## *Deputy Director General, Education Business Services*

## *School Education Act 1999*

Minister's Instrument of Delegation and Chief Executive Officer's Instrument of Sub-delegation

**When exercising a delegated function, power or duty, reference must be made to the full legislative provision via the Western Australian Legislation website.**

| Column 1<br>Legislative reference | Column 2<br>For information only: Summary of function, power or duty | Column 3<br>Delegate | Column 4<br>Sub-delegate | Column 5<br>Condition, limitation or restriction |
|---|---|---|---|---|
| **Part 4 – Non-government Schools** | | | | |
| **Division 6 - Loans for capital works** | | | | |
| **s186** | Execute all loan agreements for loans made by the Minister. | Chief Executive Officer | Deputy Director General, Education Business Services | Chief Executive Officer has subdelegated to this position as the chief executive officer referred to in s229 of the Act ("Chief Executive Officer"). |
| **Part 6A - Student residential colleges** | | | | |
| **Division 3 - Administration of student residential colleges** | | | | |
| **Subdivision 1 - Operation and management** | | | | |
| **s213E(2)(a)** | Acquire, hold, manage, improve, develop and dispose of property or an interest in property. | Chief Executive Officer | Deputy Directors General | Nil |
| **s213E(2)(b)** | Accept any gift, devise or bequest if it is absolute or subject to conditions (to which the Minister agrees). | Chief Executive Officer | Deputy Directors General | Nil |
| **s213E(2)(e)** | Enter into any contract or arrangement. | Chief Executive Officer | **Enter into any contract or arrangement with a financial implication** | |
| | | | Deputy Directors General | Nil |
| | | | **Enter into funding contracts or arrangements with the Commonwealth** | |
| | | | Deputy Directors General | Up to $5,000,000 in value, GST exclusive. |
| | | | **Sign deeds of settlement and release for arrangements** | |
| | | | Deputy Directors General | Related to payments made by Insurance Commission of Western Australia (ICWA) and which do not exceed $1,000,000 in value, GST exclusive. |
| | | | **Grant funds to not-for-profit organisations** | |
| | | | Deputy Directors General | Up to $5,000,000 in value, GST exclusive. |
| | | | **Enter into a Master Rental Agreement/Lease or Master Finance Agreement/Lease** | |
| | | | Deputy Directors General | Nil |
| | | | **Accept grant funding (non-Commonwealth)** | |
| | | | Deputy Directors General | Nil |
| **Subdivision 3 – Power of Minister to grant licence** | | | | |
| **s213K(1)-(5)** | Grant licence for use of tangible property vested in the Minister that relates to a student residential college. | Chief Executive Officer | Deputy Directors General | Nil |
| **Part 6 - Administration** | | | | |
| **Division 1 - The Minister** | | | | |
| **s216(2)(a)** | Acquire, hold, manage, improve, develop and dispose of property or an interest in property. | Chief Executive Officer | Deputy Directors General | Nil |
| **s216(2)(b)** | Accept any gift, devise or bequest if it is absolute or subject to conditions (to which the Minister agrees). | Chief Executive Officer | Deputy Directors General | Nil |
| **s216(2)(e)** | Enter into any contract or arrangement | Chief Executive Officer | **Enter into any contract or arrangement with a financial implication.** | |
| | | | Deputy Directors General | Nil |

## *Deputy Director General, Education Business Services*

## *School Education Act 1999*

Minister's Instrument of Delegation and Chief Executive Officer's Instrument of Sub-delegation

**When exercising a delegated function, power or duty, reference must be made to the full legislative provision via the Western Australian Legislation website.**

| Column 1<br>Legislative reference | Column 2<br>For information only: Summary of function, power or duty | Column 3<br>Delegate | Column 4<br>Sub-delegate | Column 5<br>Condition, limitation or restriction |
|---|---|---|---|---|
| | | | **Enter into funding contracts or arrangements with the Commonwealth** | |
| | | | Deputy Directors General | Up to $5,000,000 in value, GST exclusive. |
| | | | **Sign deeds of settlement and release for arrangements** | |
| | | | Deputy Director General, Education Business Services | Related to payments made by ICWA and which do not exceed $1,000,000 in value, GST exclusive. |
| | | | **Grant funds to not-for-profit organisations** | |
| | | | Deputy Directors General | Up to $5,000,000 in value, GST exclusive. |
| | | | **Enter into a Master Rental Agreement/Lease or Master Finance Agreement/Lease** | |
| | | | Deputy Director General, Education Business Services | Nil |
| | | | **Accept grant funding (non-Commonwealth)** | |
| | | | Deputy Directors General | Nil |
| **s216(2)(f)** | Turn to account any resource or intellectual property that is vested in the Minister. | Chief Executive Officer | Deputy Directors General | Nil |
| **s216(3)(a)** | Act as the trustee of any trust for educational purposes for the purpose of furthering education in a government school. | Chief Executive Officer | Deputy Director General, Education Business Services | Nil |
| **s218(1) to (5) inclusive** | Grant licence for use of tangible property vested in the Minister. | Chief Executive Officer | Deputy Directors General | Nil |
| **s218(6)** | Grant a licence for the purposes of a joint arrangement or for the purpose of furthering the joint arrangement. | Chief Executive Officer | Deputy Directors General | Nil |

## *School Education Act 1999*

Chief Executive Officer's Instrument of Delegation

**When exercising a delegated function, power or duty, reference must be made to the full legislative text via the Western Australian Legislation website.**

| Column 1<br>Legislative reference | Column 2<br>For information only: Summary of function, power or duty | Column 3<br>Delegate | Column 4<br>Condition, limitation or restriction |
|---|---|---|---|
| **Part 2 - Education of children during compulsory education period** | | | |
| **Division 6 - Financial Provisions** | | | |
| **Subdivision 2 - School funds** | | | |
| **s110** | Authorise the principal of a government school to establish funds for the receipt of donations and bequests for specified reasons. | Deputy Director General, Education Business Services | Nil |
| **s111(1)** | Designate an officer other than the principal to perform the management of school funds. | Deputy Director General, Education Business Services | Nil |

## *School Education Act 1999*

Chief Executive Officer's Instrument of Delegation

**When exercising a delegated function, power or duty, reference must be made to the full legislative text via the Western Australian Legislation website.**

| Column 1<br>Legislative reference | Column 2<br>For information only: Summary of function, power or duty | Column 3<br>Delegate | Column 4<br>Condition, limitation or restriction |
|---|---|---|---|
| **s111(2)** | Amend, revoke or replace a designation made under s 111(1) to manage a school fund. | Deputy Director General, Education Business Services | Nil |
| **s111(3)** | Issue any directions either generally or in any particular case that principals need to act in accordance with to manage school funds. | Deputy Director General, Education Business Services | Nil |
| **s113(1)** | Approve the bank moneys forming part of the school fund are to be paid into. | Deputy Director General, Education Business Services | Nil |
| **s113(2)** | Approve a government school to have otherwise than one bank account for school funds. | Deputy Director General, Education Business Services | Nil |
| **s113(4)** | Designate for each government school the office holders or class of persons who may operate a bank account. | Deputy Director General, Education Business Services | Nil |
| **s116(1)** | Direct how moneys in a school fund are to be dealt with if a school is closed or amalgamated with another school. Operate the bank account for the fund of a school closed or amalgamated with another school to give effect to a direction under s 116(1)(a). | Deputy Director General, Education Business Services | Nil |
| **Division 5 - Financial provisions** | | | |
| **Subdivision 1 — Fund for each student residential college** | | | |
| **s213R** | Authorise the officer designated under s 213S(1) to establish funds for the receipt of donations and bequests for specified reasons. | Deputy Director General, Education Business Services | Nil |
| **s213S(1)** | Designate an officer to perform the management of college funds. | Deputy Director General, Education Business Services | Nil |
| **s213S(2)** | Amend, revoke or replace a designation under s 213S(1). | Deputy Director General, Education Business Services | Nil |
| **s213S(3)** | Issue any directions (not being inconsistent with the regulations) either generally or in any particular case in the expenditure of college funds. | Deputy Director General, Education Business Services | Nil |
| **s213U(1)** | Approve the bank moneys forming part of the college fund are to be paid into. | Deputy Director General, Education Business Services | Nil |
| **s213U(2)** | Approve a student residential college to have more than one bank account for college funds. | Deputy Director General, Education Business Services | Nil |
| **s213U(4)** | Designate for each student residential college the office holders or class of persons who may operate a bank account under s 213U(3). | Deputy Director General, Education Business Services | Nil |
| **s213X** | Direct how moneys in a college fund are to be dealt with if a college is closed or amalgamated with another college. Operate the bank account for the fund of a college closed or amalgamated with another college to give effect of such a direction. | Deputy Director General, Education Business Services | Nil |
| **Part 6 - Administration** | | | |
| **Division 3 - Staff employed in the department** | | | |

## *School Education Act 1999*

Chief Executive Officer's Instrument of Delegation

**When exercising a delegated function, power or duty, reference must be made to the full legislative text via the Western Australian Legislation website.**

| Column 1<br>Legislative reference | Column 2<br>For information only: Summary of function, power or duty | Column 3<br>Delegate | Column 4<br>Condition, limitation or restriction |
|---|---|---|---|
| **s240** | Order an employee to leave school premises if it is suspected that a person employed at a government school is guilty of an act or omission as referred to in s 80 of the PSMA and the continued presence of the person at the school constitutes a risk to the safety or welfare of students on the premises. Ensure that written reasons for issuing an order under subsection (1) are provided with the order. | Deputy Directors General | Only in an emergency situation where there is a risk to the safety or welfare of students and the CEO is unavailable. |

## *School Education Regulations 2000*

Chief Executive Officer's Instrument of Delegation

**When exercising a delegated function, power or duty, reference must be made to the full legislative text via the Western Australian Legislative website**

| Column 1<br>Legislative reference | Column 2<br>For information only: Summary of function, power or duty | Column 3<br>Delegate | Column 4<br>Condition, limitation or restriction |
|---|---|---|---|
| **Division 4 - Financial provisions for kindergartens** | | | |
| **Subdivision 2 - Allocation of moneys appropriated by Parliament** | | | |
| **r146(2)** | If conditions are not complied with, recover moneys that have been appropriated by Parliament for assisting kindergartens as a debt in a court of competent jurisdiction. | Deputy Director General, Education Business Services | Nil. |

## *Public Sector Management Act 1994*

Chief Executive Officer's Instrument of Delegation

**When exercising a delegated function, power or duty, reference must be made to the full legislative text via the Western Australian Legislation website.**

| Column 1<br>Legislative reference | Column 2<br>For information only: Summary of function, power or duty | Column 3<br>Delegate | Column 4<br>Condition, limitation or restriction |
|---|---|---|---|
| **Part 3B – Chief executive officers and chief employee** | | | |
| **s29(1)(g)** | To manage and direct employees of the Department and to be responsible for the recruitment, selection, appointment and deployment of employees. | Line managers | For the imposition and initial extension of probation within their work area or unit. |
| **Part 3 - Public Service** | | | |
| **Division 2 - Senior Executive Service** | | | |
| **s53** | Appoint a public service officer or other person to the Senior Executive Service. | Deputy Director General | For up to and including Director level positions. |
| **s55** | Assess the performance of a senior executive officer. | Deputy Directors General | Up to and including Executive Director level positions in their division. |
| **Division 3 - Public service officers other than executive officers** | | | |
| **s64** | Appoint a person as a public service officer. | Line Managers | For public service positions in their work area or unit up to and including Level 8 positions.<br><br>Subject to the position being approved within the organisational structure by the Director General as per s 36(1)(a). |
| **s65** | Transfer a public service officer at the same level of classification. | Line Managers | For public service officers in their work area or unit up to and including Level 8 positions.<br><br>Subject to the position being approved within the organisational structure by the Director General as per s 36(1)(a). |

## *Public Sector Management Act 1994*

Chief Executive Officer's Instrument of Delegation

**When exercising a delegated function, power or duty, reference must be made to the full legislative text via the Western Australian Legislation website.**

| Column 1<br>Legislative reference | Column 2<br>For information only: Summary of function, power or duty | Column 3<br>Delegate | Column 4<br>Condition, limitation or restriction |
|---|---|---|---|
| **s66** | Enter into an arrangement in writing with another department or organisation or with an employer outside the Public Sector for the secondment of a public service officer. | Line Managers | For public service officers in their work area or unit up to and including Level 8 positions. |
| **Part 8 - Miscellaneous** | | | |
| **s100** | Engage a person under a contract for services.<br><br>Appoint a person on a casual employment basis. | Line Managers | In their work area or unit. |
| **s103** | Reappoint a public service employee who resigned to stand for election and failed to be elected. | Line Managers | For all public service positions in their work area or unit up to and including Level 8 positions. |
| **s107(1)** | To direct an employee to perform the functions, obligations and rights during any vacancy in that office, post or position or during the temporary absence or incapacity of the incumbent, as the case requires | Deputy Director General | To direct an employee to act in a position within their group (for up to and including Executive Director level positions). |

## Public Sector Management (Redeployment and Redundancy) Regulations 2014

Chief Executive Officer's Instrument of Delegation

**When exercising a delegated function, power or duty, reference must be made to the full legislative text via the Western Australian Legislation website.**

| Column 1<br>Legislative reference | Column 2<br>For information only: Summary of function, power or duty | Column 3<br>Delegate | Column 4<br>Condition, limitation or restriction |
|---|---|---|---|
| **Part 2 - Registrable employees** | | | |
| **r8(2)** | Give the employee written notice of all relevant information relating to the determination. | Line Managers | For public service positions in their work area or unit up to and including Level 8 positions or equivalent.<br><br>*School Education Act 1999* staff up to and including Principals. |
| **r8(4)** | Consult with the employee in relation to the matters set out in the notice. | Line Managers | For public service positions in their work area or unit up to and including Level 8 positions or equivalent. |
| **r8(8)** | If the determination is revoked, give the employee written notice of the revocation. | Line Managers | For public service positions in their work area or unit up to and including Level 8 positions or equivalent. |