**Attachment A – Delegations framework**

*Public Administration Act 2004*

Delegation of the Department of Education Secretary’s functions, duties and powers

Instrument of delegation No. 2024/D04

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| --- | --- |
| Source of authority/power | *Public Administration Act 2004*, Part 3 – Public Service Employment and Part 4 – Victorian Public Sector CommissionMinisterial order 1451 |
| Holder of power/function | Secretary (Department of Education) |
| Authority type | Delegation |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | Chief Executive Officer | Executive Director, Corporate Services | Executive DirectorHR Manager | DirectorsManager |
|  | * Chief Executive Officer, Victorian Curriculum and Assessment Authority
 | * Executive Director, Corporate Services
 | * Executive Director, Curriculum Division
* Executive Director, Assessment and Reporting
* Executive Director, Senior Secondary Certificate Reform
 |  |
| Financial limit | * not exceeding $15,000,000
 | * not exceeding $500,000
 | * not exceeding $250,000 – Executive Director
* not exceeding $10,000 – HR Manager
 | * $150,000 – Director
* $150,000 – CIO
* $25,000 – CFO
* $10,000 – Manager
* $5,000 – Manager, Centre Management, Manager, Office of the CEO
 |
| Employment, transfers and promotions | * create positions and determine classifications or abolish a position
* approve the employment of fixed-term employees for 6 months or less without advertisement
* approve a 5% increase to the Ministerial Order level base rate for employee salaries
 | * approve a 4.9% increase to the Ministerial Order level base rate for employee salaries
* transfer or promote an employee to an advertised position
 | * employ a person in an advertised position
* determine suitability for employment, transfer, or promotion
* issue lawful instructions that must be observed by employees
 | * assign duties to employees consistent with their employment classification, skills, and capabilities
* review classifications or reclassify roles
* approve travel, accommodation and expenses
 |
| Remuneration  | * approve the payment of salary progression
* pay a gratuity or a higher salary to an employee in exceptional circumstances
* approve employment of employee’s salary above 5%
* assign higher duties and approve payment of a higher duties allowance to an employee of more than 5%
 | * assign higher duties and approve a 4.9% increase to the higher duties allowances to the Ministerial Order level base rate for employee salaries
 | * assign higher duties and approve a 4.9% increase to the higher duties allowances to the Ministerial Order level base rate for employee salaries.
* appoint an employee to perform first aid officer duties
* approve the payment of overtime rates or grant time in lieu of payment of overtime rates to eligible employees
 | * authorise an employee to undertake shift work
* approve the payment of hours worked by casual and shift work employees
 |
| Leave of absence |  | * direct an employee to take a period or periods of annual leave where leave is in excess
* approve an employee’s request to cash out annual leave
* recognise prior service with government bodies for the purposes of long service leave and personal (sick/carer’s) leave
 | * authorise periods of leave of absence for employees (limited leave types)
* approve family violence leave
* make payments to employees in lieu of a long service leave entitlement
 | * approve all leave types specified under the Ministerial Order
 |
| Probation | * shorten or waive a period of probation
 | * terminate the employment of an employee due to conduct or performance issues during or at the end of a probationary period
 | * confirm employment on completion of a period of probation
 |  |
| Termination of employment |  |  | * terminate the processing of employment of an employee
 |  |
| Review of action | * decide whether to adopt a recommendation made in a report of a review of action
 |  |  |  |
| Misconduct and unsatisfactory performance  | * endorse termination of employment for disciplinary or conduct issues
 | * implement a formal unsatisfactory work performance process
* determine an unsatisfactory work performance outcome
* determine a disciplinary outcome for misconduct
 | * decide to commence formal counselling for unsatisfactory work performance
* issue a formal written warning to an employee for unsatisfactory work performance
* issue a final written warning to an employee for unsatisfactory work performance
* commence a formal disciplinary process for misconduct
* appoint a person to investigate alleged misconduct
* advise an employee of an allegation of misconduct in writing
 |  |
| General  |  |  | * send a notice to an employee asking them to show their working with children check clearance to their employer, as required by the *Worker Screening Act 2000*
 | * direct the employee to provide a medical certificate
* determine the work location(s) of an employee
* approve an employee’s request for part-time employment
* approve flexible working arrangements
* consent to an employee entering an individual flexibility arrangement
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