's reputation, public image and credibility. Therefore:
 - a. governing bodies will have the required skills and knowledge and ensure business plans consider legislation, National Standards for Disability Services, NDIS Quality and Safeguarding Framework Practice Standards and funding agreement requirements;
 - b. all community or public affairs activity or advocacy will be consistent with Activ's Purpose, Vision, Values and Strategic Objectives;
 - c. policy determinations made by the Board will be abided by and publicly promoted; and
 - d. any events which are likely to impact reputation are managed appropriately and reported to key stakeholders in accordance with compliance requirements.
 - e. Act as Activ's principal liaison with Activ Support Groups.

Responsibilities and delegations

Scope: This policy applies to the Board Directors of Activ, the Chief Executive Officer (CEO) and the Office of the CEO.

Responsibilities: The CEO is responsible, and will be held accountable for ensuring staff and customers are familiar with this policy.

Consultation: Governance and Risk Manager, Activ Policy and Procedure Review Group, Chief Executive Officer.

Policy Context

Relevant standards:

- National Standards for Disability Services
- National Disability Insurance Scheme Practice Standards and Quality Indicators

Legislation:

- *Associations Incorporation Act 2015 (WA)*
- *Australian Charities and Not-for-profits Commission Act 2012*
- *Australian Human Rights Commission Act 1986*
- *Competition and Consumer Act 2010*
- *Consumer Affairs Act 1971 (WA)*

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- *Disability Discrimination Act 1992*
- *Disability Services Act 1993 (WA)*
- *National Disability Insurance Scheme Act 2013*

Related policies and procedures:

- Activ Board Charter (AQuA:2022)
- Delegation of Authority Policy (AQuA: 2032)
- Community Housing Notifiable Events Procedure (AQuA: 2859)

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