

EDUCATION AND TRAINING REFORM ACT 2006

**INSTRUMENT OF DELEGATION BY THE SECRETARY TO THE DEPARTMENT OF EDUCATION
AND TRAINING
2022/D10**

1. PURPOSE

The purpose of this instrument is to delegate the powers and functions specified in Schedule 1 conferred on the Secretary to the Department of Education and Training by the *Education and Training Reform Act 2006* and *Ministerial Order No.1388 – Teaching Service (Employment Conditions, Salaries, Allowances, Selection and Conduct) Order 2022* (“Ministerial Order 1388”).

2. AUTHORITY

This instrument is made under the power conferred by section 5.3.3 of the *Education and Training Reform Act 2006* and clause 12.1.1 of *Ministerial Order No.1388*.

3. REVOCATION

All previous instruments of delegation that delegate any powers and functions are revoked to the extent that they delegate powers or functions delegated under clause 4 of this instrument, including instrument of delegation 2020/D01.

4. DELEGATION

(1) The Secretary to the Department of Education and Training delegates the powers and functions stated in Column 2 of Schedule 1 to the persons occupying, or for the time being performing the duties of, the delegate level described in Column 5 of Schedule 1.

(2) Schedule 2 identifies the positions nominated at each delegate level.

(3) The delegates are instructed to observe and comply with the limitations and conditions in clause 5 of this instrument.

(4) The information in columns 1 and 3 of a Delegation Schedule is for ease of reference only and does not limit or affect the interpretation of any of the delegated powers or any of the provisions specified in column 2 of the Delegation Schedule.

5. LIMITATIONS AND CONDITIONS

(1) Prior to the exercise of any power or function the delegate must consider whether the matter –

(i) is of such importance that it should be submitted to; or

(ii) possesses special features which should be considered by,

a delegate at a higher level or the Secretary, Department of Education and Training.

- (2) If the delegate considers under sub-clause 5(1) that a matter should be considered by or submitted to the Secretary, Department of Education and Training, the delegate must first refer the matter to the Executive Director, Schools Human Resources Division.
- (3) The delegate must:
 - (i) conform with any specific limitations on the exercise of the delegated power or function imposed on the Secretary by or under the *Education and Training Reform Act 2006* or *Ministerial Order No. 1388* or as specified in Schedule 1;
 - (ii) act in a manner consistent with the general duties and functions of the Secretary to the Department of Education and Training under the *Education and Training Reform Act 2006* and consistent with the objects and purposes of the *Education and Training Reform Act 2006*;
 - (iii) conform with any specific limitations imposed by the Secretary on the exercise of a delegated power or function including those published on the Department's human resources website;
 - (iv) not take any action inconsistent with:
 - (a) the *Education and Training Reform Act 2006*;
 - (b) any applicable Commonwealth legislation, including any applicable Federal Award or Workplace Agreement;
 - (c) any applicable Victorian legislation, including any regulations or Orders made under the *Education and Training Reform Act 2006*.
 - (v) comply with the law on the exercise of delegated functions (in particular with the rules of administrative law);
 - (vi) only exercise the delegation in respect of persons other than the delegate.
- (4) Unless otherwise stated:
 - (i) Regional Directors must only exercise the delegation in respect of teaching service positions or employees in their region's work locations;

- (ii) Principals must only exercise the delegation in respect of teaching service positions or employees in their school;
 - (iii) Deputy Secretaries, other than a Level 1 delegate, must only exercise the delegation in respect of teaching service positions or employees in their group.
- (5) In exercising any delegation, the delegate must be satisfied that any cost implication of the decision can be funded and that the delegate has the appropriate financial delegation.

6. DATE OF EFFECT

This instrument takes effect on and from the day it is made.

Dated this **30th** day of **December** 2022

A handwritten signature in black ink, appearing to read 'Jenny Atta', with a stylized flourish at the end.

Jenny Atta
Secretary
Department of Education and Training

SCHEDULE 1

EDUCATION AND TRAINING REFORM ACT 2006

DELEGATION OF POWERS, FUNCTIONS AND DUTIES OF THE EDUCATION AND TRAINING REFORM ACT 2006 AND MINISTERIAL ORDER 1388 BY THE SECRETARY TO THE DEPARTMENT OF EDUCATION AND TRAINING

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POWERS AND FUNCTIONS

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Delegation Reference	Education & Training Reform Act Power/Function	Description	Limitations/Conditions	Delegate Level
SEC 1.1.1	Education & Training Reform Act 2006 Section 2.4.3(3)(a)	Create, abolish or otherwise deal with any position in the teaching service.		Level 1, 2, 3, 4
SEC 1.1.2	Education & Training Reform Act 2006 Section 2.4.5(1)	Cause a public notice of the vacancy of a position or a proposed position in the teaching service to be published.	Level 2, 3 and 4 delegates may only exercise this power in relation to assistant principal, teacher class, paraprofessional class or education support class positions.	Level 1, 2, 3, 4
SEC 1.1.3	Education & Training Reform Act 2006 Section 2.4.5(2)(f)	Determine that it is not in the public interest or efficient to publish a notice of a vacancy or proposed vacancy.		Level 1
SEC 1.1.4	Ministerial Order No. 1388 Clause 4.2.2(1)(f)	Advertise a position in the education support class that requires attendance during any or all of the additional paid leave specified in clause 6.1.1(1)(b) of Ministerial Order No.1388.		Level 1, 2, 3, 4
SEC 2.1.1	Ministerial Order No.1388 Clause 3.1.1(1)(a)	Be satisfied that a person is an Australian citizen or a permanent resident in Australia under any law of the Commonwealth or entitled to permanent residency in Australia under any law of the Commonwealth; or is entitled to be resident in Victoria for sufficient periods to enable the person to undertake the duties of a position.		Level 1, 2, 3, 4

Column 1	Column 2	Column 3	Column 4	Column 5
Delegation Reference	Education & Training Reform Act Power/Function	Description	Limitations/Conditions	Delegate Level
SEC 2.1.2	Ministerial Order No.1388 Clause 3.1.1(1)(b)	Approve the type of pre-employment health declaration which a person must undergo to be an employee in the teaching service. Be satisfied as to the health and fitness of a person for employment. Where there is reason to doubt a person's health and fitness require the person to be examined by a medical practitioner.	Level 2, 3 and 4 delegates cannot approve the type of pre-employment health declaration which a person must undergo to be an employee in the teaching service.	Level 1, 2, 3, 4
SEC 2.1.3	Ministerial Order No.1388 Clause 3.1.1(1)(c)	Be satisfied that a person is a fit and proper person to be an employee of the teaching service.		Level 1, 2, 3, 4
SEC 2.1.4	Ministerial Order No.1388 Clause 3.1.1(2)	Where it is considered to be in the interests of Victoria, waive the eligibility requirements for employment set out in clause 3.1.1(1) of Ministerial Order No.1388.		Level 1
SEC 2.1.5	Ministerial Order No. 1388 Clause 3.1.5(1)	Determine that a person's eligibility for employment is subject to an employment limitation.		Level 1, 2, 6
SEC 2.1.6	Ministerial Order No. 1388 Clause 3.1.5(2)	Establish criteria and procedures for imposing an employment limitation on a person including the grounds for review of an employment limitation.		Level 1
SEC 2.1.7	Ministerial Order No. 1388 Clause 3.2.2(1)	Approve the organisation to undertake record checks.		Level 1

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Delegation Reference	Education & Training Reform Act Power/Function	Description	Limitations/Conditions	Delegate Level
SEC 2.1.8	Ministerial Order No.1388 Clause 3.2.2(5)	Determine the form to be used to obtain consent to a records check.		Level 1, 2
SEC 2.1.9	Ministerial Order No. 1388 Clause 3.2.3(3)(a)	Determine any dispute as to whether a position requires its incumbent to undertake the duties of a teacher in a school.		Level 1, 2, 3, 4
SEC 2.1.10	Ministerial Order No. 1388 Clause 3.2.3(3)(b)	Determine any dispute as to whether a position usually involves or is likely to involve work in a school.		Level 1, 2, 3, 4
SEC 2.1.11	Ministerial Order No. 1388 Clause 3.2.4	Require a person to undergo a records check in respect of initial employment or promotion, transfer, assignment or otherwise to a position, which requires the person to be registered under Part 2.6 of the Act.		Level 1, 2, 3, 4, 6
SEC 2.1.12	Ministerial Order No. 1388 Clause 3.2.5	Require a person to undergo a records check in respect to initial employment, promotion, transfer, assignment or otherwise to a position that usually involves or is likely to involve work in a school which does not require the person to be registered under Part 2.6 of the Act.		Level 1, 2, 3, 4, 6

Column 1	Column 2	Column 3	Column 4	Column 5
Delegation Reference	Education & Training Reform Act Power/Function	Description	Limitations/Conditions	Delegate Level
SEC 2.1.13	Ministerial Order No. 1388 Clause 3.2.6(2)	Be satisfied it is appropriate to employ a person, having regard to a records check in respect of the initial employment, promotion, transfer, assignment or otherwise to any position under the Education and Training Reform Act 2006 that does not require the person to be registered or have permission to teach under Part 2.6 of the Education and Training Reform Act 2006 or have a WWC Check and a WWC clearance.		Level 1, 2, 6
SEC 2.1.14	Ministerial Order No. 1388 Clause 3.2.7	Suspend without pay an employee who, following notice, has not applied for a WWC Check until the employee provides a WWC clearance or until the Secretary determines to terminate the employee's employment.		Level 1
SEC 2.1.15	Ministerial Order No. 1388 Clause 3.2.8	Send a notice to an employee requiring production to the Secretary of WWC clearance provided to the employee under the Worker Screening Act 2020.		Level 1, 2, 3, 4
SEC 2.1.16	Ministerial Order No. 1388 Clause 3.2.8	Terminate the employment of an employee who does not provide to the Secretary, when required, a WWC clearance provided to the employee under the Worker Screening Act 2020.	Termination must not occur fewer than 14 days from the employee's receipt or deemed receipt of a notice from the Secretary requiring production to the Secretary of a WWC clearance in relation to the employee.	Level 1, 2, 3, 4
SEC 2.1.17	Ministerial Order No. 1388 Clause 3.2.10	Notify in writing an employee whose employment is suspended or terminated or whose employment ceases.		Level 1, 2, 3, 4

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Delegation Reference	Education & Training Reform Act Power/Function	Description	Limitations/Conditions	Delegate Level
SEC 2.1.18	Ministerial Order No. 1388 Clause 3.2.11(1)	Notify a person recommended for initial employment, promotion, transfer, assignment or otherwise to a position if they are not satisfied that it is appropriate to employ or otherwise appoint that person.		Level 1, 2, 6
SEC 2.2.1	Ministerial Order No.1388 Clause 3.1.1(1)(d)	Be satisfied that a person has fulfilled such qualification requirements for employment in the teaching service as are in effect at the time.		Level 1, 2, 3, 4
SEC 2.2.2	Ministerial Order No.1388 Clause 3.1.3	Require particular qualifications and/or training for any specific position.	Level 2, 3 and 4 delegates may only exercise this power in relation to assistant principal, teacher class, paraprofessional class or education support class positions.	Level 1, 2, 3, 4
SEC 2.2.3	Ministerial Order No. 1388 Clause 3.1.4	Employ, transfer or promote a person who would not otherwise be qualified for employment, transfer or promotion.	Level 2, 3 and 4 delegates may only exercise this power in relation to assistant principal, teacher class, paraprofessional class or education support class positions.	Level 1, 2, 3, 4
SEC 2.3.1	Education & Training Reform Act 2006 Section 2.4.6(1)	When deciding whom to employ to fill a principal vacancy, take into account, in accordance with any Ministerial Order, the recommendation of the school council, or a committee approved by the Minister.		Level 1

Column 1	Column 2	Column 3	Column 4	Column 5
Delegation Reference	Education & Training Reform Act Power/Function	Description	Limitations/Conditions	Delegate Level
SEC 2.3.2	Ministerial Order No. 1388 Clause 9.2.1	Be responsible for executive class and liaison principal selection. Form a selection panel for an executive class or liaison principal position.		Level 1
SEC 2.3.3	Ministerial Order No. 1388 Clause 9.2.2	Ensure that selection criteria for an executive class or liaison principal position are consistent with the role description of the position.		Level 1
SEC 2.3.4	Ministerial Order No. 1388 Clauses 9.4.2 and 9.5.2	Form a selection panel in a school where there is no principal position in the case of a teacher class or education support class position.		Level 1, 3
SEC 2.4.1	Ministerial Order No. 1388 Clause 9.2.7	Employ, transfer or promote a person to a vacant executive class or liaison principal position.		Level 1
SEC 2.4.2	Education & Training Reform Act 2006 Section 2.4.3(3)(b) and (c)	Employ as many persons as are required as ongoing or temporary employees for the exercise of the functions of the teaching service.	Level 2, 3 and 4 delegates may only exercise this power in relation to assistant principal, teacher class, paraprofessional class or education support class positions.	Level 1, 2, 3, 4

Column 1	Column 2	Column 3	Column 4	Column 5
Delegation Reference	Education & Training Reform Act Power/Function	Description	Limitations/Conditions	Delegate Level
SEC 2.4.3	Education & Training Reform Act 2006 Section 2.4.3(3)(h)	Administratively transfer an employee to other duties in the teaching service.	<ul style="list-style-type: none"> Delegates must comply with any employment standards issued by the Victorian Public Sector Commission. Level 3 and 4 delegates may only exercise this power to administratively transfer an employee to a position within a location (such as a school, regional office or group) managed by the delegate with the agreement of the employee and the relinquishing manager (who must also be a level 3 or 4 delegate) of the location from which the employee is being transferred. 	Level 1, 2, 3, 4
SEC 2.4.4	Education & Training Reform Act 2006 Section 2.4.4(1)(a)	Take steps to employ, transfer or promote a person to fill a vacant position.	<ul style="list-style-type: none"> Level 2, 3 and 4 delegates may only exercise this power in relation to assistant principal, teacher class, paraprofessional class or education support class positions. Transfer to a lower classified position cannot occur without the consent of the person. 	Level 1, 2, 3, 4
SEC 2.4.5	Education & Training Reform Act 2006 Section.2.4.38	Determine the equivalent teaching service designation of a public service employee for the purpose of transferring or promoting to a position in the teaching service.		Level 1, 2
SEC 2.4.6	Education & Training Reform Act 2006 Section 2.4.53(2)	Reconsider a decision to refuse employment on qualification or experience grounds following an order of a Merit Protection Board.	Level 2, 3 and 4 delegates may only exercise this power in relation to assistant principal, teacher class, paraprofessional class or education support class positions.	Level 1, 2, 3, 4

Column 1	Column 2	Column 3	Column 4	Column 5
Delegation Reference	Education & Training Reform Act Power/Function	Description	Limitations/Conditions	Delegate Level
SEC 2.4.7	Education & Training Reform Act 2006 Section 2.4.41(2)	Be satisfied that there are special circumstances which make it reasonable for an employee selected for promotion to a vacant position to decline the promotion.		Level 1, 2, 3, 4, 7
SEC 2.4.8	Education & Training Reform Act 2006 Section 2.4.41(5)	Cancel a provisional promotion before it has been confirmed: <ul style="list-style-type: none"> • where it is considered that the position is redundant; or • where the vacancy was not notified at least once; or • there is an employee without a position available to fill the vacancy. 		Level 1, 2, 3, 4, 7
SEC 2.4.9	Education & Training Reform Act 2006 Section 2.4.41(6)	Cancel a transfer or promotion at any time if satisfied that the person promoted or transferred does not possess the necessary qualifications for the position.		Level 1, 2
SEC 2.4.10	Education & Training Reform Act 2006 Section 2.4.41(9)	Give effect to any determination of the Merit Protection Board in respect of an appeal against the cancellation of a promotion or transfer under section 2.4.41(6) of the Act.		Level 1, 2, 3, 4
SEC 2.4.11	Education & Training Reform Act 2006 Section 2.4.52(2)	Confirm a provisional transfer or promotion if a Merit Protection Board makes an order under sections 2.4.51 or 2.4.54 of the Act that a provisional transfer or promotion may be confirmed.	Level 2, 3 and 4 delegates may only exercise this power in relation to assistant principal, teacher class, paraprofessional class or education support class positions.	Level 1, 2, 3, 4

Column 1	Column 2	Column 3	Column 4	Column 5
Delegation Reference	Education & Training Reform Act Power/Function	Description	Limitations/Conditions	Delegate Level
SEC 2.4.12	Education & Training Reform Act 2006 Section 2.4.52(3)	Confirm a provisional transfer or promotion if no application for review is lodged within 14 days after the publication of the provisional appointment.	Level 2, 3 and 4 delegates may only exercise this power in relation to assistant principal, teacher class, paraprofessional class or education support class positions.	Level 1, 2, 3, 4
SEC 2.4.13	Education & Training Reform Act 2006 Section 2.4.27(3)	Where an employee is performing work in a lower class or grade than that corresponding to an employee's classification, transfer the employee as soon as practicable to some other position corresponding with his or her classification.	Level 2, 3 and 4 delegates may only exercise this power in relation to assistant principal, teacher class, paraprofessional class or education support class positions.	Level 1, 2, 3, 4
SEC 2.4.14	Education & Training Reform Act 2006 Section 2.4.31(2)	Re-employ a person who satisfies the criteria set out in section 2.4.31(2A) in accordance with section 2.4.31(2).		Level 1
SEC 2.4.15	Education & Training Reform Act 2006 Sections 2.4.34(2) and 2.4.34(3)	Reinstate a person who has ceased to be an employee under Section 2.4.34(1).		Level 1, 4

Column 1	Column 2	Column 3	Column 4	Column 5
Delegation Reference	Education & Training Reform Act Power/Function	Description	Limitations/Conditions	Delegate Level
SEC 2.4.16	Ministerial Order No.1388 Clause 12.2.1	<p>Treat a fixed term employee who is absent for more than 20 working days as having resigned and the employment as having been terminated at the employee's initiative where:</p> <ul style="list-style-type: none"> the Secretary (or a delegate of the Secretary) could not reasonably after due enquiry have been aware of any reasonable grounds for the absence; and the absence is without the permission of the Secretary (or a delegate of the Secretary); and the fixed term employee has not contacted the Secretary (or a delegate of the Secretary) and provided the Secretary (or a delegate of the Secretary) with an explanation of the absence. 		Level 1, 2, 3, 4
SEC 2.5.1	Ministerial Order No.1388 Clause 9.6.1(1)	Determine that a person's employment in an ongoing position in the teaching service will not be on probation.	Level 2, 3 and 4 delegates may only exercise this power in relation to assistant principal, teacher class, paraprofessional class or education support class employees.	Level 1, 2, 3, 4
SEC 2.5.2	Ministerial Order No.1388 Clause 9.6.1(1)	Determine the period of the probation (not exceeding 12 months or 6 months in respect of an education support class employee) for employment in an ongoing position in the teaching service.		Level 1, 2, 3, 4

Column 1	Column 2	Column 3	Column 4	Column 5
Delegation Reference	Education & Training Reform Act Power/Function	Description	Limitations/Conditions	Delegate Level
SEC 2.5.3	Education & Training Reform Act 2006 Sections 2.4.8(2) and 2.4.8(3) Ministerial Order No.1388 Clause 9.6.4	Annul or confirm, pursuant to Ministerial Order 1388, the employment of a person at any time while he or she is a probationer.	Level 2, 3 and 4 delegates may only exercise this power in relation to assistant principal, teacher class, paraprofessional class or education support class employees.	Level 1, 2, 3, 4
SEC 2.5.4	Ministerial Order No.1388 Clause 9.6.2(1)	Confirm the employment of a probationer at the expiration of the period of probation.		Level 1, 2, 3, 4
SEC 2.5.5	Ministerial Order No.1388 Clause 9.6.2(2)	Annul the employment of a probationer at the expiration of the period of probation.	Level 2, 3 and 4 delegates may only exercise this power in relation to assistant principal, teacher class, paraprofessional class or education support class employees.	Level 1, 2, 3, 4
SEC 2.5.6	Ministerial Order No.1388 Clause 9.6.2(3)	Extend the probation period of a probationer for a further period (not exceeding 12 months for a teacher or 6 months in respect of an education support class employee) at the expiration of the period of probation under clause 9.6.1 of Ministerial Order No. 1388.		Level 1, 2, 3, 4
SEC 2.5.7	Ministerial Order No.1388 Clause 9.6.3	Where a probationary period has been extended, confirm or annul the employment of a probationer at any time during that further period or as soon as practicable upon the expiration of that period.	Level 2, 3 and 4 delegates are limited to employees who are assistant principals, teacher class, paraprofessional class or education support class.	Level 1, 2, 3, 4
SEC 2.5.8	Ministerial Order No.1388 Clause 9.6.5	Determine the date of effect of any annulment of employment of a probationer. Annulment cannot be retrospective and the employee must be provided with any notice period required under the National Employment Standards.		Level 1, 2, 3, 4

Column 1	Column 2	Column 3	Column 4	Column 5
Delegation Reference	Education & Training Reform Act Power/Function	Description	Limitations/Conditions	Delegate Level
SEC 2.6.1	Education & Training Reform Act 2006 Section 2.4.14(2)	Sign a contract of employment with a member of the principal class.	<ul style="list-style-type: none"> • Delegation is limited to signing a contract in the form determined by the Secretary. • Level 4 delegates may only exercise this power in relation to employees who are assistant principals. 	Level 1, 2, 3, 4
SEC 2.6.2	Education & Training Reform Act 2006 Section 2.4.19(3)(b)	Act in accordance with any provision in a former principal class employee's contract of employment concerning transfer to a position in the teaching service following the expiry or termination of a contract.		Level 1, 4
SEC 2.7.1	Education & Training Reform Act 2006 Section 2.4.23C(2)	Sign a contract of employment with a member of the executive class.		Level 1
SEC 3.1.1	Ministerial Order No.1388 Clause 8.1.1	Determine procedures for part-time employment.		Level 1
SEC 3.2.1	Ministerial Order No.1388 Clause 4.1.2	Require a principal class employee to attend outside the ordinary hours of attendance to supervise the dismissal of students, to attend staff conferences and parent or school council meetings.	Level 4 delegates may only exercise this power in relation to employees who are assistant principals.	Level 1, 2, 3, 4
SEC 3.2.2	Ministerial Order No.1388 Clause 4.1.3(1)(b)	Require teachers and paraprofessionals to undertake other duties for up to three hours, including attendance at meetings provided that not more than two hours of the three hours can be used for meetings.		Level 1, 2, 3, 4

Column 1	Column 2	Column 3	Column 4	Column 5
Delegation Reference	Education & Training Reform Act Power/Function	Description	Limitations/Conditions	Delegate Level
SEC 3.2.3	Ministerial Order No.1388 Clause 4.1.3(2)(b)	Grant time in lieu for the hours in excess of 38 hours per week accrued by a teacher or the pro rata hours of a part-time teacher.		Level 1, 2, 3, 4
SEC 3.2.4	Ministerial Order No.1388 Clause 4.1.3(3)	Grant time in lieu in the fortnight in which it is accrued. Where this is not possible, grant time in lieu at any other time prior to the end of the school year.	Time in lieu is to be granted at a time that causes least disruption to the educational program of the school.	Level 1, 2, 3, 4
SEC 4.1.1	Education & Training Reform Act 2006 Section 2.4.3(3)(d)	Assign work to an employee in the teaching service.	Level 2 and 3 delegates may only assign work to an employee at another school with the agreement of the principal of that school.	Level 1, 2, 3, 4
SEC 4.1.2	Education & Training Reform Act 2006 Section 2.4.4(1)(b)	Assign for a specified period a qualified person to fill a vacant position.		Level 1, 2, 3, 4
SEC 4.2.1	Education & Training Reform Act 2006 Section 2.4.19(3)(a) and Section 2.4.19(4)	Direct a former member of the principal class to carry out any of the duties of a position in the principal class.	Level 2, 3 and 4 delegates can only direct and cannot transfer a former member of the principal class under section 2.4.19(3)(a) of the Education and Training Reform Act 2006.	Level 1, 2, 3, 4
SEC 4.2.2	Education & Training Reform Act 2006 Section 2.4.19(3)(a)	Transfer a former member of the principal class to any other position in the teaching service (including a position with terms and conditions less favourable to the employee) that the delegate considers appropriate.	Level 1 delegate can only transfer to a position in the teacher class or education support class.	Level 1

Column 1	Column 2	Column 3	Column 4	Column 5
Delegation Reference	Education & Training Reform Act Power/Function	Description	Limitations/Conditions	Delegate Level
SEC 4.3.1	Education & Training Reform Act 2006 Section 2.4.23F(3)	Direct a member of the executive class who is an ongoing employee to carry out any of the duties of a position in the executive class or transfer the employee to any other position in the teaching service (including a position with terms and conditions less favourable to the employee) that the delegate considers appropriate.		Level 1
SEC 4.4.1	Education & Training Reform Act 2006 Section 2.4.27(1)	Consent to an employee being assigned to act in a position of a higher class or grade for longer than three months.		Level 1, 2, 3, 4
SEC 4.4.2	Ministerial Order No.1388 Clause 2.6.4(5)	Assign higher duties on conditions other than those provided for in clause 2.6.4 of Ministerial Order No.1388.		Level 1
SEC 4.5.1	Ministerial Order No.1388 Clause 6.10.10(1)	If an appropriate position is available, temporarily transfer a pregnant employee to a safe position that minimises the risk or hazards identified by a registered medical practitioner.	Level 2 and 3 delegates may only temporarily transfer an employee to another school with the agreement of the principal of that school.	Level 1, 2, 3, 4
SEC 5.1.1	Ministerial Order No.1388 Clauses 2.1.3(2)	Review the salary of an executive class employee in the context of any changes in work value of the position and the performance of the employee.		Level 1
SEC 5.2.1	Ministerial Order No.1388 Clause 2.2.3(2)(a)	Determine the salary range for each principal position.	Salary range must be within the ranges as specified for principals in Ministerial Order No.1388.	Level 1

Column 1	Column 2	Column 3	Column 4	Column 5
Delegation Reference	Education & Training Reform Act Power/Function	Description	Limitations/Conditions	Delegate Level
SEC 5.2.2	Ministerial Order No.1388 Clause 2.2.3(2)(d)	Determine any dispute concerning matters to be taken into account in determining the school budget or in any way related to assessing the budget of the school.		Level 1
SEC 5.2.3	Ministerial Order No.1388 Clause 2.2.3(3)	Determine the salary range for each assistant principal position.	Salary range must be within the ranges as specified for assistant principals in Ministerial Order No.1388.	Level 1, 2, 3, 4
SEC 5.2.4	Ministerial Order No.1388 Clause 2.2.3(4)	Determine the salary range for each liaison principal position.	Salary range must be within the ranges as specified for liaison principals in Ministerial Order No.1388.	Level 1
SEC 5.2.5	Ministerial Order No.1388 Clause 2.2.3(6)	Determine the salary for a principal class employee engaged in full time duties not connected with the school to which they are appointed,	Salary must be within the ranges specified for each classification level of the principal class in Ministerial Order No. 1388.	Level 1
SEC 5.2.6	Ministerial Order No.1388 Clauses 2.2.5(1)	Review the salary range of a principal class employee in the context of any changes to the school budget (including consideration of budgets of co-located services).	Level 7 delegates can only conduct a salary range review of a principal and then only based on the school budget.	Level 1, 4, 7
SEC 5.2.7	Ministerial Order No.1388 Clauses 2.2.5(2)	Determine the outcome of a salary range review conducted under clause 2.2.5(1).	<ul style="list-style-type: none"> Level 4 delegates can only determine a salary range movement within a classification level. Level 7 delegates can only determine a salary range movement for a principal that is consistent with the school budget. 	Level 1, 4, 7

Column 1	Column 2	Column 3	Column 4	Column 5
Delegation Reference	Education & Training Reform Act Power/Function	Description	Limitations/Conditions	Delegate Level
SEC 5.2.8	Ministerial Order No.1388 Clause 2.2.5(3)(a) and (b)	Separate to any review under clause 2.2.5(2), review a principal class employee's salary in the context of any changes to the work value of the position and the performance of the principal class employee.		Level 1, 4
SEC 5.2.9	Ministerial Order No.1388 Clause 2.2.5(4)(b)	Following a salary review under clause 2.2.5(1) or (3), determine salary at a rate higher than the minimum salary of a higher range.		Level 1, 4
SEC 5.2.10	Ministerial Order No. 1388 Clauses 2.2.5(6)	Determine a salary range of a principal that is higher than that indicated by the school budget.	The salary range must be within the ranges as specified for principals in Ministerial Order No.1388.	Level 1
SEC 5.2.11	Ministerial Order No.1388 Clauses 2.2.7(3)(a)	Determine the salary of a principal class employee transferred to a position at a salary range lower than the principal class employee's salary range immediately prior to the transfer.	The salary determined cannot be less than the salary determined as if all of the principal class employee's service at or above that lower salary range had been at the lower salary range.	Level 1, 4
SEC 5.3.1	Education & Training Reform Act 2006 Section 2.4.18(1)	Review the performance of a member of the principal class.		Level 1, 2, 3, 4
SEC 5.3.2	Education & Training Reform Act 2006 Section 2.4.18(3) and (4)	Determine the principles governing the conduct of any review of the performance of a member of the principal class and publish such principles.		Level 1
SEC 5.4.1	Education & Training Reform Act 2006 Section 2.4.11(1)	Grant or refuse to grant progression of salary.		Level 1, 2, 3, 4

Column 1	Column 2	Column 3	Column 4	Column 5
Delegation Reference	Education & Training Reform Act Power/Function	Description	Limitations/Conditions	Delegate Level
SEC 5.4.2	Ministerial Order No.1388 Clause 2.2.4(1) and (5), Clause 2.3.2(1) and (7), Clause 2.4.2(1) and (7) and Clause 2.5.2(1) and (7)	Determine procedures for salary progression including accelerated salary progression.		Level 1
SEC 5.4.3	Ministerial Order No.1388 Clauses 2.2.4(2), 2.3.2(2), 2.4.2(2) and 2.5.2(2)	Determine salary progression criteria appropriate to each classification level.		Level 1
SEC 5.5.1	Ministerial Order No.1388 Clause 2.3.4(1)	Approve teaching experience for the purpose of determining salary on commencement.		Level 1
SEC 5.5.2	Ministerial Order No.1388 Clauses 2.4.5(1) and (2) and 2.5.3(1) and (2)	Review the salary range of a paraprofessional or an education support class employee.		Level 1, 2, 3, 4
SEC 5.5.3	Ministerial Order No.1388 Clause 2.7.3(2)	Determine that an employee commence at a subdivision other than the minimum.		Level 1, 2, 3, 4
SEC 5.6.1	Ministerial Order No.1388 Clause 2.7.3(1)(a)	Determine the salary of any employee for whose circumstances no provision is made in Part 2 of Ministerial Order No.1388.	Salary must be determined within one of the relevant classifications specified in Ministerial Order No.1388.	Level 1
SEC 5.7.1	Ministerial Order No.1388 Clause 2.6.2(1)	Determine special payment procedures.		Level 1

Column 1	Column 2	Column 3	Column 4	Column 5
Delegation Reference	Education & Training Reform Act Power/Function	Description	Limitations/Conditions	Delegate Level
SEC 5.7.2	Ministerial Order No.1388 Clause 2.6.2(2)	Pay a special payment to an employee, other than an executive class or principal class employee, in accordance with procedures determined by the Secretary under clause 2.6.2(1).		Level 1, 2, 3, 4
SEC 5.7.3	Ministerial Order No.1388 Clause 2.6.2(2)(c)	Determine a purpose for special payments other than those specified in subclauses 2.6.2(2)(a) and (b).		Level 1
SEC 5.7.4	Ministerial Order No.1388 Clause 2.6.2(3)	Subject to any procedures determined by the Secretary under clause 2.6.2(1) pay a special payment fortnightly or as a lump sum if the employee and the principal agree.		Level 1, 2, 3, 4
SEC 5.8.1	Ministerial Order No.1388 Clause 2.6.6(1)	Determine whether a school is remote.		Level 1
SEC 5.8.2	Ministerial Order No.1388 Clause 2.6.6(2)	Determine and/or vary whether a school is classified as Remote Category A or Remote Category B.		Level 1
SEC 5.9.1	Ministerial Order No.1388 Clause 2.6.3	Determine positions for which a special schools allowance shall be paid.		Level 1
SEC 5.10.1	Education & Training Reform Act 2006 Section 2.4.27(2)	Grant an appropriate allowance to an employee assigned to act in a position of a higher class or grade for longer than five working days in accordance with Ministerial Order No. 1388.		Level 1, 2, 3, 4

Column 1	Column 2	Column 3	Column 4	Column 5
Delegation Reference	Education & Training Reform Act Power/Function	Description	Limitations/Conditions	Delegate Level
SEC 5.10.2	Ministerial Order No.1388 Clause 2.6.4(5)	Subject to section 2.4.27 of the Education and Training Reform Act 2006 assign higher duties on conditions other than those set out in clauses 2.6.4(1) to (4) of Ministerial Order No.1388	Delegates may only assign higher duties arrangements of 5 working days or less	Level 1, 2
SEC 5.11.1	Ministerial Order No.1388 Clause 2.7.2	Approve payment to employees on an hourly, two-hourly or sessional basis for duties specified in clause 2.7.2 in accordance with the rates in Ministerial Order No. 1388.		Level 1, 2, 3, 4
SEC 5.12.1	Education & Training Reform Act 2006 Section 2.4.28 Ministerial Order No.1388 Clause 2.7.1	Pay a gratuity to an employee in respect of definite special work that is outside the normal range of duties of the employee's position and which is demonstrably of a higher work value.		Level 1, 2, 3, 4
SEC 5.13.1	Ministerial Order No.1388 Clause 2.6.5(1)	Determine the date on which salary loading allowance is to be paid.		Level 1, 2
SEC 5.13.2	Ministerial Order No.1388 Clause 2.6.5(5)(b)	For the purpose of a salary loading allowance determine that satisfactory evidence that employment has ceased due to ill health which is likely to be permanent has been provided.		Level 1, 2, 3, 4, 5
SEC 5.14.1	Ministerial Order No.1388 Clauses 4.1.5(2), 4.1.5(3) and 4.2.5(2)	Direct the forfeiture of the salary of an employee who is absent without leave and the absence was not authorised.		Level 1, 2, 3, 4
SEC 5.15.1	Ministerial Order No.1388 Clause 2.6.11(1)	Determine the date on which a position allowance is to be paid.		Level 1, 2

Column 1	Column 2	Column 3	Column 4	Column 5
Delegation Reference	Education & Training Reform Act Power/Function	Description	Limitations/Conditions	Delegate Level
SEC 5.15.2	Ministerial Order No.1388 Clause 2.6.11(6)(b)	For the purpose of a position allowance determine that satisfactory evidence that employment has ceased due to ill health which is likely to be permanent has been provided		Level 1, 2, 3, 4, 5
SEC 6.1.1	Ministerial Order No.1388 Clause 6.1.1(2)	Determine when annual leave and additional leave is to be used.		Level 1
SEC 6.1.2	Ministerial Order No.1388 Clause 6.1.1(3)	Approve any period of leave without pay which exceeds one month as service for annual leave or additional leave purposes.		Level 1, 2
SEC 6.2.1	Ministerial Order No.1388 Clause 6.2.1(3)	Approve prior service to count as service for personal leave purposes.		Level 1, 2, 5
SEC 6.2.2	Ministerial Order No.1388 Clause 6.2.4	Approve any period of leave without pay which exceeds one month in any year as service for personal leave purposes.		Level 1
SEC 6.2.3	Ministerial Order No.1388 Clause 6.2.9(2)(a) and 6.3.2(1)(a)	Approve up to 38 hours personal leave in any one year without production of a "required document".		Level 1, 2, 3, 4
SEC 6.2.4	Ministerial Order No.1388 Clause 6.2.9(2)(a) and 6.3.2(1)(a)	Approve more than 38 hours personal leave in any one year or a continuous absence of more than three days without production of a "required document".	Delegates must have a reasonable belief that the employee was unfit for duty and that the employee was unable to obtain a 'required document.'	Level 1, 2, 3, 4

Column 1	Column 2	Column 3	Column 4	Column 5
Delegation Reference	Education & Training Reform Act Power/Function	Description	Limitations/Conditions	Delegate Level
SEC 6.2.5	Ministerial Order No.1388 Clause 6.2.9(2)(b)(i)	Determine that an application for personal leave for personal illness or injury which occurs immediately before and/or after a school vacation period, long service leave absence or a public holiday must be supported by a “required document”.	Delegates must have a reasonable belief that the employee was unfit for duty and that the employee was unable to obtain a ‘required document.’	Level 1, 2, 3, 4
SEC 6.2.6	Ministerial Order No.1388 Clause 6.2.9(2)(b)(ii)	Determine that an application for leave be supported by a “required document” where there is occasion to doubt the authenticity of an illness or injury or the reason for absence.		Level 1, 2, 3, 4
SEC 6.2.7	Ministerial Order No.1388 Clauses 3.1.1(1)(b), 6.2.10(1), 6.2.10(2), 6.2.10(3), 6.2.11, 6.4.2, 6.4.3, 6.10.10(1)	Approve a medical practitioner.		Level 1
SEC 6.2.8	Ministerial Order No.1388 Clause 6.2.10(3)	Direct an employee to absent themselves from duty on personal leave with or without pay where the delegate is of the opinion that the employee is not fit to resume duty or that the employee’s state of health causes a risk to the health, safety or welfare of the employee or other employees or persons at the workplace including students.		Level 1, 2, 3, 4
SEC 6.2.9	Ministerial Order No.1388 Clause 6.2.10(4)	Direct an employee to absent themselves from duty on personal leave where an employee unreasonably refuses to attend a medical examination.		Level 1, 2, 3, 4

Column 1	Column 2	Column 3	Column 4	Column 5
Delegation Reference	Education & Training Reform Act Power/Function	Description	Limitations/Conditions	Delegate Level
SEC 6.2.10	Ministerial Order No.1388 Clause 6.2.11	Refer a “required document” to a medical practitioner for report where the delegate has cause to doubt the cause of an illness or injury or the reason for absence.		Level 1, 2, 3, 4
SEC 6.2.11	Ministerial Order No.1388 Clauses 6.2.9(3) and 6.3.2(2)	Approve personal leave with pay where a “required document” has not been provided.	Delegates must have a reasonable belief that the employee was unfit for duty and that the employee was unable to obtain a ‘required document.’	Level 1, 2, 3, 4
SEC 6.2.12	Ministerial Order No.1388 Clause 6.3.2(1)(b)	Require a “required document” to be furnished for any personal leave absence for carer’s purposes.		Level 1, 2, 3, 4
SEC 6.2.13	Ministerial Order No.1388 Clause 6.3.3(2)	Agree on the period for which a casual employee is entitled to not be available to attend work.		Level 1, 2, 3, 4
SEC 6.3.1	Ministerial Order No.1388 Clause 6.4.1	Grant leave for up to six months with full pay to an employee who has contracted an illness that is likely to be a direct result of exposure to an infectious disease prescribed under the regulations of the Public Health and Wellbeing Act 2008 (Vic).		Level 1, 2, 3, 4
SEC 6.3.2	Ministerial Order No.1388 Clause 6.4.3	Grant special leave where an employee through contact with a person suffering from an infectious disease and because of restrictions imposed by law in respect of such disease is unable to attend for duty.		Level 1, 2, 3, 4

Column 1	Column 2	Column 3	Column 4	Column 5
Delegation Reference	Education & Training Reform Act Power/Function	Description	Limitations/Conditions	Delegate Level
SEC 6.4.1	Ministerial Order No.1388 Clause 6.5.2	Approve accident compensation leave in excess of 52 weeks, either continuous or in aggregate, for a particular injury or incapacity.	Delegation is limited to circumstances where the Insurance Provider has admitted liability for a period in excess of 52 weeks.	Level 1, 2
SEC 6.5.1	Ministerial Order No.1388 Clause 6.6.3	Be satisfied that the illness of an employee with at least six months' service is directly related to or aggravated by an accepted war-caused disability.		Level 1, 2, 3, 4
SEC 6.6.1	Ministerial Order No.1388 Clause 6.7.1	Grant bereavement leave of up to three days.		Level 1, 2, 3, 4
SEC 6.6.2	Ministerial Order No.1388 Clause 6.7.2	Grant bereavement leave with or without pay in excess of three days where satisfied that three days is inadequate.	Delegates must be satisfied that the purpose of the leave is directly related to the bereavement.	Level 1, 2, 3, 4
SEC 6.7.1	Ministerial Order No.1388 Clause 6.9.1	Grant leave to attend defence reserve service up to a maximum period of 78 weeks' continuous service.		Level 1, 2, 3, 4
SEC 6.7.2	Ministerial Order No.1388 Clause 6.9.2	Consult with an applicant for defence reserve leave regarding the timing of the defence reserve leave and accept notice from the applicant regarding when the service will take place.		Level 1, 2, 3, 4
SEC 6.8.1	Ministerial Order No.1388 Clause 6.10.4	Permit an employee to attend for duty during the period when the employee is required under clause 6.10.4 of Ministerial Order No.1388 to absent herself.		Level 1, 2, 3, 4

Column 1	Column 2	Column 3	Column 4	Column 5
Delegation Reference	Education & Training Reform Act Power/Function	Description	Limitations/Conditions	Delegate Level
SEC 6.8.2	Ministerial Order No.1388 Clause 6.10.6(1)	Extend a particular parental absence beyond the seventh birthday of the child for whom the absence has been granted if this is necessary to permit resumption on the first school day of the following term.		Level 1, 2, 3, 4
SEC 6.8.3	Ministerial Order No.1388 Clause 6.10.6(2)	Grant or refuse a period of parental absence without pay beyond seven years in the event of any subsequent birth, adoption or otherwise being granted parental responsibility of another child or children.		Level 1, 2, 3, 4
SEC 6.8.4	Ministerial Order No.1388 Clause 6.10.8(3)	Approve a return to duty after a parental absence at any time.		Level 1, 2, 3, 4
SEC 6.8.5	Ministerial Order No.1388 Clause 6.10.9(2)	Consider and determine a request to return to duty following a parental absence on a part-time basis where an employee has a child under school age until the child reaches school age.		Level 1, 2, 3, 4
SEC 6.8.6	Ministerial Order No.1388 Clause 6.10.10(3)	If temporary transfer to a safe job not deemed practicable require the employee to absent herself on leave for such period as is certified necessary by a registered medical practitioner.		Level 1, 2, 3, 4
SEC 6.9.1	Ministerial Order No.1388 Clause 6.11.3(2), (3) and (4)	Determine that a period of other service or leave with or without pay counts as qualifying service for the purpose of eligibility for paid maternity leave.		Level 1

Column 1	Column 2	Column 3	Column 4	Column 5
Delegation Reference	Education & Training Reform Act Power/Function	Description	Limitations/Conditions	Delegate Level
SEC 6.10.1	Ministerial Order No.1388 Clause 6.12.1(1)(d)	Approve circumstances not covered by clause 6.12.1(1)(a)-(c) for the purpose of granting sixteen weeks' other paid parental leave.		Level 1
SEC 6.10.2	Ministerial Order No.1388 Clause 6.12.5(1)	Grant up to two days' paid leave on up to five occasions per child to an employee who provides short-term foster or kinship care as the primary caregiver to a child who cannot live with their parents as a result of an eligible child protection intervention		Level 1, 2, 3, 4
SEC 6.10.3	Ministerial Order No.1388 Clause 6.12.7	Grant leave, where an employee has the daily care and control of a child following the adoption of a child who is a relative of the employee or when the employee is granted parental responsibility of a child.		Level 1, 2, 3, 4
SEC 6.11.1	Ministerial Order No.1388 Clause 6.13.2	Approve partner leave outside the time specified.	Delegate must have a reasonable belief that the employee was unable to take partner leave within the specified period.	Level 1, 2, 3, 4
SEC 6.12.1	Ministerial Order No.1388 Clause 6.14.2(2)	Approve long service leave to an employee where that leave does not exceed available long service leave credits.		Level 1, 2, 3, 4
SEC 6.12.2	Education & Training Reform Act 2006 Section 2.4.25(3)	Grant long service leave to an employee on half pay.		Level 1, 2, 3, 4

Column 1	Column 2	Column 3	Column 4	Column 5
Delegation Reference	Education & Training Reform Act Power/Function	Description	Limitations/Conditions	Delegate Level
SEC 6.12.3	Education & Training Reform Act 2006 Section 2.4.25(5)	Determine the timing of a long service leave absence.		Level 1, 2, 3, 4
SEC 6.12.4	Ministerial Order No.1388 Clause 6.14.2(4)	In special circumstances approve the commutation of long service leave to salary not in conjunction with an absence of 228 hours or more.		Level 1, 2, 3, 4, 5
SEC 6.12.5	Ministerial Order No.1388 Clause 6.14.3(2)	Accept an application for long service leave lodged less than two terms before the intended commencement of leave.		Level 1, 2, 3, 4
SEC 6.12.6	Ministerial Order No.1388 Clause 6.14.4	Approve resumption of duty before the expiration of a period of long service leave.		Level 1, 2, 3, 4
SEC 6.12.7	Ministerial Order No.1388 Clause 6.14.5	Extend a period of long service leave to an employee who is ill or injured during a period of long service leave by the amount of personal leave approved.		Level 1, 2, 3, 4
SEC 6.12.8	Ministerial Order No.1388 Clause 6.14.8(5)	Approve a period of leave to count as service for long service leave purposes.		Level 1
SEC 6.12.9	Ministerial Order No.1388 Clause 6.14.9(1)	In special circumstances approve periods of service prior to an employee's dismissal, for the purposes of determining long service leave entitlement.		Level 1, 2,

Column 1	Column 2	Column 3	Column 4	Column 5
Delegation Reference	Education & Training Reform Act Power/Function	Description	Limitations/Conditions	Delegate Level
SEC 6.12.10	Ministerial Order No.1388 Clause 6.14.9(4)(d)	Form the opinion that an absence of less than 5 years occasioned by resignation was effected in special circumstances.		Level 1
SEC 6.12.11	Ministerial Order No.1388 Clause 6.14.10(1)	Approve the extent to which credit for employment with an approved organisation is included for long service leave purposes. 'Approved organisation' means an organisation approved by the Secretary.		Level 1
SEC 6.12.12	Ministerial Order No.1388 Clause 6.14.12(2)	Determine allowances payable during long service leave that do not meet the specified criteria.		Level 1
SEC 6.12.13	Education & Training Reform Act 2006 Sections 2.4.25(4), (6) and (12)	Grant payment in lieu of long service leave where an employee with four or more years' service dies or, on account of age or ill-health resigns, retires or is terminated.		Level 1, 2, 5
SEC 6.12.14	Education & Training Reform Act 2006 Section 2.4.26	Calculate and grant payment in lieu of long service leave.		Level 1, 2, 5
SEC 6.12.15	Education & Training Reform Act 2006 Section 2.4.32	Direct that an ongoing employee who ceases to be an ongoing employee on account of ill-health shall be deemed to have retired on account of ill-health.		Level 1, 2
SEC 6.12.16	Education & Training Reform Act 2006 Section 2.4.25(7)	Grant pay in lieu of accrued long service leave to the legal representative of a deceased employee.		Level 1, 2, 5

Column 1	Column 2	Column 3	Column 4	Column 5
Delegation Reference	Education & Training Reform Act Power/Function	Description	Limitations/Conditions	Delegate Level
SEC 6.13.1	Ministerial Order No.1388 Clause 6.15.1	Grant sabbatical leave and enter an agreement with the employee covering the terms and conditions of that leave.	Delegation is limited to entering an agreement in the form determined by the Secretary.	Level 1, 2, 3, 4
SEC 6.13.2	Ministerial Order No.1388 Clause 6.15.2	Agree that sabbatical leave will be taken at a time other than immediately following the completion of the work period during which salary was reduced.	Level 2, 3 and 4 delegates may only defer for a maximum of 12 months.	Level 1, 2, 3, 4
SEC 6.13.3	Ministerial Order No.1388 Clause 6.15.3	Determine that sabbatical leave shall not count as service.		Level 1
SEC 6.13.4	Ministerial Order No.1388 Clause 6.15.4(2)	Determine that an employee may resume duty earlier than the expiration of an approved period of sabbatical leave.		Level 1, 2, 3, 4
SEC 6.14.1	Ministerial Order No.1388 Clauses 6.16.1, 6.16.2 and 6.16.4	Grant spouse leave to an employee.		Level 1, 2, 3, 4
SEC 6.14.2	Ministerial Order No.1388 Clause 6.16.3	Determine that an employee may resume duty at a time other than the start of a school term following the expiration of spouse leave.		Level 1, 2, 3, 4
SEC 6.14.3	Ministerial Order No.1388 Clause 6.16.5	Determine that a period of spouse leave will count as service for all purposes.		Level 1

Column 1	Column 2	Column 3	Column 4	Column 5
Delegation Reference	Education & Training Reform Act Power/Function	Description	Limitations/Conditions	Delegate Level
SEC 6.15.1	Ministerial Order No.1388 Clause 6.17.3(1)	Grant special leave up to 152 hours (20 days) per year to an employee for medical appointments, legal proceedings and other activities related to family violence.	Level 2 and 5 delegates may only grant special leave to an employee for medical appointments, legal proceedings and other activities related to family violence.	Level 1, 2, 5
SEC 6.15.2	Ministerial Order No.1388 Clause 6.17.3(2)	Require evidence consistent with clause 6.17.5(1) of Ministerial Order No.1388 from an employee seeking to utilise their personal leave (carer's) entitlement for the purpose of supporting a person experiencing family violence.		Level 1, 2, 5
SEC 6.15.34	Ministerial Order No.1388 Clause 6.17.6	Be satisfied that an employee's circumstances warrant the grant of more than 152 hours (20 days for a full time employee) leave in any particular year and grant leave with or without pay in excess of that specified in clause 6.17.3 of Ministerial Order No.1388.		Level 1
SEC 6.16.1	Ministerial Order No.1388 Clauses 6.19.1(1)(a-h)	Grant a period of leave without pay to an employee of up to 12 months.		Level 1, 2, 3, 4
SEC 6.16.2	Ministerial Order No.1388 Clause 6.19.1(1)(i)	Grant a period of leave without pay for any reason.		Level 1, 2, 3, 4
SEC 6.16.3	Ministerial Order No.1388 Clause 6.19.3(1)	Grant or extend leave without pay for a continuous period in excess of 12 months.		Level 1, 2, 3, 4

Column 1	Column 2	Column 3	Column 4	Column 5
Delegation Reference	Education & Training Reform Act Power/Function	Description	Limitations/Conditions	Delegate Level
SEC 6.16.4	Ministerial Order No.1388 Clause 6.19.4(1)	Grant a period of leave to count as service.		Level 1
SEC 6.17.1	Ministerial Order No.1388 Clause 6.19.1(2)(a) and 6.19.3(2)	Grant leave with or without pay to pursue a course of study or training or to undertake research for such period as the delegate thinks fit having regard to the reason for leave.		Level 1, 2, 3, 4
SEC 6.17.2	Ministerial Order No.1388 Clauses 6.19.1(2)(b-e))	Grant leave with or without pay, and subject to other terms and conditions the delegate considers appropriate, to enable the employee to engage in employment or an occupation specified in clause 6.19.1(2)(b) to (e).		Level 1
SEC 6.17.3	Ministerial Order No.1388 Clause 6.19.4(2)	Determine that a period of leave granted will not count as service.		Level 1
SEC 6.18.1	Ministerial Order No.1388 Clause 6.18.5(1)	Grant an Aboriginal and/or Torres Strait Islander employee leave for ceremonial purposes connected with the death of a member of the immediate family or extended family or other ceremonial obligations		Level 1, 2, 3, 4
SEC 6.18.2	Ministerial Order No. 1388 Clause 6.18.6(1)	Grant paid leave of up to 10 days per calendar year to an employee who is a member of the First Peoples' Assembly of Victoria.		Level 1, 2, 3, 4

Column 1	Column 2	Column 3	Column 4	Column 5
Delegation Reference	Education & Training Reform Act Power/Function	Description	Limitations/Conditions	Delegate Level
SEC 6.18.3	Ministerial Order No.1388 Clause 6.18.6(3)	Grant further paid or unpaid leave to support an employee's representative functions in the First Peoples' Assembly of Victoria where in any calendar year the employee exhausts their entitlement under clause 6.18.6(1).		Level 1
SEC 6.19.1	Ministerial Order No.1388 Clauses 6.19.1(3)	Grant leave with or without pay for any purpose not covered in Ministerial Order No.1388 and determine any terms and conditions considered appropriate.		Level 1
SEC 6.19.2	Ministerial Order No.1388 Clauses 6.19.3(2)	Determine the duration of leave granted under clauses 6.19.1(2)(b) to (e) and 6.19.1(3)		Level 1
SEC 6.19.3	Ministerial Order No.1388 Clause 6.20.1(2)	Approve resumption of duty before the expiration of a period of approved leave.		Level 1, 2, 3, 4
SEC 6.19.4	Ministerial Order No.1388 Clause 6.20.1(3)	Cancel approved leave and direct that an employee resume duty.		Level 1, 2, 3, 4
SEC 7.1.1	Ministerial Order No.1388 Clause 7.2.2	Approve travel apart from travel by rail.		Level 1, 2, 3, 4
SEC 7.2.1	Ministerial Order No.1388 Clause 7.2.3(2)	Approve an amount for reimbursement to an employee for the cost of the conveyance by rail or other means of public conveyance.		Level 1, 2, 3, 4

Column 1	Column 2	Column 3	Column 4	Column 5
Delegation Reference	Education & Training Reform Act Power/Function	Description	Limitations/Conditions	Delegate Level
SEC 7.2.2	Ministerial Order No.1388 Clause 7.2.3(3)	Approve reimbursement for travel in a private vehicle where travel by rail or other public conveyance is not practicable or it is considered more expeditious or more economical for an employee to use their own vehicle		Level 1, 2, 3, 4
SEC 7.2.3	Ministerial Order No.1388 Clause 7.2.4	Approve reimbursement for the use of a hire vehicle where travel by other means is not practicable, or the delegate is satisfied the hiring is unavoidable or is otherwise justified.	Approval is to occur prior to the hire of a car.	Level 1, 2, 3, 4
SEC 7.2.4	Ministerial Order No.1388 Clause 7.3.1	Determine the rates of reimbursement for the cost of meals, accommodation and incidentals for an employee whose duties require him or her to be absent from their headquarters overnight.		Level 1
SEC 7.2.5	Ministerial Order No.1388 Clause 7.3.2	Approve reimbursement of such amounts as are considered reasonable where an employee's duties require the employee to reside in the one locality for a period in excess of 28 days.		Level 1, 2, 3, 4
SEC 7.2.6	Ministerial Order No.1388 Clause 7.3.3	Approve reimbursement of such amounts considered reasonable where an employee is travelling overseas.	<ul style="list-style-type: none"> • Delegation only to be exercised where the employee has permission to travel. • Reimbursement must be in accordance with the applicable Department or Government policy. 	Level 1, 2, 3, 4

Column 1	Column 2	Column 3	Column 4	Column 5
Delegation Reference	Education & Training Reform Act Power/Function	Description	Limitations/Conditions	Delegate Level
SEC 7.2.7	Ministerial Order No.1388 Clause 7.3.4	Determine the rates of reimbursement for the cost of meals for an employee whose duties require them to be absent from his or her headquarters.		Level 1
SEC 7.2.8	Ministerial Order No.1388 Clause 7.3.5(1)	Determine the amount of personal expenses payable where the cost of conveyance includes the cost of meals and/or sleeping accommodation.		Level 1, 2, 3, 4
SEC 7.2.9	Ministerial Order No.1388 Clause 7.1.4(2)	Approve the use of a private mobile or home phone by an employee.		Level 1, 2, 3, 4
SEC 7.3.1	Ministerial Order No.1388 Clause 7.4.2	Determine the headquarters as defined in clause 1.1.4(11)(b) of Ministerial Order No. 1388 for an employee whose place of work is not fixed.		Level 1, 2, 3, 4
SEC 7.3.2	Ministerial Order No.1388 Clause 7.4.1	Determine the personal and travelling expenses that apply to an employee whose place of work is not fixed.		Level 1, 2, 3, 4
SEC 7.4.1	Ministerial Order No.1388 Clause 7.5.3(1)	Determine that expenses were necessarily incurred and approve the reimbursement of expenses incurred for travel, meals, accommodation and removal costs.		Level 1, 2, 5

Column 1	Column 2	Column 3	Column 4	Column 5
Delegation Reference	Education & Training Reform Act Power/Function	Description	Limitations/Conditions	Delegate Level
SEC 7.4.2	Ministerial Order No.1388 Clause 7.5.5(2)	Approve the reimbursement of the reasonable cost of stamp duty paid on purchase of a residence or land where the criteria set out in clause 7.5.5(2) are not met.		Level 1
SEC 7.5.1	Ministerial Order No.1388 Clause 7.6.1	Reimburse the travel expenses of an employee where the employee was required to travel a one-way distance of more than 20 kilometres from their place of residence to attend an in-service education activity.		Level 1, 2, 3, 4
SEC 7.5.2	Ministerial Order No.1388 Clause 7.6.2	Reimburse all or part of any accommodation costs incurred by an employee, due to their attendance at an in-service education activity where the employee was required to be away from their home overnight		Level 1, 2, 3, 4
SEC 7.5.3	Ministerial Order No.1388 Clause 7.6.3	Reimburse an employee for the cost of one or more meals when he or she was required to attend an in-service education activity of at least one full day's duration where the employee was not required to be away from home overnight.		Level 1, 2, 3, 4
SEC 7.6.1	Ministerial Order No.1388 Clause 7.7.1	Approve payment of an allowance for the distance travelled in excess of 40 kilometres per day.		Level 1, 2, 3, 4
SEC 7.7.1	Ministerial Order No.1388 Clauses 7.8.1 and 7.8.2	Approve reimbursement of living away from home allowances to eligible employees.		Level 1, 2, 3, 4

Column 1	Column 2	Column 3	Column 4	Column 5
Delegation Reference	Education & Training Reform Act Power/Function	Description	Limitations/Conditions	Delegate Level
SEC 7.8.1	Ministerial Order No.1388 Clause 7.10.1	Approve the reduction or increase in any allowance or authorise reimbursement of an expense for which no provision is made.		Level 1
SEC 7.9.1	Ministerial Order No.1388 Clause 1.1 4(16)	Define Melbourne metropolitan area within the boundaries formed by straight lines joining Werribee, Sunbury, Hurstbridge, Lilydale, Belgrave and Mt Eliza.		Level 1
SEC 8.1.1	Ministerial Order No 1388 Clause 11.1.6	Give permission to use or disclose for any purpose other than for the discharge of the employee's official duties, any information or documents gained by or conveyed to the employee in the course of their employment.		Level 1, 2, 3, 4
SEC 8.2.1	Ministerial Order No 1388 Clause 11.1.10(1)	Authorise non-school activities for which the resources of the Department, school or students of the school may be used.		Level 1, 2, 3, 4
SEC 8.3.1	Education & Training Reform Act 2006 Section 2.4.3(3)(e)	Issue lawful instructions that must be observed by employees		Level 1, 2, 3, 4
SEC 9.1.1	Education & Training Reform Act 2006 Section 2.4.56(3)	Establish procedures for the investigation and determination of an inquiry under section 2.4.56.		Level 1
SEC 9.2.1	Education & Training Reform Act 2006 Section 2.4.56(4)	Nominate a person or constitute a Board of Review to investigate and report in connection with an inquiry under section 2.4.56.		Level 1, 2, 3

Column 1	Column 2	Column 3	Column 4	Column 5
Delegation Reference	Education & Training Reform Act Power/Function	Description	Limitations/Conditions	Delegate Level
SEC 9.2.2	Education & Training Reform Act 2006 Section 2.4.56(5)	Provide to an employee, in respect of whom it is alleged that he or she is incapable of performing his or her duties by reason of physical or mental incapacity, notice in writing of the matters to be considered and an opportunity to respond in writing to those matters.		Level 1, 2, 3, 4
SEC 9.2.3	Education & Training Reform Act 2006 Section 2.4.56(6)	Give notice in writing to an employee who is the subject of an inquiry, that the employee may make a submission in writing on the matters set out in section 2.4.56 (6)(a) and (b).		Level 1, 2, 3
SEC 9.2.4	Education & Training Reform Act 2006 Section 2.4.56(7)	Permit a submission under section 2.4.56(6) to be received after 14 days.		Level 1, 2, 3
SEC 9.2.5	Education & Training Reform Act 2006 Section 2.4.56(8)	Consider any submission received under section 2.4.56(6).		Level 1, 2, 3
SEC 9.3.1	Education & Training Reform Act 2006 Section 2.4.56(10)	Determine that an oral hearing is appropriate or that evidence may be taken orally or that any witnesses may be cross examined having regard to the matters set out in section 2.4.56(10)(a)-(d).		Level 1, 2, 3
SEC 9.4.1	Education & Training Reform Act 2006 Section 2.4.56(9)	Make a determination under section 2.4.56 without holding an oral hearing.		Level 1, 2, 3
SEC 9.4.2	Education & Training Reform Act 2006 Section 2.4.56(1)	Be satisfied, following an inquiry under section 2.4.56, that an employee is incapable of performing his or her duties on account of physical or mental incapacity.	Level 2 and 3 delegates may only exercise this power in relation to assistant principal, teacher class, paraprofessional class or education support class employees.	Level 1, 2, 3

Column 1	Column 2	Column 3	Column 4	Column 5
Delegation Reference	Education & Training Reform Act Power/Function	Description	Limitations/Conditions	Delegate Level
SEC 9.4.3	Education & Training Reform Act 2006 Section 2.4.56(1)	Terminate the employment of an employee if satisfied in accordance with section 2.4.56(1).	Level 2 and 3 delegates may only exercise this power in relation to assistant principal, teacher class, paraprofessional class or education support class employees.	Level 1, 2, 3
SEC 9.4.4	Education & Training Reform Act 2006 Section 2.4.56(11)	Advise the employee of the determination of an inquiry under section 2.4.56(1) and the right to appeal to a Merit Protection Board in respect of any action taken under section 2.4.56(1).		Level 1, 2, 3
SEC 10.1.1	Education & Training Reform Act 2006 Section 2.4.59B(1)	Establish procedures for the improvement and management of alleged unsatisfactory performance by employees; and making determinations in respect of the unsatisfactory performance of employees and other related decisions under this Division.		Level 1
SEC 10.2.1	Education & Training Reform Act 2006 Section 2.4.59D(1)	Consider any report, or any further report, received under the procedures established under section 2.4.59B and make a decision in accordance with section 2.4.59D(1)(a) to (d).	<ul style="list-style-type: none"> • Level 2 and 3 delegates may only exercise this power in relation to assistant principal, teacher class, paraprofessional class or education support class employees. • Power cannot be exercised if the delegate has been nominated to investigate and report under section 2.4.59B 	Level 1, 2, 3

Column 1	Column 2	Column 3	Column 4	Column 5
Delegation Reference	Education & Training Reform Act Power/Function	Description	Limitations/Conditions	Delegate Level
SEC 10.2.2	Education & Training Reform Act 2006 Section 2.4.59E(1)	Give notice in writing to an employee against whom it is alleged there is unsatisfactory performance.	<ul style="list-style-type: none"> • Level 2 and 3 delegates may only exercise this power in relation to assistant principal, teacher class, paraprofessional class or education support class employees. • Power cannot be exercised if the delegate has been nominated to investigate and report under section 2.4.59B 	Level 1, 2, 3
SEC 10.2.3	Education & Training Reform Act 2006 Section 2.4.59E(2)	Permit a submission under section 2.4.59E(1) to be received after 14 days.	<ul style="list-style-type: none"> • Level 2 and 3 delegates may only exercise this power in relation to assistant principal, teacher class, paraprofessional class or education support class employees. • Power cannot be exercised if the delegate has been nominated to investigate and report under section 2.4.59B 	Level 1, 2, 3
SEC 10.3.1	Education & Training Reform Act 2006 Section 2.4.59F(1)	Make a determination as to whether or not there has been unsatisfactory performance.	<ul style="list-style-type: none"> • Level 2 and 3 delegates may only exercise this power in relation to assistant principal, teacher class, paraprofessional class or education support class employees. • Power cannot be exercised if the delegate has been nominated to investigate and report under section 2.4.59B 	Level 1, 2, 3

Column 1	Column 2	Column 3	Column 4	Column 5
Delegation Reference	Education & Training Reform Act Power/Function	Description	Limitations/Conditions	Delegate Level
SEC 10.3.2	Education & Training Reform Act 2006 Section 2.4.59F(3)	Take one or more of the actions as set out in section 2.4.59F(3)(a–(c) against an employee.	<ul style="list-style-type: none"> • Level 2 and 3 delegates may only exercise this power in relation to assistant principal, teacher class, paraprofessional class or education support class employees. • Power cannot be exercised if the delegate has been nominated to investigate and report under section 2.4.59B 	Level 1, 2, 3
SEC 10.3.3	Education & Training Reform Act 2006 Section 2.4.59G	Give an employee notice in writing of a determination made under section 2.4.59F(1)	<ul style="list-style-type: none"> • Level 2 and 3 delegates may only exercise this power in relation to assistant principal, teacher class, paraprofessional class or education support class employees. • Power cannot be exercised if the delegate has been nominated to investigate and report under section 2.4.59B 	Level 1, 2, 3
SEC 11.1.1	Education & Training Reform Act 2006 Section 2.4.62	Establish procedures for the investigation and determination of an inquiry under Division 10 of Part 2.4.		Level 1
SEC 11.2.1	Education & Training Reform Act 2006 Section 2.4.65(1)	Nominate a person to investigate and report to the delegate in connection with an inquiry under Division 10 of Part 2.4.	Level 2 and 3 delegates may only exercise this power in relation to assistant principal, teacher class, paraprofessional class or education support class employees.	Level 1, 2, 3
SEC 11.2.2	Education & Training Reform Act 2006 Section 2.4.65(2)	Give an employee against whom it is alleged there are grounds under section 2.4.60 for action notice in writing of the alleged grounds, written particulars of the alleged grounds, and an opportunity to provide a response in writing to the alleged grounds.	Level 2 and 3 delegates may only exercise this power in relation to assistant principal, teacher class, paraprofessional class or education support class employees.	Level 1, 2, 3

Column 1	Column 2	Column 3	Column 4	Column 5
Delegation Reference	Education & Training Reform Act Power/Function	Description	Limitations/Conditions	Delegate Level
SEC 11.2.3	Education & Training Reform Act 2006 Section 2.4.65(3)	Request that the nominated investigator under Division 10 conduct a further investigation and provide a further report to the delegate.	Level 2 and 3 delegates may only exercise this power in relation to assistant principal, teacher class, paraprofessional class or education support class employees.	Level 1, 2, 3
SEC 11.2.4	Education & Training Reform Act 2006 Section 2.4.66(1)	Give an employee against whom it is alleged there are grounds for action under section 2.4.60 notice in writing that the employee may make a submission addressing one or more of the matters set out in section 2.4.66(1)(a) and (b).	Level 2 and 3 delegates may only exercise this power in relation to assistant principal, teacher class, paraprofessional class or education support class employees.	Level 1, 2, 3
SEC 11.2.5	Education & Training Reform Act 2006 Section 2.4.66(2)	Permit a submission under section 2.4.66(1) to be received after 14 days.	Level 2 and 3 delegates may only exercise this power in relation to assistant principal, teacher class, paraprofessional class or education support class employees.	Level 1, 2, 3
SEC 11.2.6	Education & Training Reform Act 2006 Section 2.4.66(3)	Consider any submission received under section 2.4.66(1).	Level 2 and 3 delegates may only exercise this power in relation to assistant principal, teacher class, paraprofessional class or education support class employees.	Level 1, 2, 3
SEC 11.2.7	Education & Training Reform Act 2006 Section 2.4.81(1)	Direct an employee to submit to an examination by a qualified medical practitioner for the purpose of section 2.4.81(1)(a) and (b).		Level 1, 2, 3, 4
SEC 11.2.8	Education & Training Reform Act 2006 Section 2.4.81(1)	Nominate a qualified medical practitioner for the purposes of section 2.4.81(1).		Level 1, 2, 3, 4
SEC 11.3.1	Education & Training Reform Act 2006 Sections 2.4.3(3)(i) and 2.4.64(1)	Suspend an employee from duty with or without pay for the reasons set out in section 2.4.64(1)(a) and (b) by giving notice in writing to the employee.		Level 1

Column 1	Column 2	Column 3	Column 4	Column 5
Delegation Reference	Education & Training Reform Act Power/Function	Description	Limitations/Conditions	Delegate Level
SEC 11.3.2	Education & Training Reform Act 2006 Section 2.4.64(2)	Determine the duration of suspension under section 2.4.64(1).		Level 1
SEC 11.3.3	Education & Training Reform Act 2006 Sections 2.4.3(3)(i) and 2.4.64(3)	Suspend an employee from duty with or without pay pending the determination of any appeal to a Disciplinary Appeals Board.		Level 1
SEC 11.3.4	Education & Training Reform Act 2006 Section 2.4.64(4)	Give an employee an opportunity to make a submission in writing addressing whether suspension without pay should occur before making the decision whether to suspend the employee without pay.		Level 1
SEC 11.3.5	Education & Training Reform Act 2006 Section 2.4.64(5)	Grant permission for an employee who is suspended from duty without pay to engage in other employment.	Level 2 and 3 delegates may only exercise this power in relation to assistant principal, teacher class, paraprofessional class or education support class employees.	Level 1, 2, 3
SEC 11.3.6	Education & Training Reform Act 2006 Section 2.4.64(6)	Determine that some or all salary or wages paid during a period of suspension not be forfeited when an employee is subsequently terminated.		Level 1
SEC 11.3.7	Education & Training Reform Act 2006 Section 2.4.64(7)(a)	Remove any suspension of an employee under section 2.4.64(1) if grounds for action are not established.		Level 1
SEC 11.3.8	Education & Training Reform Act 2006 Section 2.4.64(7)(b)	Ensure that an employee is paid any salary or wages due in respect of a period of suspension if grounds for action are not established.		Level 1

Column 1	Column 2	Column 3	Column 4	Column 5
Delegation Reference	Education & Training Reform Act Power/Function	Description	Limitations/Conditions	Delegate Level
SEC 11.3.9	Education & Training Reform Act 2006 Sections 2.4.64(7)(b) and 2.4.64(8)	On application of an employee pay any allowance(s) considered appropriate in respect of a period of suspension, if grounds for action are not established.		Level 1
SEC 11.4.1	Education & Training Reform Act 2006 Section 2.4.67(2)	Determine that an oral hearing is appropriate or that evidence may be taken orally or that any witnesses may be cross examined having regard to the matters set out in section 2.4.67(2)(a)-(d).	Level 2 and 3 delegates may only exercise this power in relation to assistant principal, teacher class, paraprofessional class or education support class employees.	Level 1, 2, 3
SEC 11.5.1	Education & Training Reform Act 2006 Section 2.4.67(1)	Determine, without holding an oral hearing, whether there are grounds under section 2.4.60 for taking action and if so, the action under section 2.4.60 that may be taken.	Level 2 and 3 delegates may only exercise this power in relation to assistant principal, teacher class, paraprofessional class or education support class employees.	Level 1, 2, 3
SEC 11.5.2	Education & Training Reform Act 2006 Section 2.4.61(1)	Take action after investigation under Part 2.4 against an employee in the circumstances described in section 2.4.60(1)(a)-(i)	Level 2 and 3 delegates may only exercise this power in relation to assistant principal, teacher class, paraprofessional class or education support class employees.	Level 1, 2, 3
SEC 11.5.3	Education & Training Reform Act 2006 Section 2.4.61(1)	On being satisfied on an inquiry that there are one or more grounds under Division 10 of Part 2.4 take one or more of the actions as set out in section 2.4.61(1)(a) – (d) against an employee.	Level 2 and 3 delegates may only exercise this power in relation to assistant principal, teacher class, paraprofessional class or education support class employees.	Level 1, 2, 3
SEC 11.5.4	Education & Training Reform Act 2006 Section 2.4.61(2)	Advise the employee of the determination of the inquiry and of the right to appeal to a Disciplinary Appeals Board in respect of any action taken under Division 10.	Level 2 and 3 delegates may only exercise this power in relation to assistant principal, teacher class, paraprofessional class or education support class employees.	Level 1, 2, 3

Column 1	Column 2	Column 3	Column 4	Column 5
Delegation Reference	Education & Training Reform Act Power/Function	Description	Limitations/Conditions	Delegate Level
SEC 11.5.5	Education & Training Reform Act 2006 Section 2.4.35	Deduct the amount from the salary of an employee on receiving notice of any pecuniary penalty imposed on that employee under the authority of the Act.		Level 1, 2, 5
SEC 11.6.1	Education & Training Reform Act 2006 Section 2.4.70	Ensure that all notices, orders or communications relating to procedures under Division 10 are sent to the last known address of the employee if the current address is unknown.		Level 1, 2, 3, 4
SEC 12.1.1	Education & Training Reform Act 2006 Section 2.4.30(1)	Give permission to a full time employee to engage in any other paid employment; or carry on any business, profession or trade.		Level 1, 2, 3, 4
SEC 12.1.2	Education & Training Reform Act 2006 Section 2.4.30(3)	Withdraw permission in writing granted under section 2.4.30.		Level 1, 2, 3, 4
SEC 12.2.1	Education & Training Reform Act 2006 Section 2.4.30(2)	Form the opinion that a part time employee engaged in other paid employment or carrying on a business, profession or trade is in conflict with the proper performance of the employee's duties.		Level 1, 2, 3, 4
SEC 13.1.1	Education & Training Reform Act 2006 Section 2.4.58	Dismiss an employee from the teaching service who has, at any time, in Victoria or elsewhere, been convicted or found guilty of a category A offence in Victoria within the meaning of the Education and Training Reform Act 2006 or an equivalent offence in another jurisdiction or been given a WWC exclusion.		Level 1

Column 1	Column 2	Column 3	Column 4	Column 5
Delegation Reference	Education & Training Reform Act Power/Function	Description	Limitations/Conditions	Delegate Level
SEC 13.1.2	Education & Training Reform Act 2006 Section 2.4.59(2)	Suspend without pay an employee whose registration is refused, suspended or cancelled.		Level 1
SEC 13.1.3	Education & Training Reform Act 2006 Section 2.4.59(4)	Dismiss or terminate the employment of a temporary employee if the person has been refused registration under Part 2.6 or has had his or her registration suspended or cancelled under that Part.		Level 1
SEC 13.1.4	Education & Training Reform Act 2006 Section 2.4.59(7)	Notify an employee in writing whose employment has ceased under section 2.4.59(5)		Level 1
SEC 14.1.1	Education & Training Reform Act 2006 Section 2.4.20(1)(c) and Section 2.4.23G(1)(c)	Receive written notification of the retirement or resignation of a member of the executive or principal class.		Level 1, 2, 3, 4
SEC 14.1.2	Education & Training Reform Act 2006 Section 2.4.3(3)(j)	Terminate the employment of an employee.	The delegate may only exercise this function in respect of employee retrenchments.	Level 1

SCHEDULE 2

OFFICES TO WHICH THE POWERS AND FUNCTIONS ARE DELEGATED

OFFICE

Level 1

Deputy Secretary, Schools and Regional Services

Level 2

Executive Director, School Human Resources Division

Level 3

Regional Director –

- North-Eastern Victoria
- North-Western Victoria
- South-Eastern Victoria
- South-Western Victoria

Level 4

- Principal
- Any Deputy Secretary, other than the Deputy Secretary, Schools and Regional Services, who employs a teaching service employee in their Group

Level 5

Director, Schools Human Resources Branch

Manager, Schools HR Services Unit

Level 6

Manager, Employee Conduct Branch

Level 7

Manager, Schools Recruitment Unit