

Deputy Director General, Schools

School Education Act 1999

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

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Column 1 Legislative reference	Column 2 For information only: Summary of function, power or duty	Column 3 Delegate	Column 4 Sub-delegate	Column 5 Condition, limitation or restriction
Part 2 - Education of children during compulsory education period				
Division 1 - Compulsory education with alternatives in final years of compulsory education				
Subdivision 1A — Alternatives to the operation of section 9 in final years of compulsory education				
s11D(6)	Approve the form to be used by parents for the purpose of this section.	Chief Executive Officer	Deputy Director General, Schools	Nil
s 11E(6)	Take into account when making a decision about participation arrangements: <ul style="list-style-type: none"> any enrolment of the child for part-time studies at a school; and any part-time employment approved under s 11G. 	Chief Executive Officer	Deputy Director General, Schools	Nil
ss11G(1)-(2)	Give approval to the child being employed by a specified employer.	Chief Executive Officer	Deputy Director General, Schools	Nil
s11G(5)	Make an approval subject to any condition and at any time impose any further condition or vary or revoke a condition.	Chief Executive Officer	Deputy Director General, Schools	Nil
s11G(6)	By notice to parent of the child concerned vary or revoke an approval.	Chief Executive Officer	Deputy Director General, Schools	Nil
s11H(1)	Receive notice from parent of a child who is employed in accordance with an approval under s 11G.	Chief Executive Officer	Deputy Director General, Schools	Nil
s11H(3)	Approve the form of notice to be used for the purpose of this section.	Chief Executive Officer	Deputy Director General, Schools	Nil
s11L	Designate a child to be an independent child for the purposes of this Subdivision if satisfied, taking into account the factors specified in the legislation, they have the capacity to make their own decisions. Review or revoke a decision to designate a child as an independent child.	Chief Executive Officer	Deputy Director General, Schools	For students enrolled in government schools or non-enrolled students.
s11M(1)	Monitor, and carry out planning in relation to, the operation and effectiveness of this Subdivision and develop strategies to better provide for the education and training of children in the final years of compulsory education.	Chief Executive Officer	Deputy Director General, Schools	In respect of all government schools.
s11M(2)	Identify those children in final years of compulsory education who are not engaged full time in education, training or employment. Give such children information about school education and the options that are available under s 11B(1). Encourage and help parents to assist in the carrying out of these functions.	Chief Executive Officer	Deputy Director General, Schools	In respect of all government schools.
Division 2 - Enrolment, all schools				
s21(1)(f)	Authorise removal from the register on the ground that inquiries to establish the whereabouts of the child have not been successful.	Chief Executive Officer	Deputy Director General, Schools	In respect of all government schools.
Division 5 - Absentee students and non-participating children				
Subdivision 4 - Dealing with non-attendance and non-participation and enforcing attendance and participation				
s39(9)	Direct that the members of an Attendance Panel are to be paid remuneration or allowances or both and determine the amount of any such payments on the recommendation of the Public Sector Commissioner.	Chief Executive Officer	Deputy Director General, Schools	In respect of all government schools.

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s45	Authorise a person to conduct prosecution. Issue a certificate stating that the person has power to authorise prosecutions.	Chief Executive Officer	Deputy Director General, Schools	In respect of all government schools.
Part 3 - Government schools				
Division 1 - Establishment, closure etc				
s55(2)(a)	Assign a name and classification to a government school.	Chief Executive Officer	Deputy Director General, Schools	Nil
s55(2)(b)	Change the name or classification of a government school.	Chief Executive Officer	Deputy Director General, Schools	Applies only to changing the classification of a government school and does not include changing the name of a government school.
s56(1)(b)	Close any government school either temporarily or permanently.	Chief Executive Officer	Deputy Director General, Schools	Applies only to closing a government school temporarily and does not include closing a government school permanently.
s56(3)(a)	Change the classification of a school under s 55(2) if satisfied that a government school is regularly attended by less than the prescribed number of students.	Chief Executive Officer	Deputy Director General, Schools	Nil
Division 4 - Enrolment				
ss87(1), (3)-(4)	Appoint a Disabilities Advisory Panel.	Chief Executive Officer	Deputy Director General, Schools	Nil
s87(7)	Direct that the members of a Disabilities Advisory Panel are to be paid remuneration, allowances or both and determine the amount of any such payments on the recommendation of the Public Sector Commissioner.	Chief Executive Officer	Deputy Director General, Schools	In respect of all government schools.
Division 5 - Suspension and exclusion				
Subdivision 2 — Suspension and exclusion for breach of school discipline or disruptive behaviour				
s93(9)	Direct that the members of a School Discipline Advisory Panel are to be paid remuneration, allowances or both and determine the amount of any such payments on the recommendation of the Public Sector Commissioner.	Chief Executive Officer	Deputy Director General, Schools	Nil
Division 8 - Parent and community involvement				
Subdivision 1 - School Councils				
s129(2)-(4)	Approve additional functions for a school council.	Chief Executive Officer	Deputy Director General, Schools	For all government schools.
s130	In relation to a council seeking to become incorporated, approve an application for additional functions to be undertaken and approve a council's constitution prior to becoming incorporated.	Chief Executive Officer	Deputy Director General, Schools	Nil
s135	Give directions in writing to a council with respect to the performance of its functions, either generally or in relation to a particular matter.	Chief Executive Officer	Deputy Director General, Schools	Nil
Subdivision 2 - Parents and Citizens' Associations				
s145	Approve the provisions of the proposed constitution of an Association.	Chief Executive Officer	Deputy Director General, Schools	Nil
s149(3)	Give directions in writing to the appropriate person as to any matter relating to the name, constitution, objects of management of the Association.	Chief Executive Officer	Deputy Director General, Schools	Nil
Part 6A - Student residential colleges				

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Division 3 - Administration of student residential colleges				
Subdivision 1 - Operation and management				
s213D(2)	Determine, implement and monitor the standard of care provided to students at student residential colleges.	Chief Executive Officer	Deputy Director General, Schools	Nil
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
s213E(2)(f)	Use the expertise and resources of the department to provide consultancy, advisory or other services for profit.	Chief Executive Officer	Deputy Director General, Schools	Nil
Subdivision 2 – Regulations and code of conduct				
s213J(1)	Prepare and issue a code of conduct for students at student residential colleges.	Chief Executive Officer	Deputy Director General, Schools	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

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Column 1 Legislative reference	Column 2 For information only: Summary of function, power or duty	Column 3 Delegate	Column 4 Sub-delegate	Column 5 Condition, limitation or restriction
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
			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	
			Grant funds to not-for-profit organisations	
			Deputy Directors General	Up to \$5,000,000 in value, GST exclusive.
			Accept grant funding (non-Commonwealth)	
			Deputy Directors General	Nil
			Enter into a joint arrangement operating agreement	
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(2)(g)	Apply for, hold, exploit and dispose of any patent, patent rights, design rights, copyright, trademark or similar rights.	Chief Executive Officer	Deputy Director General, Schools	Nil
s216(2)(h)	Use the expertise and resources of the Department to provide consultancy, advisory or other services for profit.	Chief Executive Officer	Deputy Director General, Schools	Nil
s216(3)(b)	Grant allowances, awards and scholarships for the purpose of furthering education whether in the government or non-government schools.	Chief Executive Officer	Deputy Director General, Schools	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
Division 4 — Advisory panels				
s241	Establish advisory panels for the purposes of this Act.	Chief Executive Officer	Deputy Director General, Schools	Nil
Part 7 — Miscellaneous				
s242(1)(d)	Authorise disclosure of information.	Chief Executive Officer	Deputy Director General, Schools	Nil

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Column 1 Legislative reference	Column 2 For information only: Summary of function, power or duty	Column 3 Delegate	Column 4 Condition, limitation or restriction
Part 2 - Education of children during compulsory education period			
Division - Compulsory education with alternatives in final years of compulsory education			
Subdivision 1 — Enrolment of children of compulsory school age			
s9(3)	Give a certificate to the effect that all reasonably practical steps have been taken to secure parents compliance with compulsory enrolment.	Deputy Director General, Schools	Nil
s11AA	Request parents by notice in writing to provide proof of child's enrolment or registration for home education.	Deputy Director General, Schools	Nil
Division 6 - Home education			
s53	Cancel a home educator's registration.	Deputy Director General, Schools	Nil
Part 3 - Government Schools			
Division 2 - Functions of chief executive officer, principals and teachers			
s61	Determine, monitor and implement the standard of educational instruction in government schools and the standard of care provided to students in those schools.	Deputy Director General, Schools	Determining the standard of educational instruction in government schools and the standard of care provided to students in those schools.
Division 3 - Educational instruction			
s67	Determine the curriculum in government schools, in accordance with the <i>School Curriculum and Standards Authority Act 1997</i> .	Deputy Director General, Schools	Give directions about the curriculum in government schools.
Division 4 - Enrolment			
Division 5 - Suspension and exclusion			
Subdivision 2 — Suspension and exclusion for breach of school discipline or disruptive behaviour			
s92(1)	Receive recommendation from Principal of a government school that there are grounds under s 91 for the exclusion of a student from attendance at the school.	Deputy Director General, Schools	Nil
s92(3)	Refer recommendation and other information to a School Discipline Advisory Panel or a Disability Advisory Panel.	Deputy Director General, Schools	Nil
s94	Make an order under s 94 to exclude a student from attendance at a school.	Deputy Director General, Schools	Nil
Part 6A - Residential Colleges			
Division 4 - LINC Committee			
s213N	A LINC committee is to be constituted by not less than 4 or more than 10 members appointed by the chief executive officer.	Deputy Director General, Schools	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, Schools	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, Schools	Nil
s213U(2)	Approve a student residential college to have more than one bank account for college funds.	Deputy Director General, Schools	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	Deputy Director General, Schools	Nil

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	account for the fund of a college closed or amalgamated with another college to give effect of such a direction.		
Part 6 - Administration			
Division 2 - The Department			
s232	Give directions to a principal in writing with respect to the performance of the principal's functions under this Act.	Deputy Director General, Schools	Nil
Division 3 - Staff employed in the department			
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

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Column 1 Legislative reference	Column 2 For information only: Summary of function, power or duty	Column 3 Delegate	Column 4 Sub-delegate	Column 5 Condition, limitation or restriction
Part 3 - Management of government schools				
Division 7 - Advertising and sponsorship				
r50	Enter into a sponsorship arrangement within the limitations stated in regs 51, 52 and 53 of the School Education Regulations 2000.	Chief Executive Officer	Deputy Director General, Schools	For sponsorship arrangements that have effect for up to five years and up to a total value of \$1,000,000.
Part 6 - Government School Councils				
Division 2 – Constitution of Councils				
r104	Appoint an interim council for a school or appoint an interim council to operate jointly for 2 or more schools. Give approval referred to in sub regulation (1)(b). Appoint for an interim council such number of members, in such composition and for such term as is appropriate.	Chief Executive Officer	Deputy Director General, Schools	Nil
r106	Determine number of members a council operating for 2 or more schools jointly is to have.	Chief Executive Officer	Deputy Director General, Schools	Nil
r107	Determine the composition of a council if it operates for 2 or more schools jointly.	Chief Executive Officer	Deputy Director General, Schools	Nil
Part 7 - Parents and Citizens' Associations of government schools				
r124	Ensure proposed constitution of an association provides for prescribed matters before granting approval.	Chief Executive Officer	Deputy Director General, Schools	

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Column 1 Legislative reference	Column 2 For information only: Summary of function, power or duty	Column 3 Delegate	Column 4 Condition, limitation or restriction
Part 1 - Preliminary			
reg 3(1)	Approve an educational programme as a specialist programme.	Deputy Director General, Schools	Nil
Part 3 - Management of government schools			
Division 5 - Discipline			
Subdivision 2 - Suspension			
r43(1)(d)	Extend the period of suspension of a student from a public school.	Deputy Director General, Schools	Nil
r66	Waive whole or part of any fee for instruction for individual adult students in prescribed situations.	Deputy Director General, Schools	Nil
Part 5 - Management and control of government school premises			
Division 8 - Closure of school premises			
r83(1)(a)	Receive notification that an order to temporarily close the whole of the school premises under reg 82(1) has been made.	Deputy Director General, Schools	Nil
Part 6 - Government school Councils			
Division 2 - Constitution of Councils			
r108(3)	Specify, from time to time, the standards or requirements in relation to the conduct of elections under sub regulation (2).	Deputy Director General, Schools	Nil
r108(4)	Inquire into any matter affecting a council election or appointment and if any irregularity has occurred declare the results of election or appointment invalid or order an election or appointment or new election or appointment to be conducted.	Deputy Director General, Schools	Nil
r111(2)	Remove a person as a member of the council for a school on the grounds that the continuation of the person as a member would be detrimental to the interests of the council.	Deputy Director General, Schools	Nil

School Education (Student Residential Colleges) Regulations 2017
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Column 1 Legislative reference	Column 2 For information only: Summary of function, power or duty	Column 3 Delegate	Column 4 Sub-delegate	Column 5 Condition, limitation or restriction
Part 5 - Suspending students and terminating boarding agreements				
r26(4)(b)	Constitute a panel under reg 27.	Chief Executive Officer	Deputy Director General, Schools	Nil
r26(5)(b)	Direct the panel to allow a person appearing before the panel to be represented by another person.	Chief Executive Officer	Deputy Director General, Schools	Nil
r27(2)	Appoint at least 3 persons to constitute the panel.	Chief Executive Officer	Deputy Director General, Schools	Nil
r27(4)	Appoint one of the appointees to chair the panel.	Chief Executive Officer	Deputy Director General, Schools	Nil
r27(6)	Give in writing the panel directions as to its procedure.	Chief Executive Officer	Deputy Director General, Schools	Nil
Part 6 - Operation and management of colleges				
Division 2 — Advertising and sponsorship				
r33	Enter into a sponsorship arrangement within the limitations stated in regs 34 and 35.	Chief Executive Officer	Deputy Director General, Schools	For sponsorship arrangements that have effect for up to five years and up to a total value of \$1,000,000.

School Education (Student Residential Colleges) Regulations 2017

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Part 2 - Places at colleges			
Division 1 - General provisions			
r5	Make the terms of the boarding agreement that applies to and in respect of students who reside at colleges publicly available.	Deputy Director General, Schools	Nil
Division 2 - Applying for places			
r6(3)	Waive the application fee in whole or in part.	Deputy Director General, Schools	Nil.
r7	Receive and consider a written notice of an objection to an application or boarding agreement.	Deputy Director General, Schools	Nil
r9	Request an applicant to provide: <ul style="list-style-type: none"> any information required by reg 6 that has not been provided; and documentary evidence in support of any information required by reg 6. Refuse to further deal with an application until a request made under reg 9(1) is obeyed.	Deputy Director General, Schools	Nil
Division 4 - Boarding agreements			
r14(8)	Reduce costs and charges payable for the student's accommodation on a pro rata basis.	Deputy Director General, Schools	Nil
r16	Terminate a boarding agreement for a student.	Deputy Director General, Schools	Nil
Part 5 - Suspending students and terminating board agreements			
r23	Suspend a student or terminate a boarding agreement.	Deputy Director General, Schools	Nil
r26(2)(b)	Receive a written request to review a decision to terminate a boarding agreement under reg 23.	Deputy Director General, Schools	Nil
r26(4)(a)	Advise the Minister of the need to constitute a panel under reg 27.	Deputy Director General, Schools	Nil
r26(4)(c)	Provide the panel with: <ul style="list-style-type: none"> a copy of the request and any material sent with it; and any information or material that relates to the decision to terminate the agreement. 	Deputy Director General, Schools	Nil
r26(4)(d)	Receive a written report of the review that includes the panel's recommendations.	Deputy Director General, Schools	Nil
r26(6)	After receiving the Review Advisory Panel's Report: <ul style="list-style-type: none"> consider the report and review the decision as requested; confirm, vary or cancel the decision; and give the applicant written notice of the result of the review. 	Deputy Director General, Schools	Nil
r27(5)	Provide the panel with such support services as it may reasonably require.	Deputy Director General, Schools	Nil

Public Sector Management Act 1994
Chief Executive Officer's Instrument of Delegation

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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. 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. Subject to the position being approved within the organisational structure by the Director General as per s 36(1)(a).
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. 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
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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. <i>School Education Act 1999</i> 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.

Public Sector Management (Redeployment and Redundancy) Regulations 2014

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Column 1 Legislative reference	Column 2 For information only: Summary of function, power or duty	Column 3 Delegate	Column 4 Condition, limitation or restriction
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.

Children And Community Services Act 2004

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Part 3 - Administrative Matters			
Division 6 - Information Sharing			
28B(1), (2)	Disclose information to, or request information from, the CEO of another prescribed authority or an authorised entity if of the opinion that the information is relevant information.	Deputy Director General, Schools	Information must relate to the wellbeing of students.