

## PURPOSE

The purpose of this policy is to clarify the principles, conditions and accountability for Human Resources (HR) decisions.

## POLICY STATEMENT

The Ministry requires its leaders to exercise decisions relating to its people lawfully, responsibly and fairly. This policy sets the parameters within which leaders can make human resources related decisions at the most appropriate level to ensure the Ministry realises its strategic and operational goals efficiently, effectively and in accordance with relevant legislation.

## SCOPE

Schedule 6, Section 2 of the Public Service Act 2020 provides that the Chief Executive may delegate the functions and powers of their position to employees of the Ministry and to individuals working in the Public Service as contractors or as a secondee from elsewhere in the Public Service.

This policy applies to all Ministry employees and to any person to whom the Chief Executive delegates HR functions and powers.

## OUR POLICY

### Levels of delegated authority

The Ministry has adopted a system whereby HR powers and functions are delegated by the Chief Executive to tiers of managers rather than specific individuals. Any person within scope of this policy who demonstrably hold a position at a specific tier or reporting line are empowered to exercise the level of HR delegations pertaining to that tier.

That is, managers who fit within a specified management tier hold the level of HR delegation designated to that tier; unless advised otherwise in writing. There are five levels of delegation; HRD1 – 5. Managers in tiers 6 and below will exercise HRD5.

The delegation assigned to a position is recorded in OrgPlus, the Ministry's online organisational structure tool.

### Decision making parameters

The HR Delegations Schedule sets out conditions that must be followed before specific powers and functions covered in the Schedule may be exercised. For example, some of the delegations require managers to consult with, or obtain agreement from, People Experience (PX).

The reason delegations contain certain conditions is to ensure that delegations are exercised fairly and consistently across the Ministry and appropriate advice is obtained, to assist managers in exercising their delegations and to minimise risk to the Ministry.

The holder of an HR delegation cannot exercise any delegation in relation to themselves or otherwise for their own benefit.

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Delegation holders are only permitted to make decisions relating to their own direct reports and their reporting employees. An exception to this principle exists where it is necessary for managers to exercise a broader delegation to efficiently and effectively administer recruitment processes and assessment centres. Such an exception must be approved by the HRD2 delegation holder of the Group or Groups undertaking the assessment centre.

A further exception exists for Strategic People Experience Business Partners (SPX Business Partners) to exercise delegation ministry-wide for administrative and record maintenance purposes.

HR delegation holders must also comply with the Ministry's other relevant policies and procedures (for example, financial delegations) when making decisions on HR matters.

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Revocations,  
transfers or  
acting  
appointments

From time to time delegations may be revoked either temporarily or permanently by the Chief Executive or otherwise altered or amended by the Chief Executive.

A person who is properly appointed to a position to which a HRD1 to HRD5 delegation attaches in accordance with this policy (including on a permanent or acting basis, secondment, or pursuant other valid contractual arrangements) will be authorised to exercise the level of delegated authority that applies to the position. No further instrument of delegation is required.

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Monitoring

The Ministry is committed to comprehensive and quality assurance of decisions. The following quality assurance checks may be carried out to ensure delegations are being appropriately exercised:

- PX team, PX Advisors, SPX Business Partners and Managers should advise managers regarding matters of delegated authority at the time they seek advice or are asked to process the outcomes of a decision.
- Payroll, AskHR and employees that support recruitment processes should monitor approval has been exercised at the correct level when implementing decisions made under HR delegations.
- When Managers sign the Legislative Compliance Statement they are confirming they have complied with all of the conditions and requirements presented in the Instrument of HR Delegation and with all related policies and procedures.
- Risk and Assurance regularly review the exercise of delegated authorities.

## RESPONSIBILITIES

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Chief Executive

- Determine and delegate the appropriate level of authority on HR matters to managers. Except where provided in this policy, HR Delegations cannot be sub-delegated by anyone but the Chief Executive.

Strategic  
Leadership Team

- Role model effective decision making and provide guidance to managers on any issues. The key principle is to provide for effective and efficient decision making on day-to-day people issues at the most appropriate level.

People  
Experience

- Administer the HR Delegation Policy and Processes.
- Assist managers, contractors and secondees to appropriately exercise their delegated authorities.

Delegation  
Holders

- Ensure the HR powers and functions delegated to them are exercised with due care and integrity and in line with communicated guidance and parameters. They must also ensure the decisions they make do not exceed the authority granted to them.

## RELEVANT POLICIES, PROCEDURES AND LEGISLATION

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- HR Delegations Schedule
- Ministry of Justice Code of Conduct
- Public Service Act 2020
- Employment Relations Act 2000

CONTACT	AskHR	OWNER(S)	General Manager, People Experience
LAST REVIEWED	June 2021	NEXT REVIEW	June 2023
LAST UPDATED	June 2021	APPROVAL LEVEL	Business Committee