

Signing Authority Policy

Introduction

There are many documents which are signed by employees of the University as part of day-to-day activities. Some of these documents, such as contracts, may place an obligation on the University. As the internal academic, research and administrative units of the University such as Faculties, schools, research centres and support units do not have an independent legal existence the contracting party will always be the University and it is the University which may ultimately be legally bound by such documents.

Signing a document on behalf of the University is an important responsibility and should be done only by employees of the University who have understanding of the obligation being undertaken. Employees may sign such documents in the name of the University only if they have authority to do so and have followed the review and approval process for such documents as set out in this policy and its appendix.

Purpose

The purpose of this policy is:

- a) to ensure only those University employees with appropriate approval and accountability are authorized to sign documents on behalf of the University;
- b) to define who may sign the documents listed in the appendix to this policy after their review and approval by the individuals or groups indicated in the appendix;
- c) to contribute to the management of exposure to risk which may arise when a document is signed on behalf of the University; and
- d) to promote good governance by applying appropriate internal controls.

Scope

This policy applies to all units of the University, both academic and support, including the research centres. These units are collectively referred to in this policy as the 'University'. This policy does not apply to those campus companies which are ultimately controlled by the University's Governing Authority.

The intention of this policy is to include the majority of common external documents which may place an obligation on the University or may expose it to a risk. Documents which are internal to the University are excluded except where they are deemed to be of sufficient importance or relevance to be specifically included in this policy's appendix.

This policy applies equally to documents which can be signed by hand or by electronic means.

Policy Statement

- a) In general, the approved signatory and review process must reflect the level of risk (e.g. financial, reputational, operational etc) pertaining to the document under consideration.
- b) Employees may sign the documents listed in the policy's appendix only if they have been authorized to do so as set out in the appendix to this policy.

- c) The documents shown in this policy's appendix represent the most common ones which can arise in practice. The authorized signatories and approval process for the documents listed in the appendix will be adhered to in all instances.
- d) The approval of this policy document will constitute approval of the signatory, and the alternate or delegated signatory where applicable, on the specified documents listed in the policy's appendix.
- e) Where there is any doubt as to which individual may sign a document which places an obligation on the University, then the Office of the Chief Operations Officer should be consulted.
- f) This policy is to be read in conjunction with the other University policies and guidance material listed in the related documents section below. In addition, the University and its staff are bound by the Universities Code of Governance 2012 and other Irish legislation as amended from time to time.
- g) Conflicts of interest are common in any organization and may arise in relation to documents dealt with in this policy and its appendix. A conflict of interest arises when an individual holds a personal interest, whether direct or indirect, which in the opinion of a reasonably-informed and well-advised person is sufficient to call into question the independence, impartiality and objectivity the individual is obliged to exercise in the performance of his/her duties. Where conflicts of interest arise the individual will not have the authority to sign the document and will not participate in the review & approval process prior to its signature. In such cases the immediate line manager of the individual will sign the document but only after the document's review and approval process, as indicated in the appendix, has been completed.
- h) Where an authorized primary signatory is absent from campus for more than 3 days, or in the case of an emergency, the delegated or alternative signatory as listed in the policy's appendix may sign on his or her behalf but only after the document's review and approval process, as indicated in the appendix, has been completed. A person to whom authority is delegated cannot further delegate that authority to another without the written approval of the person who made the original delegation. The person who delegates authority retains responsibility for the actions of the person to whom authority has been delegated.
- i) In relation to the appendix to this policy the University Executive authorizes the Chief Operations Officer to add new document categories and related signatory(s) to the appendix, or to amend existing ones, as may be required from time to time. Any such proposal for amendment must be submitted to the Chief Operations Officer. The Chief Operations Officer will report any such amendments to the University Executive.
- j) Individuals listed as the primary signatory(s) for a listed document may delegate their authority to sign to others only where the delegated or alternative signatory(s) is also listed in the policy's appendix.
- k) Compliance with the requirements of this policy is mandatory for all University employees.

Roles and Responsibilities

Responsibility of Management

It is the responsibility of all members of senior management to be familiar with the signatory rights and the review and approval process for the documents shown in this policy's appendix which fall within their remit. In addition, management are also responsible for ensuring that where a delegated or alternative signatory is listed for a specific document, that those individuals are aware of their own responsibilities under the policy. Management must also ensure that those employees who report to them are aware of this policy and its requirements and that they apply it in their day-to-day University activities.

Responsibility of Employees

It is the responsibility of all employees to be aware of the existence of this policy and to apply its requirements in their day-to-day University activities. In addition, all employees have a responsibility to ensure that information provided to management to assist in the review and approval process for documents listed in the policy appendix is accurate, timely and complete.

Sanctions

Where an employee of the University has been found to be in breach this policy then the University may take appropriate action against the individual concerned.

Any actions taken by the University with respect to University employees will be initiated in accordance with the appropriate DCU regulations and disciplinary procedures. These include, but are not restricted to, the initiation of steps for the implementation of the Dublin City University disciplinary procedures under Dublin City University Statute No. 5 of 2010: 'Suspension and Dismissal of Employees' which may lead to demotion or dismissal.

The University also reserves the right to take a separate civil action against any individual(s) found to be in breach of this policy.

Definitions

Contracts

The word contract may be defined for the purposes of this policy as any document intended to set forth an agreement or arrangement between the University and an external party. A document need not be labelled 'contract' to be covered by this policy. Contracts are agreements that are legally enforceable regardless of the document title. A document is a contract under this policy if it describes an obligation of the University, either to do or not do something or to pay money. A contract can be in both paper & electronic form. Any question as to whether a document is a contract should be referred to the Office of the Chief Operations Officer.

Employees

Employees are defined as any person who is working or has worked under a temporary or permanent contract at, or for, the University.

Related Documents

The following documents are of relevance to this policy and are to be referred to by policy users:

- Code of Conduct for Employees;
- Consultancy Policy for Dublin City University;
- DCU Anti-Fraud Policy;
- DCU Conflict of Interest Policy & Guidelines;
- DCU Protected Disclosures Policy;
- DCU Statute # 5: Suspension & Dismissal of Employees;
- Gifts, Entertainment & Sponsorship Regulations – Revision March 2012; and
- Procurement Policy.

Contact Details

Queries in relation to the operation of this policy should be directed towards the Chief Operations Officer.

Policy Review

This policy will be reviewed by the University Executive every three years.

Version Control

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