

Department of Education

Legislative Delegations

**Delegation of
Director-General's Powers**

under

Child Safe Organisations Act 2024

(Version 1 – Effective Date 1 July 2026)

NOTE: In accordance with the Managing delegations, authorisations and administrative approvals procedure, legislative delegations are centrally managed by Legislation Services. Legislation Services must be contacted for all proposed amendments to these delegations.

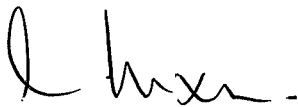
INSTRUMENT OF DELEGATION

Child Safe Organisations Act 2024

I, Leanne Nixon, Acting Director-General of the Department of Education, under section 107(2) of the ***Child Safe Organisations Act 2024***, DELEGATE those powers and functions conferred or imposed on me as head of a reporting entity under the provisions of the ***Child Safe Organisations Act 2024***, which are specified in **Column 1** of Schedule 1, subject to the limitations (if any) specified in **Column 3** of Schedule 1, to the persons who are from time to time the holders of each position specified in **Column 4** of Schedule 1.

This Instrument of Delegation is comprised of this page, and Schedule 1 comprising 9 pages. No other material forms part of the Instrument.

This Instrument of Delegation takes effect on 1 July 2026 (Effective Date).



LEANNE NIXON
ACTING DIRECTOR-GENERAL
DEPARTMENT OF EDUCATION

SIGNED AT BRISBANE THIS 22nd day of June, 2026.

SCHEDULE 1 – Table of Delegated Powers of Director-General *Child Safe Organisations Act 2024*

Schedule 1 – Table of Director-General’s Delegated Powers – <i>Child Safe Organisations Act 2024</i>			
Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
Chapter 3 – Reportable conduct scheme			
Part 3 – Requirements for notifying and investigating reportable allegations and reportable convictions			
Division 2 – Notification			
s.33(2)(a)	Notifying reportable allegations or reportable convictions (1) This section applies if a person becomes aware of either of the following— (a) a reportable allegation about a worker of a reporting entity; (b) a reportable conviction of a worker of a reporting entity. (2) If the person (the <i>notifier</i>) who becomes aware of the allegation or conviction mentioned in subsection (1) is also a worker of the reporting entity, the notifier must, as soon as practicable— (a) report the matter to the head of the reporting entity; or (b) if the matter relates to the head of the reporting entity—report the matter to the commission. (3) However, subsection (2) does not apply to the notifier if the notifier reasonably believes the matter has already been reported by another person under that subsection. (4) Any person, including a notifier mentioned in subsection (2), may notify the commission of a reportable allegation or reportable conviction about a person at any time. (5) To remove any doubt, it is declared that a person does not commit an offence against this or another Act only because the person fails to comply with subsection (2).	Subject to the <i>Child Safe Organisations Act 2024</i>, the delegate may exercise a power only in relation to a reportable allegation or reportable conviction involving a worker of the Department, and only for the purpose of performing the Department’s obligations as head of a reporting entity. The delegate must comply with any applicable statutory timeframes, procedural fairness requirements, and any limitation arising where another person has notified the Commission or where an investigation is being conducted by the Commission, a sector regulator, or the police. Delegate’s power relates to receipt of a reportable allegation or a reportable conviction under s.33(2)(a) only. This delegated power does not displace the duty of any worker to provide notification under s.33(2).	• Deputy Director-General, Corporate Services • Assistant Director-General and Chief Human Resources Officer, Corporate Services • Assistant Director-General, Executive Services • Executive Director, Integrity and Employee Relations • Director, Integrity and Employee Relations • Manager, Integrity and Employee Relations • Principal Advisor, Integrity and Employee Relations • Senior Advisor, Integrity and Employee Relations • Director, Integrity – Investigations • Manager, Investigations • Principal Investigator • Senior Investigator • Investigator • Director, Integrity – Intake Referrals and Partnerships • Manager, Integrity – Intake

Schedule 1 – Table of Director-General’s Delegated Powers –
Child Safe Organisations Act 2024

Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
			Referrals and Partnerships • Principal Advisor, Integrity – Intake Referrals and Partnerships • Senior Complaints and Risk Advisor, Integrity and Employee Relations • Advisor – within Integrity and Employee Relations • Senior Complaints and Information Officer – within Integrity and Employee Relations • Complaints and Information Officer – within Integrity and Employee Relations • Director, Discipline Advisory and Resolutions • Manager, Discipline Advisory and Resolutions • Principal Advisor, Discipline Advisory and Resolutions • Senior Advisor, Discipline Advisory and Resolutions • Executive Director, HR Regional Operations • Director HRBP, Regional HR • Manager, Regional HR • Principal HR Consultant, Regional HR • Senior HR Consultant, Regional HR

**Schedule 1 – Table of Director-General’s Delegated Powers –
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Column 1	Column 2	Column 3	Column 4
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s.34	Head of reporting entity must notify commission of reportable allegation or reportable conviction relating to worker (1) This section applies if the head of a reporting entity becomes aware of either of the following— (a) a reportable allegation about a worker of the entity; (b) a reportable conviction of a worker of the entity. (2) Unless the head of the reporting entity has a reasonable excuse, the head of the entity must give the commission written notice about the allegation or conviction mentioned in subsection (1) that complies with section 35(1) (an <i>initial report</i>), within— (a) 3 business days after the head of the entity becomes aware of the allegation or conviction; or (b) if the commission agrees to a longer period—the longer period. Maximum penalty—100 penalty units. (3) Also, unless the head of the reporting entity has a reasonable excuse, the head of the entity must give the commission either a written report that complies with section 35(2) (an <i>interim report</i>) or final report about the allegation or conviction mentioned in subsection (1), within— (a) 30 business days after the head of the entity becomes aware of the allegation or conviction; or (b) if the commission agrees to a longer period—the longer period. Maximum penalty—100 penalty units. (4) It is a reasonable excuse for the head of the reporting entity not to comply with a requirement under subsection (2) or (3) if the head of the entity reasonably believes another person has notified the commission of the reportable allegation or reportable conviction under the subsection.	Subject to the <i>Child Safe Organisations Act 2024</i>, the delegate may exercise a power only in relation to a reportable allegation or reportable conviction involving a worker of the Department, and only for the purpose of performing the Department’s obligations as head of a reporting entity. The delegate must comply with any applicable statutory timeframes, procedural fairness requirements, and any limitation arising where another person has notified the Commission or where an investigation is being conducted by the Commission, a sector regulator, or the police. Initial Report that complies with s.35(1). May be exercised where the delegate becomes aware of a reportable allegation or reportable conviction relating to a Departmental worker. Initial report to the Commission must be made within 3 business days, unless the Commission agrees to a longer period, or the delegate reasonably believes another person has already notified the Commission. Interim Report or Final Report that complies with s.35(2). A Final Report must also comply with s.37. An Interim Report or Final Report must be provided to the Commission within 30 business days, unless the Commission agrees to a longer period, or the delegate reasonably believes another person has already notified the Commission.	• Deputy Director-General, Corporate Services • Assistant Director-General and Chief Human Resources Officer, Corporate Services • Assistant Director-General, Executive Services • Executive Director, Integrity and Employee Relations • Director, Integrity and Employee Relations • Manager, Integrity and Employee Relations • Director, Integrity – Investigations • Manager, Investigations • Principal Investigator • Director, Integrity – Intake Referrals and Partnerships • Manager, Integrity – Intake Referrals and Partnerships • Principal Advisor, Integrity – Intake Referrals and Partnerships • Director, Discipline Advisory and Resolutions • Manager, Discipline Advisory and Resolutions • Principal Advisor, Discipline Advisory and Resolutions

**Schedule 1 – Table of Director-General’s Delegated Powers –
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Column 1	Column 2	Column 3	Column 4
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Division 3 – Investigation and report by head of reporting entity			
s.36	Head of reporting entity must investigate reportable allegation or reportable conviction (1) As soon as practicable after the head of a reporting entity becomes aware of a reportable allegation or reportable conviction relating to a worker of the entity, the head of the entity must— (a) ensure an investigation of the reportable allegation or reportable conviction is conducted; and (b) notify the commission that the investigation is being conducted and provide contact details for a person the commission may contact in relation to the investigation. (2) However, if the head of the reporting entity is not reasonably able to investigate the reportable allegation or reportable conviction, the head of the entity— (a) need not comply within subsection (1); and (b) must, as soon as practicable after the head of the entity becomes aware of the allegation or conviction— (i) notify the commission of the allegation or conviction; and (ii) give the commission reasons why the head of the entity can not reasonably investigate. (3) Before an investigation under subsection (1) ends, the head of the reporting entity must ensure the worker the subject of the reportable allegation or reportable conviction is given a written notice stating— (a) any proposed findings for the investigation that may be adverse to the worker; and (b) that the worker may, within a reasonable stated period, give written submission to the person conducting the investigation about the proposed findings. (4) The head of the reporting entity must ensure the worker’s submissions are considered in preparing a report under section 37.	Subject to the <i>Child Safe Organisations Act 2024</i>, the delegate may exercise a power only in relation to a reportable allegation or reportable conviction involving a worker of the Department, and only for the purpose of performing the Department’s obligations as head of a reporting entity. The delegate must comply with any applicable statutory timeframes, procedural fairness requirements, and any limitation arising where another person has notified the Commission or where an investigation is being conducted by the Commission, a sector regulator, or the police. Investigation To be exercised where the delegate becomes aware of a reportable allegation or reportable conviction relating to a Departmental worker. The delegate must ensure an investigation is conducted as soon as practicable and must notify the Commission of the investigation and provide a contact person. If the delegate is not reasonably able to investigate, the delegate must notify the Commission as soon as practicable and give reasons. The delegate must also ensure procedural fairness is afforded to the worker in accordance with s.36(3) and s.36(4).	• Deputy Director-General, Corporate Services • Assistant Director-General and Chief Human Resources Officer, Corporate Services • Assistant Director-General, Executive Services • Executive Director, Integrity and Employee Relations • Director, Integrity and Employee Relations • Manager, Integrity and Employee Relations • Director, Integrity – Investigations • Manager, Investigations • Principal Investigator • Senior Investigator • Investigator • Director, Integrity – Intake Referrals and Partnerships • Manager, Integrity – Intake Referrals and Partnerships • Director, Discipline Advisory and Resolutions • Manager, Discipline Advisory and Resolutions • Principal Advisor, Integrity – Intake Referrals and Partnerships • Senior Complaints and

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Column 1	Column 2	Column 3	Column 4
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			Risk Advisor, Integrity and Employee Relations • Manager, Discipline Advisory and Resolutions • Principal Advisor, Discipline Advisory and Resolutions • Senior Advisor, Discipline Advisory and Resolutions
s.37	Report by head of reporting entity (1) As soon as practicable after the investigation is completed, the head of the reporting entity must prepare, and give to the commission, a written report that complies with subsection (2) (a <i>final report</i>). Maximum penalty—100 penalty units. (2) The report must include— (a) information about the facts and circumstances of the reportable allegation or reportable conviction; and (b) the findings the head of the reporting entity has made about the reportable allegation or reportable conviction after completing the investigation, including whether or not the worker has engaged in reportable conduct; and (c) the reasons for the findings; and (d) copies of documents relied on by the head of the reporting entity in making the findings; and <i>Examples of documents—</i> • statements taken during the investigation • documents mentioned in the report • submissions made by the worker (e) if the matter involves any other entities—information about whether the matter has been referred to another entity, including details of the other entity; and (f) if the worker currently performs work for the entity—any action, including risk management action, taken in response to the reportable allegation or reportable	Subject to the <i>Child Safe Organisations Act 2024</i>, the delegate may exercise a power only in relation to a reportable allegation or reportable conviction involving a worker of the Department, and only for the purpose of performing the Department’s obligations as head of a reporting entity. The delegate must comply with any applicable statutory timeframes, procedural fairness requirements, and any limitation arising where another person has notified the Commission or where an investigation is being conducted by the Commission, a sector regulator, or the police. Final Report May be exercised only after completion of the investigation required under s.36, unless the section is displaced because a sector regulator or the Commission assumes conduct of the investigation under s.37(3). The final report must comply with s.37(2) and be given to the Commission as soon as practicable.	• Deputy Director-General, Corporate Services • Assistant Director-General and Chief Human Resources Officer, Corporate Services • Assistant Director-General, Executive Services • Executive Director, Integrity and Employee Relations • Director, Integrity and Employee Relations • Manager, Integrity and Employee Relations • Director, Integrity – Investigations • Manager, Investigations • Principal Investigator • Director, Integrity – Intake Referrals and Partnerships • Manager, Integrity – Intake Referrals and Partnerships • Principal Advisor, Integrity – Intake Referrals and Partnerships

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	conviction, including, for example— (i) any immediate steps taken to prevent the worker from having contact with children; and (ii) any disciplinary action taken or proposed to be taken against the worker; and (g) any action taken, or proposed to be taken, to improve the reporting entity’s ability to identify reportable conduct and to report and investigate reportable allegations and reportable convictions; and <i>Examples of actions—</i> • reviewing systems or policies • improving the implementation of, and compliance with, the child safe standards and universal principle (h) if no action mentioned in paragraph (f) or (g) is to be taken—the reasons why no action is to be taken. (3) However, subsection (1) does not apply if, before the head of the reporting entity complies with this section— (a) a sector regulator agrees to conduct an investigation of the reportable allegation or reportable conviction under section 42 and the sector regulator has given a written notice asking the entity to end the investigation under that section; or (b) the commission gives a written notice of the commission’s investigation of the reportable allegation or reportable conviction under section 43(2)(c) asking the head of the entity to end the investigation.		• Director, Discipline Advisory and Resolutions • Manager, Discipline Advisory and Resolutions • Principal Advisor, Discipline Advisory and Resolutions
Division 4 - Exemptions			
s.39(5)	Commission may exempt reporting entities from complying with part (1) This section applies in relation to a reporting entity if the commission is satisfied— (a) the entity has the competence and resources to investigate a reportable allegation or reportable conviction without the oversight of the commission; and (b) the entity has demonstrated competence in taking appropriate action in response to a	Subject to the <i>Child Safe Organisations Act 2024</i>, the delegate may exercise a power only in relation to a reportable allegation or reportable conviction involving a worker of the Department, and only for the purpose of performing the Department’s obligations as head of a reporting entity. The delegate must comply with any applicable statutory timeframes, procedural fairness	• Deputy Director-General, Corporate Services • Assistant Director-General and Chief Human Resources Officer, Corporate Services • Assistant Director-General, Executive Services • Executive Director,

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	finding of reportable conduct. (2) The commission may exempt the reporting entity from complying with section 34, 35 or 37, or a particular requirement under section 33 or 36, in relation to the conduct, or a class of conduct, of workers. (3) If the commission exempts a reporting entity under subsection (2), the commission must— (a) notify the entity of the exemption; and (b) publish the exemption on the commission’s website. (4) Subsection (5) applies if the commission exempts a reporting entity from the requirement to give a final report about an investigation of conduct, or a class of conduct, the subject of a reportable allegation or reportable conviction. (5) The head of the reporting entity must, as soon as practicable after the completion of an investigation into the conduct, or conduct of that class, give the commission written notice stating— (a) the findings of the head of the entity in relation to the reportable allegation or reportable conviction; and (b) the reasons for the findings; and (c) the action taken by the entity in relation to the findings. (6) A regulation may prescribe a matter for the giving of an exemption by the commission under this section, including, for example, the following— (a) a requirement for the giving of an exemption under subsection (2); (b) a limitation on the reporting entities that may be given an exemption.	requirements, and any limitation arising where another person has notified the Commission or where an investigation is being conducted by the Commission, a sector regulator, or the police. This provision relates to exemptions granted by the Commission. If the Department is the subject of an exemption, the delegate may only act consistently with the terms of the exemption and must comply with the reporting obligation in s.39(5), where applicable.	Integrity and Employee Relations • Director, Integrity and Employee Relations • Manager, Integrity and Employee Relations • Director, Integrity – Investigations • Manager, Investigations • Principal Investigator • Director, Integrity – Intake Referrals and Partnerships • Manager, Integrity – Intake Referrals and Partnerships • Director, Discipline Advisory and Resolutions • Manager, Discipline Advisory and Resolutions • Principal Advisor, Discipline Advisory and Resolutions
Part 5 - Miscellaneous			
s.46	Concurrent investigations (1) Subsection (2) applies if— (a) the head of a reporting entity, a sector regulator or the commission is investigating, or proposes to investigate, a reportable allegation; and	Subject to the <i>Child Safe Organisations Act 2024</i>, the delegate may exercise a power only in relation to a reportable allegation or reportable conviction involving a worker of the Department, and only for	• Deputy Director-General, Corporate Services • Assistant Director-General and Chief Human Resources Officer, Corporate Services

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	(b) the head of the reporting entity, sector regulator or commission becomes aware that the conduct the subject of the reportable allegation may involve criminal conduct. (2) The head of the reporting entity, sector regulator or commission must, as soon as practicable, notify a police officer of the belief. (3) Subsection (4) applies if the police commissioner becomes aware that an investigation or proposed investigation by the head of an entity, a sector regulator or the commission may prejudice a police investigation. (4) The police commissioner may ask the head of the reporting entity, sector regulator or commission to suspend, or not commence, an investigation until the police investigation is complete, or the police commissioner otherwise advises that the head of the entity, sector regulator or commission may continue or commence its investigation. (5) The head of the reporting entity, sector regulator or commission must take all reasonable steps to mitigate any risks to the safety, wellbeing and best interests of children that may arise as a result of complying with the police commissioner’s request. (6) If the head of a reporting entity, sector regulator or the commission that has given notice to a police officer under subsection (2) does not receive a request under subsection (4), the head of the entity, sector regulator or the commission must ensure the investigation is conducted in a way that does not prejudice the police investigation. (7) A request by the police commissioner under subsection (4) does not affect another investigation, disciplinary process or other proceeding relating to the conduct that is being conducted other than this Act. (8) In this section— police investigation includes any court proceeding resulting from the investigation.	the purpose of performing the Department’s obligations as head of a reporting entity. The delegate must comply with any applicable statutory timeframes, procedural fairness requirements, and any limitation arising where another person has notified the Commission or where an investigation is being conducted by the Commission, a sector regulator, or the police. May be exercised where the delegate, acting in relation to a reportable allegation, becomes aware that the conduct may involve criminal conduct. The delegate must notify police as soon as practicable and must conduct any investigation in a way that does not prejudice any police investigation. If the Police Commissioner requests suspension or non-commencement of the investigation, the delegate must comply, while taking all reasonable steps to mitigate risks to children.	• Assistant Director-General, Executive Services • Executive Director, Integrity and Employee Relations • Director, Integrity and Employee Relations • Manager, Integrity and Employee Relations • Principal Advisor, Integrity and Employee Relations • Senior Advisor, Integrity and Employee Relations • Director, Integrity – Investigations • Manager, Investigations • Principal Investigator • Senior Investigator • Investigator • Director, Integrity – Intake Referrals and Partnerships • Manager, Integrity – Intake Referrals and Partnerships • Principal Advisor, Integrity – Intake Referrals and Partnerships • Senior Complaints and Risk Advisor, Integrity and Employee Relations • Advisor – within Integrity and Employee Relations • Senior Complaints and Information Officer –

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			within Integrity and Employee Relations • Complaints and Information Officer – within Integrity and Employee Relations • Director, Discipline Advisory and Resolutions • Manager, Discipline Advisory and Resolutions • Principal Advisor, Discipline Advisory and Resolutions • Senior Advisor, Discipline Advisory and Resolutions • Executive Director, HR Regional Operations • Director HRBP, Regional HR • Manager, Regional HR • Principal HR Consultant, Regional HR • Senior HR Consultant, Regional HR