

Signing Authority Policy

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# Introduction

This policy document outlines appropriate signatories who may sign contracts, agreements, memoranda of agreement or understanding (herein generally referred to as ‘agreements’ and/or ‘contracts’) that either place an obligation on the University or document the provision, purchase or procurement of goods & services on behalf of the University, result in an income stream for the University based on the performance of a defined activity (including, *inter alia*, research funding contracts), or otherwise obligate the University to undertake a defined activity or work within defined constraints (including, *inter alia*, Non-Disclosure Agreements and Consortium Agreements). It also specifies the financial authorisation/approval levels within Technological University Dublin *(hereinafter referred to as ‘TU Dublin’ or ‘the*

*University’ as appropriate)*.

### Signing Authorisation Levels and Authorised Signatories

This policy sets out the appropriate level of authority required to enter into contracts and to bind the University to the terms of such contracts, or which may place an obligation on the University. It shall depend on the amount and duration of such contracts and as set out in [***Appendix 1***](#_APPENDIX_1_–)of this policy.

For the purpose of this policy the term ‘authorisation’ is distinct from the term ‘approval’. Financial approval

should take place only when authorisation as set out has already taken place.

This Policy applies to all contractual arrangements to which the University is a party, including, without limitation, contracts involving the University’s academic units, research centres, administrative units and any other units not contained in the foregoing. Unlike the University itself, all such units do not have an independent legal existence and therefore, the contracting party will always be the University. Therefore, entry into a contract on behalf of the University is an important responsibility and should be done only following a review and recommendation for approval prior to signing by those staff members who have an understanding of the obligation being undertaken as set out in [***Appendix 2***.](#_APPENDIX_2_–)

Notwithstanding the Authorised Signatories and Deputy Authorised Signatories set out in ***Appendix 2***, such signing should only take place following and subject to obtaining written authorisation from the appropriate level of authority set out in ***Appendix 1***.

In some circumstances, staff other than the Authorised Signatory or Deputy Authorised Signatory are required to sign a contract. For example, in many cases Principal Investigators are required by Research Funding Bodies to sign a grant contract. In such cases it is to be understood that such signees are acknowledging their personal role in delivery of the contractual arrangements but are not providing authorisation on behalf of the University.

### Financial Approval

For the purpose of this policy the term ‘approval’ is defined as the certification and sanctioning of payments in

respect of expenditure that has been authorised in accordance with the Signatory Authorisation Levels.

For the purpose of the policy the term ‘payment’ relates to all payment transaction types, including but not limited to electronic funds transfer; SEPA payments; creditor account payment runs; payroll payments and cheque payments.

### Amendment & Review

This policy is prepared by the University Executive Team (UET) and recommended to TU Dublin’s Governing

Body for approval. This policy shall be reviewed at least every two years.

# Purpose

The main purposes of this policy are to provide direction to staff members and members of the Governing Body of the University through a consistent framework that ensures that:

1. Authorities are clearly assigned and properly approved;
2. Responsibilities and duties of those with signing authority are clearly defined, communicated & understood;
3. Only those University staff members with appropriate approval and accountability are authorised to sign documents on behalf of the University;
4. The risk exposure which may arise when a contract is signed on behalf of the University is managed.
5. Good governance is achieved by applying appropriate internal controls;
6. The University’s activities are conducted in a manner that provides sound financial accountability and control of public funds in accordance with appropriate policies, laws and regulations.

# Scope

This policy applies to all faculties, schools, departments, functions, units including research centres and research hubs, and subsidiaries. It applies to all members of staff both academic and professional services. It applies to all contracts, commitments or obligations to which the University is a party and to all funds administered by the University.

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

# Policy Statement

* 1. The level of authority required to enter into contracts and to bind the University to the terms of such shall depend on the monetary value of such contracts as set out in ***Appendix 1*** of this policy. For clarity, the cumulative monetary value of interdependent contracts that comprise a single obligation are deemed to be a single transaction for purposes of determining signing thresholds in ***Appendix 1.***
	2. No member of staff may sign any document that creates an obligation or undertaking on behalf of the University unless they have signing authority in accordance with this policy and the attached ***Appendix 1*** and are an authorised Signatory or Deputy Signatory as set out in ***Appendix 2.***
	3. The approved signatory should take into account the level of risk (e.g., financial, reputational, operational etc.) pertaining to the document under consideration prior to authorisation.
	4. The authorised signatories and approval levels set out shall be adhered to in all instances.
	5. The approval of this policy shall constitute approval of the signatory, and the alternate or delegated signatory where applicable.
	6. Where there is any doubt as to which staff member may sign a document which places an obligation on the University the Office of the Chief Operations Officer should be consulted, and this Office will determine the appropriate staff member.
	7. This policy should be read in conjunction with other University policies. In addition, the University and its staff members are bound by the Technological Universities Act 2018 and other Irish legislation as amended from time to time.
	8. In particular, staff members must acquaint themselves with the University’s Conflict of Interest policy.
	9. Where an authorised signatory is absent from campus for more than 3 consecutive working days, or in the case of an emergency, authority may pass to an alternative signatory as set out in ***Appendix 1*** and ***Appendix 2*** below. Where these circumstances occur, responsibility for authorisation remains with the original authorised signatory, who shall be notified of any such authorisation by the alternative signatory.
	10. In relation to the appendices to this policy the University Executive Team (UET) authorises the Chief Operations Officer to add new document categories and related signatory/signatories to the appendices, or to amend existing ones, as may be required from time to time.

Any such proposal must be submitted to the Chief Operations Officer, who shall in turn report any resulting amendments or alterations to the UET.

* 1. Staff members listed as the primary signatory/signatories for a document may delegate their authority to sign to others only where the delegated or alternative signatory(s) is listed in the policy’s appendices.
	2. Financial Approval shall in all cases adhere to the approved bank mandates in place across the University.
	3. Financial On-Line Banking Approval Levels ***as specified within the relevant on-line system*** shall be adhered to in all cases.
	4. With the exception of standard payroll processing payments and payments up to €24,999, every other payment as described in Section 1.2 above must be signed off for approval by the Head of Finance or the Chief Operations Officer.
	5. Where any payment, including but not limited to electronic funds transfer; SEPA payments; creditor account payment runs; payroll payments include a payment in excess of €100,000 it must be signed for approval by the Head of Finance ***plus*** the Chief Operations Officer.
	6. Compliance with the requirements of this policy is mandatory.

# Roles & Responsibilities

### Responsibility of Management

It is the responsibility of all members of senior management to be familiar with the signatory rights 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 staff members are aware of

their own responsibilities under the policy. Management must also ensure that those members of staff 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 Staff Members

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

# Sanctions

Where member of staff of the University has been found to be in breach this policy then the University may take appropriate action. Any actions taken by the University with respect to University members of staff shall be initiated in accordance with the appropriate TU Dublin regulations and disciplinary procedures.

The University also reserves the right to take a separate civil action against anyone found to be in breach of this policy.

# Queries

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

## APPENDIX 1 – SIGNATORY AUTHORISATION LEVELS

### Table 1 - Authorisation to Procure and/or Enter into Procurement Contracts (except Land/Property/Leasing of Property)

|  |  |  |
| --- | --- | --- |
| **LEVEL** | **TOTAL VALUE****(Over the life of the contract, including potential extensions, exclusive of Value Added Tax)** | **AUTHORISATION LEVEL** |
| **(i)** | **Over €1,000,000***only nominated authorised alternative signatories are permitted* | **Governing Body***And***President***And***Chief Operations Officer***And***(Registrar & Deputy President *or*****Vice President *or* Dean)***And***(Head of Finance** *And* **Relevant Budget Holder)** |
| **(ii)** | **Between €500,001 and €1,000,000***only nominated authorised alternative signatories are permitted* | ***President****And***Chief Operations Officer***And***(Registrar & Deputy President *or*****Vice President *or* Dean)***And***(Head of Finance** *And* **Relevant Budget Holder)** |
| **(iii)** | **Between €100,001 and €500,000***only nominated authorised alternative signatories are permitted* | **Chief Operations Officer** |
| *And* |
| **(Registrar & Deputy President *or*****Vice President *or* Dean)***And***(Head of Finance** *And***Relevant Budget Holder)** |
| **(iv)** | **Between €50,001 and €100,000***alternative signatory may be selected from level (ii) or (iii) above* | **(Registrar & Deputy President*****or*****Vice President *or* Dean)***And***(Head of Finance** *And***Relevant Budget Holder)** |
| **(v)** | **Up to €50,000***alternative signatory may be selected from level (ii) to (iv) above* | **Head of Finance***And***Relevant Budget Holder** |
| **(vi)** | **Up to €24,999***alternative signatory may be selected from level (ii) to (iv) above* | **Head of Finance***Or***Relevant Budget Holder** |

### Table 2 - Authorisation for Purchase, Disposal, or Leasing of Land and Property

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| --- |
| **A. Purchase/Disposal of Land/Property** |
| The Public Spending Code (Oct 2019) sets out the guidelines for Capital Investment in the Public Sector.Under Section 8 (1) of The Technological Universities Act 2018 TU Dublin may with the consent of the Minster and the Minister for Public Expenditure and Reform, acquire, hold, and dispose of land, an interest in land or any other property. |
| **B. Leasing of Property** |
| Authority to lease property (land & buildings) where the duration of the lease or the annual rent payable under the lease is: |
| **LEVEL** | **PERIOD/THRESHOLD (Value exclusive of Value Added Tax)** | **AUTHORISATION LEVEL** |
| **(i)** | Over **10 years** or over **€250,000** per annum | **Governing Body***And* **President** *And***Chief Operations Officer** |
| **(ii)** | Between **5 years** and **10 years** orbetween **€75,000** and **€250,000** per annum*only nominated authorised alternative signatories are permitted* | **President***And***Chief Operations Officer** |
| **(iii)** | Between 1 **year** and 5 **years** orbetween **€25,000** and **€75,000** per annum*only nominated authorised alternative signatories are permitted* | **President***Or***Chief Operations Officer** |
| **(iv)** | Between **0 and 1 year** orless than **€25,000** per annum*alternative signatory may be selected from level (ii) or (iii) above* | **Registrar & Deputy President *or* Vice President***Or***Head of Finance** |
| **C. Use of the Seal** |
| Under Section 8 (3) of The Technological Universities Act 2018 any contracts requiring the TU Dublin Seal to be used must be signed by the Chairperson of Governing Body and the Chief Operations Officer (as nominee of the President). |

### Table 3 - Authorisation to Enter into Research and Innovation Contracts

|  |  |  |
| --- | --- | --- |
| **LEVEL** | **NATURE OF THE CONTRACT** | **AUTHORISATION LEVEL** |
|  | **Research and Innovation contracts***only nominated authorised alternative signatories are permitted* | **Vice President for Research and Innovation** |
| **(i)** |  | *Or* |
|  |  | **President[[1]](#footnote-1)** |

## APPENDIX 2 – AUTHORISED SIGNATORIES

|  |  |
| --- | --- |
| Table 1 | Academic Agreements |
| Table 2 | Library Contracts |
| Table 3 | International Relationship Contracts |
| Table 4 | Research & Intellectual Property Contracts |
| Table 5 | Subsidiary Companies |
| Table 6 | Acquisition or Disposal of Assets, Land and Space Leasing |
| Table 7 | Finance Banking Agreements |
| Table 8 | Estates and Facilities Related Contracts |
| Table 9 | Technology Services Contracts |
| Table 10 | Insurance and Legal Contracts |
| Table 11 | Gift, Sponsorship and Endowment Agreements |
| Table 12 | Personal Data Transfer/Sharing Agreements |

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### Table 1 Academic Agreements

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Contract Description** | **Unit(s) Responsible** | **Review Steps Document to be reviewed & recommended for approval, prior to****signing, by** | **Authorised Signatory** | **Deputy Authorised Signatory** | **Location where Records are held** |
| Academic (Non-Research Agreements including MOAs, MOUs, and SLAs) agreements with other Universities and Higher Education Institutions | Faculty | UET, Faculty Dean, Head of School, and Head of Governance & Compliance/Solicitor | Faculty Dean | Head of School | School |
| Appointment of External Examiners | Head of AcademicAffairs’ Office | Academic Council, Registrar & Deputy President, Faculty Dean, School, and Human Resources | Head of School | Relevant Academic Staff Member | School, and Finance Office |
| Student Clinical Placement & Training Contracts | School | Head of School, and relevant Academic Staff Member | Head of School | Relevant Academic Staff Member | School |

### Table 2 Library Contracts

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Contract Description** | **Unit(s) Responsible** | **Review Steps Document to be reviewed & recommended for approval, prior to signing, by** | **Authorised Signatory** | **Deputy Authorised Signatory** | **Location where Records are held** |
| Contracts for the acquisitions of collections and support of the Library Services | Library Services | Registrar & Deputy President, and Head of Library Services | Registrar & Deputy President | Head of Library Services | Library |

### Table 3 International Relationship Contracts and Agreements

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Contract Description** | **Unit(s) Responsible** | **Review Steps Document to be reviewed & recommended for approval, prior to signing, by** | **Authorised Signatory** | **Deputy Authorised Signatory** | **Location where Records are held** |
| International Reciprocal Student Exchange, Study Abroad and Related Contracts within and outside EU, except Erasmus+ | Vice President Partnerships | UET, Vice President Partnerships, and Strategic Lead, Head of Recruitment, Admissions and Participation, and Head of Governance & Compliance/Solicitor | Vice President Partnerships | Strategic Lead | Vice President Partnerships Office |
| Erasmus+ mobility and cooperation contracts | Vice President Partnerships | UET, Vice President Partnerships, and Strategic Lead, Head of Recruitment, Admissions and Participation, and Head of Governance &Compliance/Solicitor | Vice President for Research and Innovation 2 | Strategic Lead | Vice President Partnerships Office |
| Agency Contracts where an external agent promotes or acts on behalf of the University abroad | Vice President Partnerships | UET, Vice President Partnerships, and Strategic Lead (European University), and Head of Governance &Compliance/Solicitor | Vice President Partnerships | Strategic Lead | Vice President Partnerships Office |

2 The European Commission allow only one authorised institutional signatory for contracts; since, the majority of these are related to research and innovation activities, this role is assigned to the Vice President for Research and Innovation.

### Table 4 Research and Intellectual Property Contracts

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Contract Description** | **Unit(s) Responsible** | **Review Steps Document to be reviewed & recommended for approval, prior to signing, by** | **Authorised Signatory** | **Deputy Authorised Signatory** | **Location where Records are held** |
| Research and Innovation funding contracts, and any secondary agreements (such as consortium agreements) that are mandated by the original funding contracts. | Research Support Services | Principal Investigator, Research Support Services, Innovation & Knowledge Transfer, and Vice President for Research and Innovation. | Vice President for Research and Innovation | Head of Research Support Services | Research Support Services |
| Contracts for the protection, transfer, management or use of intellectual property rights arising from University research activities | Innovation and Knowledge Transfer | Research Support Services, Innovation & Knowledge Transfer and Vice President for Research andInnovation. | Vice President for Research and Innovation | Head of Innovation and Knowledge Transfer | Innovation and Knowledge Transfer |
| Confidentiality agreements relating to Intellectual Property | Innovation and Knowledge Transfer | Innovation & Knowledge Transfer and Vice President for Research and Innovation. | Vice President for Research and Innovation | Head of Innovation and Knowledge Transfer | Innovation and Knowledge Transfer |
| Patent assignment or transfer of research assets contracts | Innovation and Knowledge Transfer | Innovation & Knowledge Transfer and Vice President for Research and Innovation. | Vice President for Research and Innovation | Head of Innovation and Knowledge Transfer | Innovation and Knowledge Transfer |
| Campus Company Investment or Shareholder Agreements | Innovation and Knowledge Transfer | Innovation & Knowledge Transfer and Vice President for Research and Innovation. | Vice President for Research and Innovation | Head of Innovation and Knowledge Transfer | Innovation and Knowledge Transfer |

### Table 5 Subsidiary Companies

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Contract Description** | **Unit(s) Responsible** | **Review Steps Document to be reviewed & recommended for approval, prior to signing, by** | **Authorised Signatory** | **Deputy Authorised Signatory** | **Location where Records are held** |
| Establishment of University Subsidiary Companies | Governance & Compliance | Governing Body, UET, Chief Operations Officer, and Head of Governance & Compliance | President | Chief Operations Officer | Governance & Compliance |
| Disposal of University's holding on liquidation or winding up of Subsidiary Company | Governance & Compliance | Governing Body, UET, Chief Operations Officer, and Head of Governance & Compliance | President | Chief Operations Officer | Governance & Compliance |

### Table 6 Acquisition or Disposal of Assets, Land, and Space Leasing

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Contract Description** | **Unit(s) Responsible** | **Review Steps Document to be reviewed & recommended for approval, prior to signing, by** | **Authorised Signatory** | **Deputy Authorised Signatory** | **Location where Records are held** |
| Acquisition of, or sale of land or buildings, and leases | See Appendix 1, Table 2 |
| Lease / license contracts with other organisations in relation to access to University land or buildings | Estates & Facilities Office | UET, Chief Operations Officer, Head of Estates & Facilities, Head of Governance & Compliance/Solicitor | Chief Operations Officer | Head of Estates & Facilities | Governance & Compliance |

### Table 7 Finance Banking Agreements

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Contract Description** | **Unit(s) Responsible** | **Review Steps****Document to be reviewed & recommended for approval, prior to signing, by** | **Authorised Signatory** | **Deputy Authorised Signatory** | **Location where Records are held** |
| Banking Contracts to provide banking services to the University | Finance Office | UET, Chief Operations Officer, Head of Finance. | Chief Operations Officer | Head of Finance | Finance Office |
| Banking Mandates setting out individuals who may act on behalf of the University in dealing with banks. | Finance Office | UET, Chief Operations Officer, Head of Finance. | Chief Operations Officer | Head of Finance | Finance Office |
| Bank Guarantees | Finance Division | Director of Finance and Finance Committee | Chief Operations Officer | Chief Operating Officer & Registrar | Finance Office |
| Credit Card Agreements | Finance Office | UET, Chief Operations Officer, Head of Finance. | Chief Operations Officer | Head of Finance | Finance Office |

### Table 8 Estates and Facilities Contracts

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Contract Description** | **Unit(s) Responsible** | **Review Steps****Document to be reviewed & recommended for approval, prior to signing, by** | **Authorised Signatory** | **Deputy Authorised Signatory** | **Location where Records are held** |
| All Estates & Facilities related Utility Contracts | Estates & Facilities | Chief Operations Officer, Head of Estates & Facilities, Head of Finance | Chief Operations Officer | Head of Estates & Facilities | Estates and Facilities |
| Construction Works Contracts | Estates & Facilities | Chief Operations Officer, and Head of Estates & Facilities | Chief Operations Officer | Head of Estates & Facilities | Estates and Facilities |
| Building Related Consultancy | Estates & Facilities | Chief Operations Officer, and Head of Estates & Facilities | Chief Operations Officer | Head of Estates & Facilities | Estates and Facilities |
| Building and facilities services related maintenance, concession and other service agreement licences | Estates & Facilities | Chief Operations Officer, and Head of Estates & Facilities | Chief Operations Officer | Head of Estates & Facilities | Estates and Facilities |

### Table 9 Technology Services Contracts

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Contract Description** | **Unit(s) Responsible** | **Review Steps Document to be reviewed & recommended for approval, prior to signing, by** | **Authorised Signatory** | **Deputy Authorised Signatory** | **Location where Records are held** |
| All Technology Services Utility Contracts:mobile, telecoms, data andinformation utilities | Technology Services | Chief Operations Officer, Head of Technology Services, Head of Finance | Chief Operations Officer | Head of Technology Services | Technology Services |
| Technology software, hardware, maintenance and service licence agreements | Technology Services | Chief Operations Officer, Head of Technology Services, Head of Finance | Chief Operations Officer | Head of Technology Services | Technology Services |
| Domain Name Registrations | Technology Services | Chief Operations Officer, Head of Technology Services, Head of Finance | Chief Operations Officer | Head of Technology Services | Technology Services |

### Table 10 Insurance and Legal Contracts

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Contract Description** | **Unit(s) Responsible** | **Review Steps Document to be reviewed & recommended for approval, prior to signing, by** | **Authorised Signatory** | **Deputy Authorised Signatory** | **Location where Records are held** |
| Insurance Policies and Covers | Governance & Compliance | UET, Chief Operations Officer, and Head of Governance | Chief Operations Officer | Head of Governance & Compliance | Governance & Compliance |
| Legal Settlement Agreements | Governance & Compliance | UET, Chief Operations Officer, and Head of Governance | Chief Operations Officer | Head of Governance & Compliance | Governance & Compliance |
| Property Legal Title Conveyancing Agreements**\***(Including disposal, purchase, lease, licence of land and property)***\*Subject to Table 2 A, B and C above.*** | Governance & Compliance | UET, Chief Operations Officer, and Head of Governance | Chief Operations Officer | Head of Governance & Compliance | Governance & Compliance |

### Table 11 Gift, Sponsorship and Endowment Agreements

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Contract Description** | **Unit(s) Responsible** | **Review Steps Document to be reviewed & recommended for approval, prior to signing, by** | **Authorised Signatory** | **Deputy Authorised Signatory** | **Location where Records are held** |
| Contracts relating to non-monetary gifts or property to the University. | Vice President Partnerships | UET, Vice President Partnerships, Head of Foundation, and Head of Governance &Compliance/Solicitor | Vice President Partnerships | Head of Foundation | Vice President Partnerships Office |
| Contracts relating to monetary donations, bequests or endowments to the University. | Vice President Partnerships | UET, Vice President Partnerships, Head of Foundation, and Head ofGovernance & Compliance/Solicitor | Vice President Partnerships | Head of Foundation | Vice President Partnerships Office |
| Sponsorship and Naming Rights Contracts | Vice President Partnerships | UET, Vice President Partnerships, Head of Foundation, and Head of Governance & Compliance/Solicitor | Vice President Partnerships | Head of Foundation | Vice President Partnerships Office |

### Table 12 Personal Data Transfer/Sharing Agreements

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Contract Description** | **Unit(s) Responsible** | **Review Steps Document to be reviewed & recommended for approval, prior to signing, by** | **Authorised Signatory** | **Deputy Authorised Signatory** | **Location where Records are held** |
| Any agreement for the transfer or sharing of personal data with a party external to the University regardless of data format | All University Units | Relevant University Unit, Head of Governance & Compliance/Information Governance Manager | Head of Relevant University Unit | Designated Deputy Head of Relevant University Unit | Relevant University Unit (copy to send to Information GovernanceManager) |
| Any agreement for the transfer of identifiable, anonymised, or pseudo- anonymised personal data with a part external to the University for the purposes of Research & Innovationactivity | Research Integrity and Ethics | Relevant University Unit, TU Dublin Research Ethics Committee, Head of Governance & Compliance/InformationGovernance Manager | Vice President for Research and Innovation | Head of Research Integrity and Ethics | Research Integrity and Ethics |

1. Only where signature by the President is a requirement of the Funding Agency. [↑](#footnote-ref-1)