

DECISION

Reg. no STYR 2022/825

Date 14 April 2022

Vice-Chancellor

## **Responsibility and Delegation in Environmental and Sustainable Development**

*Approved by the Vice-Chancellor on 14 April 2022*

### **1 Purpose**

This document describes responsibility and delegation in Lund University's work on environmental and sustainable development. The document is supplemented by *Organisation and Roles in Environmental and Sustainable Development*, which describes the allocation of duties for the roles that lie outside the line organisation, but which have specific functions in environmental and sustainability work.

### **2 Scope**

This document covers staff in management roles who are part of the line organisation as well as staff who have got corresponding duties via delegation.

Environmental and sustainability work at Lund University covers all organisational units, staff and students. Environmental and sustainability work is to be conducted as an integrated part of daily work and at the level that will be most effective.

### **3 Organisation**

Environmental and sustainability work at Lund University is organised based on the line organisation and responsibility is according to the line organisation as follows: University Board – Vice-Chancellor – dean – head of department. As a complement to the line organisation there are also specific functions in environmental management work that are described in the document *Organisation and Roles in Environmental and Sustainable Development*.

For the overall organisation of work relating to environmental and sustainable development at Lund University, see *Organisational Plan for Environmental and Sustainable Development*.

## 4 Delegation

### 4.1 Need for delegation of responsibility and allocation of duties

Several laws and ordinances within the environmental area set requirements for clear delegation of responsibility within an organisation and allocation of duties at all workplaces and organisational units.

The condition for delegation is that there must be a clear need, for example that the organisational unit's size means that the management cannot monitor and check all activities. It may also be the case that the management lacks sufficient knowledge and experience in the environmental area, which justifies the delegation of responsibility to a person with expertise in the area. Read more about delegation in Appendix 1.

### 4.2 Responsibility for coordination at shared workplaces

When several organisations have staff at a shared workplace, they are to consult and jointly work towards achieving a satisfactory environmental approach in the same way as for the work environment. Lund University has a coordination agreement with Region Skåne that regulates shared workplaces between these organisations.

## 5 Responsibility and duties

In the Rules of Procedure, the University Board has established the division of responsibility and duties within the University and the Vice-Chancellor has established the division of decision-making powers. The Vice-Chancellor has ultimate responsibility for the activities conducted at Lund University and thus also responsibility for the work relating to environmental and sustainable development meeting the requirements set by laws, ordinances and regulations. Through the Rules of Procedure, the dean/equivalent and head of department/equivalent also have responsibility for the environmental and sustainability work included in the responsibility for the organisational unit.

This document is a specification of the Rules of Procedure and regulates division of responsibilities and duties regarding environmental and sustainable development as well as the conditions for delegation. This document uses the same terms and organisation as in current policy documents covering rules of procedure and delegation.

The following allocation of responsibility and duties applies for each organisational level:

### 5.1 Management of resources

- Management at the university-wide, faculty and organisational unit levels is responsible for allocating sufficient resources (staff, financial and technical) for overall environmental and sustainability work.

## 5.2 University-wide level

**The University Board** is responsible for:

- Deciding on the University's overall strategic orientation in environmental and sustainability work.
- Remaining updated about the University's environmental and sustainability work and implementing measures where necessary.

The Vice-Chancellor has ultimate responsibility for the University's environmental management work as well as a general duty of supervision for the environmental and sustainability work within the University.

**The Vice-Chancellor** is responsible for:

- Work on environmental and sustainable development being conducted in accordance with applicable legislation.
- The establishment and approval of an environmental management system that is coordinated with the other requirements for the organisation.
- Work on environmental and sustainable development being conducted in accordance with policy documents and guidelines.

**The Vice-Chancellor** is tasked with:

- Deciding on matters relating to overall and long-term environmental and sustainability work.
- Deciding on goals and action plans for the University's environmental and sustainability work.
- Evaluating environmental and sustainability work at Lund University through the management's review.

**The University Director** is tasked with:

- Ensuring that an internal environmental audit is carried out in accordance with the University's Environmental Audit Plan.
- Ensuring that the management's review is conducted.

## 5.3 Faculty level/equivalent

**The faculty board or equivalent** is responsible for:

- Deciding on the faculty's/equivalent's overall strategic orientation in environmental and sustainability work.

- Remaining updated about the faculty's/equivalent's environmental and sustainability work and implementing measures where necessary.

**The dean or equivalent** is responsible for:

- Environmental and sustainability work in the faculty/equivalent complying with applicable laws, ordinances and regulations, as well as local agreements and regulations.
- Their subordinate manager being aware of their responsibility.

**The dean or equivalent** is tasked with:

- Producing and implementing an action plan for sustainable development in the faculty/equivalent
- Developing and implementing the rules and procedures that are specific for the faculty/equivalent and which are needed for management of departments/equivalent.
- Following up environmental and sustainability work in the faculty/equivalent.
- Evaluating environmental and sustainability work at the faculty/equivalent through the management's review.
- Ensuring that an internal environmental audit is carried out in accordance with the University's Environmental Audit Plan.

#### **5.4 Department level/equivalent**

**The department board** is responsible for:

- Deciding on the department's/equivalent's overall strategic orientation in environmental and sustainability work.
- Remaining informed about the department's/equivalent's environmental and sustainability work and implementing measures where necessary.

**The head of department or equivalent** is responsible for:

- Environmental and sustainability work in the department/equivalent complying with applicable laws, ordinances and regulations, as well as local agreements and regulations.

- Ensuring that each person who carries out duties that may lead to significant environmental impact<sup>1</sup> has the requisite expertise based on appropriate education, training or experience, and is aware of their responsibility.

**The head of department or equivalent** is tasked with:

- Drawing up, approving, implementing and communicating local regulations and procedures regarding the environmental and sustainable development needed for management and supervision of activities.
- Ensuring that new employees receive an introduction concerning Lund University's work on environmental and sustainable development.
- Carrying out self-monitoring based on environmental legislation in the activities where this is a requirement and informing the environmental manager at Lund University about anomalies.
- Handling improvement proposals and deviations in environmental and sustainable development according to the reporting procedure.
- Following up environmental and sustainability work in the department/equivalent.

### **5.5 Sub-delegation from head of department/equivalent**

If the department/equivalent has such a size or organisation that the head of department/equivalent is unable to exercise their duty of supervision according to the environmental legislation, the head of department/equivalent is to delegate responsibility and allocate duties within the department/equivalent. Such a delegation is always to be accompanied by the requisite powers and resources. The delegation is to be such that it is clear who has the organisational responsibility for both staff and students. Decisions on delegation of responsibility and allocation of duties are to be documented in writing.

## **6 Documentation**

- Description of duties

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<sup>1</sup> The significant environmental impacts of the University have been assessed and are as follows: The management's involvement in environmental and sustainability issues, efficiency of the decision-making process, quorum and implementation of decisions, education, research, external engagement, attitudes and awareness among the staff, electric energy, hazardous waste/chemical waste, chemicals hazardous to health and the environment, business travel by air, campus development incl. green spaces and land development, purchasing, procurements and supplier chains, and the premises provision process.

## **Appendix 1 Regarding environmental delegation**

### **Independence and expertise**

Delegation of responsibility and allocation of duties is to be accompanied by the requisite powers and resources. Powers refers to the right to make decisions and take necessary measures. Resources refers to financial funds, access to staff, equipment, premises, time and knowledge. However, the delegating party, regardless of delegation and allocation of duties, always has the fundamental responsibility for the satisfactory functioning of the above in the organisation. The recipient of the delegation must have sufficient expertise in the area and be independent in relation to the delegating party, which means that the recipient of the delegation is to have the right to make independent decisions and have the resources that are necessary in order to do this. The knowledge requirement is to have been fulfilled before the delegation takes place.

### **Criminal liability**

The fact that an activity with an environmental impact is organisationally located within a workplace does not automatically mean that someone there has criminal liability. The management must in any case ensure that the person with responsibility also has the requisite education, professional expertise and experience to fulfil the responsibility.

This means that the person who receives the delegation must have the expertise to lead the work. The responsibility for ensuring that the recipient of a delegation has sufficient expertise lies with the delegating party. If the recipient does not have sufficient expertise, the delegating party remains responsible from the perspective of criminal liability. The issue of criminal liability is always determined by a court and even though all the necessary conditions are present for delegation of criminal liability, an assessment is always made in each individual case. Allocation of duties does not mean that the recipient of a delegation will be automatically punished.

The delegating party has a responsibility to intervene at a point where there is reason to suspect that the recipient of the delegation has committed a violation or that something is not right.

### **Clarity**

The delegation must clearly state who is responsible in different situations. There is to be a clear description of the areas of responsibility covered by the delegation. The recipient of the delegation must be given information about the content of the delegation and that it may have an effect in terms of criminal liability. The delegation must clearly state that it entails a take-over of the criminal liability, in order for the delegation to be valid. If the delegation is unclear, the responsibility reverts to the delegating party.

A recipient who cannot fulfil the delegated responsibility or allocated duties due to a lack of resources or powers is to return the duties to the delegating party in writing, whereupon the responsibility for that part is also returned to the delegating party.