



# Reserved Functions of the Board

Approved by the Board of the Heritage Council on November 11<sup>th</sup>  
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## Introduction

These Reserved Functions have been prepared in accordance with Section 1.7 of the *Code of Practice for the Governance of State Bodies 2016*, which sets out that ‘The Board should have a formal schedule of matters specifically reserved for it for decision to ensure that the direction and control of the State body is firmly in its hands.’

### 1. Assets

The Board of the Heritage Council (‘the board’) is responsible for significant acquisitions, disposals and retirement of assets of the Heritage Council; prior approval of the minister may be required for certain acquisitions, disposals and retirements as determined by the Heritage Acts 1995 and 2018. All acquisitions not requiring ministerial approval must be approved by the board where the cost of purchase of the asset exceeds €75,000. All disposals must be authorised and approved by the board in cases where the disposal value of the asset (i.e. NBV at time of sale) exceeds the value of €350.

### 2. Delegated Authority Levels

The board is responsible for delegated authority levels, treasury policy and risk management policies. The current level of delegated authority to the chief executive officer (CEO) on financial matters is:

- all operational matters and capital expenditure as approved by the board in its annual budget
- all HR matters including recruitment, dismissal and disciplinary responsibilities and the oversight of all resources at Council’s disposal for operational matters
- procurement as detailed in the following paragraph.

### 3. Contracts

#### 3.1 Contract Duration

The term of any contract should not exceed five years, inclusive of options for extensions. The total number of potential extensions should not be greater than three. Individual extensions should be for a period not exceeding 12 months provided that procurement guidelines have been adhered to at all times.

#### 3.2 Contract Value

The total value of a contract notwithstanding the duration of same must adhere to the following thresholds in terms of obtaining quotations and/or requests for tenders:

Less than €5,000:	seek one written quotation
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More than €5,000 and less than €25,000:	seek at least three written quotations
More than €25,000 and up to €214,000:	competitive tender
More than €214,000:	advertise in the EU Journal

### 3.3 Contract Renewals

A proviso may be inserted into contracts stating that a contract may be renewed for a defined period. The total number of potential extensions should not be greater than three. Individual extensions should be for a period not exceeding 12 months, upon written review of same. This review should include the reasons for renewing same without going out to tender/obtaining written quotations and the position in regard to procurement law. The review and renewal should be approved by the CEO who will inform the board of any such extensions: save where the value of the projected cost of the contract exceeds the amount above which the advertising of contracts in the official journal of the European Union is obligatory the CEO shall refer same to the (Audit Risk and Finance Committee) ARFC Committee who shall, following consideration, either make a recommendation to the board to approve the terms of the contract, with or without modifications in relation to the contract price, or refer back the proposed contract to the CEO for clarification or other actions as may be deemed appropriate in regard to managing costs or risk.

### 3.4 Major Contracts

The board is responsible for approving the terms of major contracts of which the value is above the threshold for advertising in the Official Journal of the European Union inclusive of any form of options or renewals on the recommendation of the ARFC in like manner to an extension of contract, as provided for in paragraph 3 above.

## 4. Assurances of Compliance

The board is responsible for ensuring it receives assurances of compliance with statutory and administrative requirements in relation to the approval of the appointment number, grading and conditions of appointment of all staff, including remuneration and superannuation.



## 5. Budgets and Reporting

The board is responsible for approving annual budgets, corporate plans, annual reports and financial statements.

## 6. Financial Control

The board is responsible for having in place an appropriate system of internal and financial control.

## 7. Grants

The board is responsible for approving awards under all of its grants programmes.

## 8. C.E.O

The board is responsible for appointing, remunerating and assessing the performance of and succession planning for the CEO, including any significant amendments to the pension benefits of the CEO and staff (which may require ministerial approval).

## 9. Bank Accounts

The board is responsible for approving the opening and closing of all bank accounts, including credit card accounts.

