

SCHEDULE X: Children and Young Persons (Care and Protection) Act

Effective 22 April 2021

Schedule Guide

- The numbers 1-13 refer to the 13 delegation categories defined in Schedule A.
- An X indicates that the delegation is available to the corresponding delegation category.
- A financial delegation is indicated by a blue shaded delegation cell. Unless otherwise stated, the general financial limits in Schedule B apply.
- An administrative delegation is indicated by a white shaded delegation cell.
- “From” refers to the position from which the power is delegated.
- The term ‘Aboriginal’ is used in this schedule, the definition of Aboriginal in NSW Department of Communities and Justice (“**DCJ**”) is inclusive of Torres Strait Islanders.
- In this Schedule, a reference to “**the Minister**” is to the Minister for Families, Communities and Disability Services.

Applicable legislation (“**Source**”):

Children and Young Persons (Care and Protection) Act 1998 (NSW) (“**Care Act**”)

Children and Young Persons (Care and Protection) Regulation 2012 (NSW) (“**Care Reg**”)

Del #	Powers/Functions	Source	From	Delegate												
				1	2	3	4	5	6	7	8	9	10	11	12	13
PART 1 – ADMINISTRATIVE DELEGATIONS																
Aboriginal Children and Young Persons																
22.1	Self-Determination Negotiate and agree with Aboriginal people for the implementation of programs and strategies that promote self-determination as general policy.	Care Act s11(2)	Minister	X	X	X										X
22.2	Aboriginal Self-Determination In a specific case, in line with general policy, negotiate and agree with people for the implementation of programs and strategies that promote self-determination.	Care Act s11(2)	Minister	X	X	X	X	X								X
22.3	Participation in Decision-Making Approve the participation of Aboriginal people in decision making concerning: <ul style="list-style-type: none"> the placement of Aboriginal children and young people; other significant decisions made under the Care Act that concern their children and young people as general policy. 	Care Act s12	Minister	X	X	X										X
22.4	Aboriginal Participation In a specific case, in line with general policy, approve participation in decision making concerning the placement of Aboriginal children or young people.	Care Act s12	Minister	X	X	X	X	X								X
22.5	Placement Principles Approve the placement of an Aboriginal child or young person in an out-of-home care placement <i>other than</i> with family, kinship group or other Aboriginal carer, <i>after</i> consultation with the child or young person's family, extended family or kinship group and other appropriate Aboriginal organisations.	Care Act ss13(1) (d) (i-ii)	Secretary	X	X	X										

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				1	2	3	4	5	6	7	8	9	10	11	12	13
22.6	Exercise aspects of the Minister's parental responsibility including: <ul style="list-style-type: none"> changing a case goal plan to adoption for an Aboriginal child or young person; consenting to a change of name for an Aboriginal child or young person. 	Care Act ss79(1)(b), 79(1)(c), 79(1)(e)	Minister	X	X	X	X									
22.7	Exercise aspects of the Minister's parental responsibility including: Consenting to the adoption of an Aboriginal child or young person.	Care Act ss79(1)(b), 79(1)(c), 79(1)(e)	Minister	X												
Requests for Assistance and Reports																
22.8	Request for services Approve making a request to a government department or agency, or a non-government agency in receipt of government funding, to: <ul style="list-style-type: none"> provide services to a child or young person or to his or her family. provide prioritised access to services to a child or young person who is at risk of significant harm and to his or her family. 	Care Act s17(1), (2)	Secretary	X	X	X	X	X								
22.9	Risk of Significant Harm – Determination Determine if a child or young person is at risk of significant harm.	Care Act s30(a)	Secretary	X	X	X	X	X	X ¹							

¹ Limited to Team Leader, Helpline

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				1	2	3	4	5	6	7	8	9	10	11	12	13	
22.10	<p>Investigation and Assessment Make decision, after screening of a report, to take no further action, on the basis of insufficient reason to believe that a child or young person is at risk of significant harm.</p> <p>Notes: 1. Refer to the 'Sibling safety policy'.. In the case of the death of a child the Executive District Director or Director Community Services must approve case closure without undertaking a filed assessment (i.e. no further action) in relation to siblings or other children in the home.</p>	Care Act s30(b)	Secretary	X	X	X	X	X	X ²								
22.11	<p>Section 29 (1A) Reports Authorisation to issue certificates under section 29(1A) that certain documents are reports.</p>	Care Act s29(1A)	Secretary	X	X	X	X										
Children and Young Persons in Need of Care and Protection																	
22.12	<p>Taking Action Determine that a child or young person is in need of care and protection.</p>	Care Act s34(1)	Secretary	X	X	X	X	X									

² Limited to Team Leader, Helpline

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				1	2	3	4	5	6	7	8	9	10	11	12	13
22.13	Approval of Action Approve action to safeguard or promote the safety, welfare and well-being of a child or young person in need of care and protection, including (but not limited to): <ul style="list-style-type: none"> • provision of support services; • offering alternative dispute resolution; • development of a care plan; • development of a parental responsibility contract; • taking emergency action; • seeking appropriate orders from the Children's Court. 	Care Act s34(1)	Secretary	X	X	X	X	X								
22.14	Approval of No Action Approve decision to take no action following a determination that a child or young person is in need of care and protection.	Care Act s35(1)	Secretary	X	X	X	X	X								
22.15	Offer Alternative Dispute Resolution Offer alternative dispute resolution to the family of a child or young person who is at risk of significant harm, before seeking care orders from the Children's Court.	Care Act s37(1A)	Secretary	X	X	X	X	X								
22.16	Approval to Not Offer Alternative Dispute Resolution in Exceptional Circumstances Approve not offering alternative dispute resolution to the family of a child or young person if participation would not be appropriate due to exceptional circumstances.	Care Act s37(1B)	Secretary	X	X	X	X	X								

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				1	2	3	4	5	6	7	8	9	10	11	12	13
22.17	Alternative Dispute Resolution During Criminal Proceedings or Police Investigations <ul style="list-style-type: none"> Seek advice from NSW Police Force about the likely effect of alternative dispute resolution processes. Determine whether it is appropriate to offer alternative dispute resolution after taking this advice into account. 	Care Act s37(1C)	Secretary	X	X	X	X	X								
Entry to Residential Premises of Prospective Guardians																
22.18	Entry to Residential Premises of Prospective Guardians Enter and inspect residential premises, inspect document or thing and interview the applicant or any other person on the premises for the purpose of assessing the prospective guardian's suitability as a guardian.	Care Act s79E(1)	Secretary	X	X	X	X	X						X		
Care Responsibility on Death of a Guardian or Carer with Full Parental Responsibility																
22.19	Approval of Assessments and Investigations Approve investigations and assessments to determine the most appropriate care arrangements for a child or young person whose guardian, or carer with full parental responsibility, has died.	Care Act s39A(2)	Secretary	X	X	X	X	X								
22.20	Delegation of Care Responsibility to Relative or Kin, an Authorised Carer or Person Approved by the Children's Guardian Delegate the Secretary's care responsibility to a relative or kin of the child or young person, an authorised carer or a person approved by the Children's Guardian.	Care Act s39A(3)	Secretary	X	X	X	X	X								

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22.21	Delegation of Care Responsibility to Another Person Delegate the Secretary's care responsibility on an interim basis to a person other than a relative or kin of the child or young person, an authorised carer or a person approved by the Children's Guardian.	Care Act s39A(4)	Secretary	X	X	X	X	X								
Children's Court Proceeding – Emergency Protection and Assessment																
22.22	Removal of non-Aboriginal Children Decide to remove a child or young person: <ul style="list-style-type: none"> • approve action to remove a child or young person at immediate risk of serious harm; or • for the purpose of section 43(2) and (3) - approve action to remove a child in need of care and protection. 	Care Act s 43(1), (2), (3)	Secretary	X	X	X	X	X								
22.23	Removal of an Aboriginal Child or Young Person Decide to remove an Aboriginal child or young person: <ul style="list-style-type: none"> • approve action to remove a child or young person at immediate risk of serious harm; or • for the purpose of section 43(2) and (3) – approve action to remove a child in need of care and protection. 	Care Act s 43(1), (2), (3)	Secretary	X	X	X	X									
22.24	Removal of a Child or Young Person Physical removal of a child or young person from: <ul style="list-style-type: none"> • a place of risk; • any public place; • premises or place or any such adjacent place used for prostitution or pornographic purposes. 	Care Act s 43(1), (2), (3)	Secretary	X	X	X	X	X	X					X		
22.25	Assumption of Care Responsibility - Aboriginal Children Decide to assume care responsibility of an Aboriginal child or young person that is at risk of serious harm in hospital or other premises: <ul style="list-style-type: none"> • approve action to assume care responsibility. 	Care Act s44(1)	Secretary	X	X	X	X									

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				1	2	3	4	5	6	7	8	9	10	11	12	13
22.26	Assumption of Care Responsibility - Non Aboriginal Children Decide to assume care responsibility of a child or young person that is at risk of serious harm in hospital or other premises: <ul style="list-style-type: none"> approve action to assume care responsibility. 	Care Act s44(1)	Secretary	X	X	X	X	X								
22.27	Assumption of Care Responsibility Assume the care responsibility of a child or young person in hospital or other premises by serving an order in writing on the person who appears to be in charge of the premises.	Care Act s44(1)	Secretary	X	X	X	X	X	X					X		
22.28	Assumption of Care Responsibility Sign an order to assume care responsibility of a child or young person in hospital or other premises.	Care Act s44(1)	Secretary	X	X	X	X	X								
22.29	Application to Children's Court for Care Order Make application to the Children's Court, after removal or assumption of care responsibility of a child or young person, for one or more of the following: <ul style="list-style-type: none"> an emergency care and protection order; any assessment order; any other care order. 	Care Act s45(1)	Secretary	X	X	X	X	X								
22.30	Application for Care Order Determine that application for a care order is not necessary and advise the Children's Court.	Care Act s45(3)	Secretary	X	X	X	X	X								
22.31	Emergency Care and Protection Orders Make application to the Children's Court for an emergency care and protection order.	Care Act s46(1)	Secretary	X	X	X	X	X								

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				1	2	3	4	5	6	7	8	9	10	11	12	13	
22.32	Removal of Child or Young Person Pursuant to Order of Children's Court – Non Aboriginal Children Cause an application to be made in the Children's Court for an order for the removal of a child or young person whom is the subject of a care application.	Care Act s48	Secretary	X	X	X	X	X									
22.33	Removal of Child or Young Person Pursuant to Order of Children's Court – Aboriginal Children Cause an application to be made in the Children's Court for an order for the removal of a child or young person whom is the subject of a care application.	Care Act s48	Secretary	X	X	X	X										
22.34	Care Pending Proceedings Approve place where a child or young person may be kept following removal without warrant (section 43 or 44) or with warrant (section 48 or 233).	Care Act s49(1) (a)	Minister	X	X	X	X	X									
22.35	Delegation of Care Responsibility Delegate the Secretary's care responsibility to: <ul style="list-style-type: none"> a relative of the child or young person, an authorised carer or a person approved by the Children's Guardian; another person, other than a relative of the Child or young person, an authorised carer or a person approved by the Children's Guardian, on an interim basis. 	Care Act ss49(3), (4)	Secretary	X	X	X	X	X									
22.36	Discharge from Secretary's Care Responsibility Discharge a child or young person from the Secretary's care responsibility, with or without undertakings.	Care Act s50(1)	Secretary	X	X	X	X	X									

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22.37	<p>Provision of Information Decide to provide information to a parent as to a child's whereabouts, provided that there is no reason to believe it would be prejudicial to the safety, welfare, well-being and interests of the child.</p> <p>Note: This delegation relates to the duty of the Secretary to give information, where appropriate and in the interests of the child.</p>	Care Act s51(1)(b)	Secretary	X	X	X	X	X								
22.38	<p>Assessment of Person's Capacity for Parental Responsibility Make application to the Children's Court for an assessment order.</p>	Care Act s55(1)	Secretary	X	X	X	X	X								
Children's Court Proceedings – Care Applications																
22.39	<p>Applications for Care Orders Make application to the Children's Court for a care order.</p>	Care Act s61(1)	Secretary	X	X	X	X	X								
22.40	<p>Application to Vary Care Order Sought Make application with or without leave to vary an application for a care order.</p>	Care Act s61(3)	Secretary	X	X	X	X	X								
22.41	<p>Dispute Resolution Conferences Approve or oppose proposed action/decisions made at a dispute resolution conference.</p>	Care Act s65(2A)	Secretary	X	X	X	X	x								
22.42	<p>Dispute Resolution Conferences – Approval of Legal Representation Determine when legal representation is required at a dispute resolution conference:</p> <ul style="list-style-type: none"> approve legal representation. 	Care Act s65(3)	Secretary	X	X	X	X	X								
22.43	<p>Leave to Withdraw Care Application Make application for leave of the Children's Court to withdraw a care application.</p>	Care Act s66(1)	Secretary	X	X	X	X	X								

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22.44	Interim Care Orders Make application to the Children’s Court for an interim order.	Care Act s69(2)	Secretary	X	X	X	X	X								
22.45	Supervision Order – Extension Make application to the Children’s Court for extension of a supervision order.	Care Act s76(6)	Secretary	X	X	X	X	X								
22.46	Supervision Order – Revocation Make application to the Children’s Court to revoke a supervision order.	Care Act s76(7)	Secretary	X	X	X	X	X								
22.47	Supervision Exercise the functions of the Secretary for the supervision of a child or young person under a supervision order.	Care Act s77(1)	Secretary	X	X	X	X	X	X					X		
22.48	Supervision Order – Breach Approve the lodging of a breach of supervision order with the Children’s Court.	Care Act s77(2)	Secretary	X	X	X	X	X								
22.49	Application for a Guardianship Order Consent to the making of an application for a guardianship order. Note: Except for Aboriginal children placed with a suitable person* which is limited to Executive District Director.	Care Act S79B(1) (a)	Secretary	X	X	X	X	X ³								
22.50	Application for a Guardianship Order Consent to the making of an application for a guardianship order.	Care Act S79B (1) (b) and(c)	Secretary	X	X	X	X	X								

³ *Guardians who are not relatives or kin should, where practicable and in the best interests of the child, be Aboriginal people. In exceptional circumstances, guardianship can be considered for Aboriginal children residing in non-Aboriginal placement with the approval of the Executive District Director.

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				1	2	3	4	5	6	7	8	9	10	11	12	13
22.51	Contact Orders Consent to supervision of a contact order. Note: The Children’s Court may only make an order that contact be supervised by DCJ with consent.	Care Act s86(2)	Secretary	X	X	X	X	X								
22.52	Application for a Contact Order Make an application for a contact order.	Care Act s86(1A) (a) s86(1A) (b)	Secretary	X	X	X	X	X								
22.53	Variation of Contact Orders by agreement Agree to, and sign, a contact variation agreement.	Care Act s86A	Secretary	X	X	X	X	X								
22.54	Rescission and Variation of Care Orders Make application to the Children’s Court for the rescission or variation of a care order (this includes seeking leave of the Children’s Court).	Care Act s90(1)	Secretary	X	X	X	X	X								
22.55	Appeals Approve filing an appeal against an order (other than an interim order) of the Children’s Court. Note: Any request for approval must be accompanied by an endorsement from Director, Child Protection	Care Act s91	Secretary	X	X	X	X									
22.56	Parent Capacity Order Apply to the Court for a parent capacity order (NB: This is not a care order).	Care Act S91B(a)	Secretary	X	X	X	X	X								
22.57	Parent Capacity Order Consent to the making of a parent capacity order by consent.	Care Act S91F(1)	Secretary	X	X	X	X	X								

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22.58	Parent Capacity Order Make an application to vary or revoke a parent capacity order.	Care Act S91H(1)(a)	Secretary	X	X	X	X	X								
22.59	Application for Order for Alternative Parenting Plan Make application to the Children's Court for an order approving an alternative parenting plan.	Care Act s116(1)	Secretary	X	X	X	X	X								
Care Plans and Permanency Plans																
22.60	Approve Care Plan Present a care plan to the Children's Court: • approve/sign care plan.	Care Act s78	Secretary	X	X	X	X	X								
22.61	Permanency Plan – Restoration Approve permanency plan involving restoration for submission to the Children's Court.	Care Act s83(2)	Secretary	X	X	X	X	X								
22.62	Approve Permanency Plan – long term care other than Adoption Approve a permanency plan <u>not</u> involving restoration other than adoption: • prepare/recommend permanency plan.	Care Act s83(3)	Secretary	X	X	X	X	X	X				X			
22.63	Approve Permanency Plan – Adoption Approve a permanency plan where adoption is the preferred option for the child or young person. Note: Except with respect to Aboriginal children or young people. For specific delegation related to Aboriginal children or young people refer to delegation #22.6 and #22.7.	Care Act s83(4)	Secretary	X	X	X	X	X								
22.64	Registration of Certain Alternative Parenting Plans Make application to the Children's Court for registration of an alternative parenting plan.	Care Act s119	Secretary	X	X	X	X	X								
22.65	Alternative Parenting Plan Provide the views of the Secretary regarding the services that need to be provided to the child or young person and his or her family.	Care Reg cl23(2)(b)	Secretary	X	X	X	X	X	X				X			

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				1	2	3	4	5	6	7	8	9	10	11	12	13	
Children's Court Proceedings – Court Procedures																	
22.66	Care Plan – Registration Make application to the Children's Court for registration of a care plan or a consent order.	Care Act s38	Secretary	X	X	X	X	X									
22.67	Role of Children's Court Clinic Agree to appointment of a person, other than the Children's Court Clinic, to prepare and submit an assessment report concerning a child or young person.	Care Act s58(2)	Secretary	X	X	X	X	X									
22.68	Publication of Identifying Information Consent to the publication or broadcasting of the name or any information, picture or material that is likely to identify a child or young person under the parental responsibility of the Minister who is: <ul style="list-style-type: none"> involved or is likely to be involved or mentioned in proceedings before the Children's Court or any non-Court proceedings; or the subject of a report under sections 24, 25, 27, 120, 121 or 122. 	Care Act s105(3)(b)(iii)	Secretary	X	X	X											
Out of Home Care – Working with Carers																	
22.69	Authorised Carer – Right to Information Approve the disclosure by an authorised carer of information provided under section 144(1) as general policy.	Care Act s144(2)(b)	Minister	X	X	X											
22.70	Authorised Carer – Right to Information Approve in a specific case, in line with general policy, the disclosure by an authorised carer of information provided under section 144(1).	Care Act s144(2)(b)	Minister	X	X	X	X	X									
22.71	Parental Responsibility – Delegation to Authorised Carer Delegate to an authorised carer the exercise of specific aspects of parental responsibility that are held by the Minister for a particular child or young person.	Care Act s249	Minister	X	X	X	X										

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Out of Home Care – Temporary Care Arrangements																
22.72	Temporary Care Arrangements Make a temporary care arrangement in respect of a child or young person who is in need of care and protection.	Care Act s151(1)	Secretary	X	X	X	X	X								
22.73	Renewal of Temporary Care Arrangement Decide to renew a temporary care arrangement after the expiration of 3 months.	Care Act s152(2)	Secretary	X	X	X	X	X								
22.74	Termination of Temporary Care Arrangement Approve termination of a temporary care arrangement in respect of a child or young person who is no longer in need of care and protection.	Care Act s152(5)	Secretary	X	X	X	X	X								
22.75	Exercise of Care Responsibility – Temporary Care Arrangement Exercise the Secretary's care responsibility for a child or young person in respect of whom there is a temporary care arrangement in force, subject to this section and the regulations.	Care Act s154(1)	Secretary	X	X	X	X	X								
22.76	Withholding of Information Concerning Whereabouts Approve withholding information concerning the child's whereabouts to the child's parents where disclosure would be prejudicial to the safety, welfare and well-being of the child.	Care Act s51s154(2)(c)	Secretary	X	X	X	X	X								
Entry to Residential Premises																
22.77	Entry to Residential Premises of Applicants for Authorisation Enter and inspect residential premises, inspect document or thing and interview the applicant or any other person on the premises for the purposes of authorisation of the applicant as an authorised carer.	Care Act S137A(2)	Secretary	X	X	X	X	X						X		

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22.78	Entry to Residential Premises of Authorised carers Enter and inspect residential premises of an authorised carer to assess their suitability and supervise the placement of the child or young person in their care.	Care Act S137B (2)	Secretary	X	X	X	X	X						X			
Out of Home Care – Arrangements																	
22.79	Functions of Secretary – Supervising Person Exercise the functions of the Secretary as the <i>supervising person</i> for a child or young person in out-of-home care.	Care Reg cl29	Secretary	X	X	X	X	X	X					X			
Out of Home Care – Exercising Parental Responsibility																	
22.80	Parental Responsibility – Residual Exercise the functions of parental responsibility for those aspects of parental responsibility allocated to the Minister except as otherwise provided for in this instrument of delegation. This includes, amongst other things: <ul style="list-style-type: none"> • residence; • contact arrangements; • education and training; • religious upbringing. 	Care Act ss79(1)(b), 79(1)(c), 79(1)(e)	Minister	X	X	X	X	X									
22.81	Parental Responsibility Give consent to or determine the following aspects of Minister's parental responsibility: <ul style="list-style-type: none"> • enter an apprenticeship. 	Care Act ss79(1)(b), 79(1)(c), 79(1)(e)	Minister	X	X	X	X	X									
22.82	Parental Responsibility Give consent to or determine the following aspects of Minister's parental responsibility: <ul style="list-style-type: none"> • enlistment in armed forces. 	Care Act ss79(1)(b), 79(1)(c), 79(1)(e)	Minister	X	X	X	X	X									

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22.83	Parental Responsibility Give consent to or determine the following aspects of Minister's parental responsibility: <ul style="list-style-type: none"> change of name (except an Aboriginal child or young person). 	Care Act ss79(1)(b), 79(1)(c), 79(1)(e)	Minister	X	X	X	X	X									
22.84	Parental Responsibility Give consent to or determine the following aspects of Minister's parental responsibility: <ul style="list-style-type: none"> adoption (except an Aboriginal child or young person). 	Care Act ss79(1)(b), 79(1)(c), 79(1)(e)	Minister	X	X	X											
22.85	Parental Responsibility Grant permission for the removal of a child or young person from NSW: <ul style="list-style-type: none"> to move interstate or overseas for up to 12 months. 	Care Act ss79(1)(b), 79(1)(c), 79(1)(e)	Minister	X	X	X	X										
22.86	Parental Responsibility Grant permission for the removal of a child or young person from NSW: <ul style="list-style-type: none"> to move interstate or overseas for a period exceeding 12 months 	Care Act ss79(1)(b), 79(1)(c), 79(1)(e)	Minister	X	X	X	X										
22.87	Parental Responsibility Grant permission for the removal of a child or young person from NSW: <ul style="list-style-type: none"> to travel interstate or overseas for up to 3 months. 	Care Act ss79(1)(b), 79(1)(c), 79(1)(e)	Minister	X	X	X	X	X									

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22.88	Parental Responsibility Grant permission for the removal of a child or young person from NSW: <ul style="list-style-type: none"> to travel interstate or overseas for up to 12 months. 	Care Act ss79(1)(b), 79(1)(c), 79(1)(e)	Minister	X	X	X	X									
22.89	Parental Responsibility Grant permission for the removal of a child or young person from NSW: <ul style="list-style-type: none"> to travel interstate or overseas for a period exceeding 12 months. 	Care Act ss79(1)(b), 79(1)(c), 79(1)(e)	Minister	X	X	X	X									
22.90	Parental Responsibility Exercise aspects of the Minister's parental responsibility involving making application for a passport on behalf of a child or young person.	Care Act ss79(1)(b), 79(1)(c), 79(1)(e)	Minister	X	X	X	X	X								
22.91	Parental Responsibility Exercise aspects of the Minister's parental responsibility involving granting consent to marriage of a child or young person.	Care Act ss79(1)(b), 79(1)(c), 79(1)(e)	Minister	X	X	X	x									
22.92	Parental Responsibility Exercise aspects of the Minister's parental responsibility involving giving consent to placement of a child when there is a case plan for adoption (except for an Aboriginal child or young person).	Care Act ss79(1)(b), 79(1)(c), 79(1)(e)	Minister	X	X	X	X	X								

Del #	Powers/Functions	Source	From	Delegate													
				1	2	3	4	5	6	7	8	9	10	11	12	13	
22.93	Parental Responsibility Exercise aspects of the Minister's parental responsibility including giving consent to the making of an application for adoption by the current carers (except for an Aboriginal child or young person).	Care Act ss79(1)(b), 79(1)(c), 79(1)(e)	Minister	X	X	X	X										
22.94	Parental Responsibility Obtain the views of the persons who had parental responsibility for the child or young person before an order allocating parental responsibility is sought.	Care Act s79(6)	Minister	X	X	X	X	X	X	X	X	X	X	X			
22.95	Parental Responsibility Register the birth of a child under the parental responsibility of the Minister and obtain a birth certificate for that child.	Care Act ss79(1)(b), 79(1)(c), 79(1)(e)	Minister	X	X	X	X	X									
22.96	Parental Responsibility Register the death of a child or young person under the parental responsibility of the Minister and obtain a death certificate for that child.	Care Act ss79(1)(b), 79(1)(c), 79(1)(e)	Minister	X	X	X	X	X									
22.97	Parental Responsibility Establish a Trust Account for a child or young person under the parental responsibility of the Minister.	Care Act ss79(1)(b), 79(1)(c), 79(1)(e)	Minister	X	X	X	X										
22.98	Parental Responsibility Arrange for an advance of funds from a Trust Account for a child or young person under the parental responsibility of the Minister.	Care Act ss79(1)(b), 79(1)(c), 79(1)(e)	Minister	X	X	X	X										

Del #	Powers/Functions	Source	From	Delegate													
				1	2	3	4	5	6	7	8	9	10	11	12	13	
22.99	Parental Responsibility Enter a bail agreement or lodge a surety on behalf of a child or young person under the parental responsibility of the Minister.	Care Act ss79(1)(b), 79(1)(c), 79(1)(e)	Minister	X	X	X	X										
22.100	Parental Responsibility Payment of fines where a child or young person under the parental responsibility of the Minister is unable or unwilling to pay the fine.	Care Act ss79(1)(b), 79(1)(c), 79(1)(e)	Minister	X	X	X	X ⁴	X ⁵									
22.101	Parental Responsibility Make application for a child or young person under the parental responsibility of the Minister to make a will.	Care Act ss79(1)(b), 79(1)(c), 79(1)(e)	Minister	X	X	X	X	X									
22.102	Parental Responsibility Make application for a child or young person under the parental responsibility of the Minister to make a statutory will where the child does not have capacity.	Care Act ss79(1)(b), 79(1)(c), 79(1)(e)	Minister	X	X	X	X	X									
22.103	Parental Responsibility Make application on behalf of a child or young person under the parental responsibility of the Minister who has been injured in a car accident.	Care Act ss79(1)(b), 79(1)(c), 79(1)(e)	Minister	X	X	X	X	X									

⁴ For payments of fines in excess of \$250

⁵ For payments of fines up to \$250

Del #	Powers/Functions	Source	From	Delegate												
				1	2	3	4	5	6	7	8	9	10	11	12	13
22.104	Parental Responsibility Make Victims Compensation application on behalf of a child or young person under the parental responsibility of the Minister.	Care Act ss79(1)(b), 79(1)(c), 79(1)(e)	Minister	X	X	X	X	X								
22.105	Parental Responsibility Exercise the powers of parental responsibility with respect to a child or young person the subject of the delegation by making an application to and appearing as a delegate at a tribunal, including but not limited to the NSW Civil and Administrative Tribunal (“ NCAT ”) (including the Guardianship and Consumer and Commercial Divisions) and the Administrative Appeals Tribunal (“ AAT ”) on behalf of a child or young person the subject of the delegation.	Care Act ss79(1)(b), 79(1)(c), 79(1)(e)	Minister	X	X	X	X	X								
22.106	Parental Responsibility Make Workers Compensation Claim on behalf of a child or young person under the parental responsibility of the Minister. Note: This does not prevent the child or young person from making their own claim.	Care Act ss79(1)(b), 79(1)(c), 79(1)(e)	Minister	X	X	X	X	X								
22.107	Parental Responsibility Make a tortious claim on behalf of a child or young person under the parental responsibility of the Minister.	Care Act ss79(1)(b), 79(1)(c), 79(1)(e)	Minister	X	X	X	X	X								

Del #	Powers/Functions	Source	From	Delegate												
				1	2	3	4	5	6	7	8	9	10	11	12	13
22.109	Homelessness of Children <ul style="list-style-type: none"> Conduct investigation and assessment concerning child. Provide or arrange for the provision of services for a child. 	Care Act s120(2) and (3)	Secretary	X	X	X	X	X								
Medical Examination and Treatment																
22.110	Aspects of Care Responsibility Give consent to or determine aspects of the Secretary's care responsibility: <ul style="list-style-type: none"> medical and dental treatment, not involving surgery, on the advice of a medical practitioner or dentist; medical and dental treatment involving surgery that a medical practitioner or dentist certifies in writing needs to be carried out as a matter of urgency (emergency medical treatment). 	Care Act s49	Secretary	X	X	X	X	X								
22.111	Consent to or Determine Aspects of Care Responsibility Give consent to or determine aspects of the Secretary's care responsibility: <ul style="list-style-type: none"> medical and dental treatment involving surgery on the advice of a medical practitioner or dentist. 	Care Act s49	Secretary	X	X	X	X	X ⁷								

⁶ Limited to Chief Executive Officer, Barnardos Australia

⁷ Limited to Manager, Client Services

Del #	Powers/Functions	Source	From	Delegate												
				1	2	3	4	5	6	7	8	9	10	11	12	13
22.112	Delegation of Care Responsibility Delegate care responsibility, including delegation on an interim basis, for aspects of the Secretary's care responsibility: <ul style="list-style-type: none"> • medical and dental treatment, not involving surgery, on the advice of a medical practitioner or dentist; • medical and dental treatment involving surgery that a medical practitioner or dentist certifies in writing needs to be carried out as a matter of urgency (emergency medical treatment). 	Care Act s49	Secretary	X	X	X	X	X								
22.113	Delegation of Care Responsibility – Surgery Delegate care responsibility, including delegation on an interim basis, for aspects of the Secretary's care responsibility: <ul style="list-style-type: none"> • medical and dental treatment involving surgery on the advice of a medical practitioner or dentist. 	Care Act s49	Secretary	X	X	X	X	X								
22.114	Aspects of Parental Responsibility – End of Life Interventions Give consent to or determine the following aspects of Minister's parental responsibility: <ul style="list-style-type: none"> • end-of-life medical intervention/decisions (including withdrawal of treatment). 	Care Act ss79(1)(b), 79(1)(c), 79(1)(e)	Minister	X	X ⁸											
22.115	Aspects of Parental Responsibility – General Medical Care Exercise the functions of parental responsibility for the following aspects of parental responsibility allocated to the Minister: <ul style="list-style-type: none"> • general medical care and surgery involving administration of a local anaesthetic. 	Care Act ss79(1)(b), 79(1)(c), 79(1)(e)	Minister	X	X	X	X	X ⁹								

⁸ Limited to the Deputy Secretaries for the Northern, Western and Southern Clusters

⁹ Limited to Manager, Client Services

Del #	Powers/Functions	Source	From	Delegate													
				1	2	3	4	5	6	7	8	9	10	11	12	13	
22.116	Aspects of Parental Responsibility – Surgery Give consent to or determine the following aspects of Minister's parental responsibility: <ul style="list-style-type: none"> surgery involving administration of a general anaesthetic. 	Care Act ss79(1)(b), 79(1)(c), 79(1)(e)	Minister	X	X	X	X	X									
22.117	Aspects of Parental Responsibility – Surgery Causing Infertility and treatment for Gender Dysphoria Give consent to or determine the following aspects of Minister's parental responsibility: <ul style="list-style-type: none"> surgery involving procedures which would render a child or young person infertile. treatment for Gender Dysphoria (Stages 1, 2 and 3) where there is agreement between the child's treating practitioners, DCJ and the birth parents (i.e. no controversy) make an application to the Court for authorisation of treatment for Gender Dysphoria (Stages 1, 2 and 3) where there is disagreement or controversy about the treatment. 	Care Act ss79(1)(b), 79(1)(c), 79(1)(e)	Minister	X	X	X	X										
22.118	Aspects of Parental Responsibility – Termination of Pregnancy Give consent to or determine the following aspects of Minister's parental responsibility: <ul style="list-style-type: none"> termination of pregnancy. 	Care Act ss79(1)(b), 79(1)(c), 79(1)(e)	Minister	X	X	X	X	X									
22.119	Aspects of Parental Responsibility – Medical Treatment for Terminal Illness Give consent to or determine the following aspects of Minister's parental responsibility: <ul style="list-style-type: none"> medical treatment for terminal illness or potential terminal illness. 	Care Act ss79(1)(b), 79(1)(c), 79(1)(e)	Minister	X	X	X	X										

Del #	Powers/Functions	Source	From	Delegate												
				1	2	3	4	5	6	7	8	9	10	11	12	13
22.120	Aspects of Parental Responsibility – Placement in Psychiatric Hospital Give consent to or determine the following aspects of Minister's parental responsibility: <ul style="list-style-type: none"> placement in a psychiatric hospital. 	Care Act ss79(1)(b), 79(1)(c), 79(1)(e)	Minister	X	X	X	X	X								
22.121	Aspects of Parental responsibility – Treatment in Psychiatric Hospital Give consent to time limited seclusion, physical restraint, chemical restraint or sedation of a child or young person in a psychiatric hospital.	Care Act ss79(1)(b), 79(1)(c), 79(1)(e)	Minister	X	X	X	X									
22.122	Aspects of Parental Responsibility – DNA Testing Give consent to or determine the following aspects of Minister's parental responsibility : <ul style="list-style-type: none"> Deoxyribonucleic Acid (“DNA”) testing to establish parentage. 	Care Act ss79(1)(b), 79(1)(c), 79(1)(e)	Minister	X	X	X	X	X								
22.123	Physical Restraint Specify procedures that may be followed for the purposes of physical restraint of a child or young person as general policy.	Care Act s158(4)	Secretary	X	X	X	X									
22.124	Physical Restraint Determine approved procedures that may be followed for the purposes of physical restraint of a child or young person in a specific case, in line with general policy.	Care Act s158(4)	Secretary	X	X	X	X									
22.125	Notice of Medical Examination Serve notice of medical examination upon a person (whether or not a parent of the child) who appears to have the care of the child.	Care Act s173(1)	Secretary	X	X	X	X	X	X					X		

Del #	Powers/Functions	Source	From	Delegate												
				1	2	3	4	5	6	7	8	9	10	11	12	13
22.126	Functions of Parental Responsibility – Medical Examination Exercise the functions of parental responsibility for the purpose of enabling a medical examination.	Care Act s173(4)(b)	Secretary	X	X	X	X	X								
22.127	Special Medical Treatment Grant exemption to administration of a drug being declared to be special medical treatment, as general policy and in a specific case.	Care Acts175(4A)	Secretary	X	X	X	X									
Offences Involving Children and Young People																
22.128	Unauthorised Removal Grant consent to the discharge of a child (from a hospital or other premises) not in the charge of the child’s mother.	Care Act s229(2)(b)	Secretary	X	X	X	X	X ¹⁰								
Removal of Persons and Entry of Premises																
22.129	Return to Care Direct that a person under the parental responsibility of the Minister who has left or been removed from the care responsibility of the Minister, be returned to that care responsibility.	Care Act s232	Minister	X	X	X	X	X								
22.130	Search Warrant Make application to an authorised justice for a search warrant in relation to a child or young person in need of care and protection.	Care Act s233(1)	Secretary	X	X	X	X	X	X					X		
22.131	Entry Without Warrant Approve the entry without warrant into premises.	Care Act s235(2)	Secretary	X	X	X	X	X								X
22.132	Entry Without Warrant Enter and inspect any premises without a warrant.	Care Act s235(2)	Secretary	X	X	X	X	X	X					X		X

¹⁰ Including Principal Officer of authorised Adoption Agency

Del #	Powers/Functions	Source	From	Delegate												
				1	2	3	4	5	6	7	8	9	10	11	12	13
22.133	Entry with Search Warrant Make application to an authorised justice for a search warrant to enter and inspect premises for evidence of a contravention of the Care Act or Regulation.	Care Act s237(1)	Secretary	X	X	X	X	X								
Transfer of Child Protection Orders and Proceedings																
22.134	Transfer of Order Transfer a home order to a participating State, subject to Division 1 - Administrative transfers (sections 231C – 231F) if the following is satisfied: <ul style="list-style-type: none"> • a child protection order to the same or similar effect as the home order could be made under the child welfare law of that State; • the home order is not the subject of a District Court appeal; • the interstate officer has consented in writing to the transfer and the terms of the proposed interstate order; • consent of persons required under section 231D has been obtained i.e. parents; any other person who has been granted contact under the order and any person holding sole or joint parental responsibility for the child or young person; • the child or young person has not given written notice opposing the decision to transfer the order and written certification is given that all reasonable efforts were made to ensure the child or young person had an opportunity to seek legal advice about the transfer. <p>Note: Refer to this section for details about a proposed interstate transfer. This decision is reviewable by NCAT, under section 245 of the Care Act, and NCAT procedures apply.</p>	Care Act s231C	Secretary	X	X	X	X	X								

Del #	Powers/Functions	Source	From	Delegate												
				1	2	3	4	5	6	7	8	9	10	11	12	13
22.135	Transfer of Order Provide notice in writing to the participating State that all reasonable efforts to ensure the young person had opportunity to seek legal advice were taken.	Care Act s231C (1)(e)	Secretary	X	X	X	X	X								
22.136	Conditions of Order Administrative transfer of NSW child protection order to a participatory state: include any conditions in the child protection order that is of the same type or has a similar effect as the order in the participating state.	Care Act s231C (2)	Secretary	X	X	X	X	X								
22.137	Type of Order Administrative transfer of NSW child protection order to a participatory state: specify the type and length of the child protection order.	Care Act ss231C (4)(a), (b)	Secretary	X	X	X	X	X								
22.138	Consideration of Transfer of Order Determine whether to transfer a child protection order to a participating State having regard to: <ul style="list-style-type: none"> all matters referred to in section 9; whether the Secretary or an interstate officer is in the better position to exercise powers and responsibilities under a child protection order; preference for a child or young person to be subject of a child protection order under the child welfare law of the state where they reside; any sentencing order under any Act (except a fine) or any criminal proceedings pending against the child or young person in any court. 	Care Act s231E	Secretary	X	X	X	X	X								

Del #	Powers/Functions	Source	From	Delegate													
				1	2	3	4	5	6	7	8	9	10	11	12	13	
22.139	<p>Notice of Order Serve notice of a decision to transfer a child protection order to a participating State under this Division on the parents; any person having parental responsibility and the child or young person if they are of or above the age of 12 years. Notice of the decision to be served as soon as practicable but no later than 3 working days after making the decision.</p> <p>Note: Refer to section 231F(2) for additional details to be included in notice to the parent or person having parental responsibility. Section 231F(3) provides for additional details to be included in notice to child or young person.</p>	Care Act s231F (1)	Secretary	X	X	X	X	X	X					X			
22.140	<p>Judicial Transfer of Child Protection Order to Participating State Apply to the Children’s Court for a judicial transfer order to transfer a child protection order to a participating State, providing the child protection order is not subject to an appeal to the District Court and the relevant interstate officer has consented in writing to the transfer and to the provisions of the proposed interstate transfer.</p> <p>Note: An updated care plan (if a care plan under section 78 was prepared in relation to the original care order) or a report must be submitted to the Children’s Court for consideration of the application (refer to section 231J).</p>	Care Act s231G	Secretary	X	X	X	X	X									
22.141	<p>Appeal Interstate Transfer of Child Protection Order Lodge an appeal with the District Court against an order of the Children’s Court transferring, or refusing to transfer, a child protection order to a participating State.</p>	Care Act s231K	Secretary	X	X	X	X	X									

Del #	Powers/Functions	Source	From	Delegate												
				1	2	3	4	5	6	7	8	9	10	11	12	13
22.142	Interstate Transfer of Child Protection Proceedings Apply to the Children's Court for an order transferring a child protection proceeding pending in the Children's Court to the Children's Court in a participating State.	Care Act s231L	Secretary	X	X	X	X	X								
22.143	Appeal Interstate transfer of Child Protection Proceedings Lodge an appeal with the District Court against an order of the Children's Court transferring, or refusing to transfer, a child protection proceeding to the Children's Court in a participating State.	Care Act s231O (1)	Secretary	X	X	X	X	X								
22.144	Filing and Registration of interstate Documents – Child Protection Order File in the Children's Court for registration (as soon as possible), a copy of a child protection order transferred to NSW under an interstate law. Note. This section subject to limitations specified in section 231P(3).	Care Act s231P (1)	Secretary	X	X	X	X	X	X					X		
22.145	Filing and Registration of interstate Documents – Child Protection Proceeding File in the Children's Court for registration (as soon as possible), a copy of an order under an interstate law to transfer a child protection proceeding to NSW, together with a copy of any interim order made in relation to that order. Note: This section subject to limitations specified in section 231P(3).	Care Act s231P (2)	Secretary	X	X	X	X	X	X					X		
22.146	Revocation of Registration Apply to the Children's Court for the revocation of the registration of any interstate document filed under section 231P.	Care Act s231R	Secretary	X	X	X	X	X								

Del #	Powers/Functions	Source	From	Delegate													
				1	2	3	4	5	6	7	8	9	10	11	12	13	
22.147	<p>Disclosure of Information To disclose information to an interstate officer considered necessary to exercise functions under a child welfare law or interstate law.</p>	Care Act s231V (1)	Secretary	X	X	X	X	X	X					X			
22.148	<p>Discretion to Consent or Refuse Consent or refuse to consent to the transfer to NSW of an interstate child protection order and the terms of the proposed transfer order.</p> <p>Note: Consent must be given in writing to the interstate officer as evidence of consent to the transfer of an interstate child protection order and the terms of the proposed order.</p>	Care Act s231W (1)	Secretary	X	X	X	X	X									
22.149	<p>Discretion to Consent or Refuse Consent or refuse to consent to the transfer of a child protection proceeding to the Children's Court in NSW.</p> <p>Note: Consent must be given in writing to the interstate officer as evidence of consent to the transfer of an interstate child protection proceeding.</p>	Care Act s231W (2)	Secretary	X	X	X	X	X									
22.150	<p>Financial Arrangements Make financial and other arrangements with an appropriate authority for the care of an interstate ward or a child or young person under the parental responsibility of the Minister.</p> <p>Note: Approval for provision of financial assistance should be in accordance with Financial Delegations and Financial Guidelines.</p>	Care Act s231Z (1)(a)	Minister	X	X	X	X	X									
22.151	<p>Discretion to Return Ward Exercise the discretion to return an interstate ward to the care of the appropriate authority.</p>	Care Act s231Z (1)(b)	Minister	X	X	X	X	X									

Del #	Powers/Functions	Source	From	Delegate												
				1	2	3	4	5	6	7	8	9	10	11	12	13
22.152	Return of Ward Return an interstate ward to the care of the appropriate authority, at the request of that authority.	Care Act s231Z(1)(c)	Minister	X	X	X	X	X								
22.153	Accommodation and Care of Ward Provide for the accommodation, care and maintenance, in accordance with the arrangements referred to in section 231Z(1) of any interstate ward to whom such an arrangement applies.	Care Act s231Z(2)	Minister	X	X	X	X	X								
22.154	Declaration Concerning Parental Responsibility Declare an interstate ward to be a child or young person under the parental responsibility of the Minister at the request of an appropriate authority.	Care Act s231ZA(1)	Minister	X	X	X	X	X								
22.155	Revocation of Declaration Revoke a declaration made under this section accepting an interstate ward under the parental responsibility of the Minister in the following circumstances: (a) child protection order is transferred to NSW under this Chapter; or (b) order of a court of competent jurisdiction provides for the future care and protection of the child or young person by a person other than the Minister; or (c) the Minister has reasonable grounds to believe the child or young person has left NSW and will not return.	Care Act s231ZA(2)	Minister	X	X	X	X	X								
Parent Responsibility Contract (PRC)																
22.156	PRCs Sign a PRC.	Care Act s38A(2)(b)	Secretary	X	X	X	X	X								

Del #	Powers/Functions	Source	From	Delegate												
				1	2	3	4	5	6	7	8	9	10	11	12	13
22.157	Variation of PRC Vary any of the terms of a parent responsibility contract with the agreement of the other parties to the contract (but not so as to increase the period during which the contract is to be in force).	Care Act s38B(1)	Secretary	X	X	X	X	X								
22.158	Termination of PRC Terminate a parent responsibility contract before the expiry of the period specified in the contract for its duration. Termination can be done by filing a contract breach notice with the Children's Court or by causing a termination notice to be served on each other party to the contract.	Care Act s38C(1)	Secretary	X	X	X	X	X								
22.159	PRC - Breach Notice File a contract breach notice with the Children's Court if a primary care-giver who is a party to the contract has breached a term of the contract and the contract authorises the Secretary to file a contract breach notice for breaches of the kind committed by the primary care-giver. Note: The filing of a contract breach notice with the Children's Court operates as a care application by the Secretary. See section 61A(1).	Care Act s38E(1) (b)	Secretary	X	X	X	X	X								
Provision and Exchange of Information																
22.160	Provision and Exchange of Information Furnish the prescribed body with information relating to the safety, welfare and well-being of a particular child or young person or class of children or young persons.	Care Act s248(1) (a)	Secretary	X	X	X	X	X								
22.161	Provision and Exchange of Information Direct the prescribed body to furnish information relating to the safety, welfare and well-being of a particular child or young person or class of children or young persons.	Care Act s248(1) (b)	Secretary	X	X	X	X	X								

Del #	Powers/Functions	Source	From	Delegate													
				1	2	3	4	5	6	7	8	9	10	11	12	13	
22.162	Provision and Exchange of Information Receive from prescribed bodies' information relating to the safety, welfare and well-being of a particular child or young person or class of children or young persons.	Care Act s248(1)(b)	Secretary	X	X	X	X	X									
22.163	Disclosure of Information for Research Purposes Enter into arrangements with a research organisation for purposes of information disclosure.	Care Act s254A(1)	Secretary	X	X												
22.164	Consultation Consult with Privacy Commissioner prior to entering into information disclosure arrangements.	Care Act s254(3)	Secretary	X	X	X											

Del #	Powers/Functions	Source	From	Delegate													
				1	2	3	4	5	6	7	8	9	10	11	12	13	
PART 2 – FINANCIAL DELEGATIONS																	
22.165	Financial Assistance – Request for Assistance Approve financial assistance to provide access to appropriate services or other material assistance: <ul style="list-style-type: none"> as is necessary in response to requests for assistance; and whether or not the child or young person is suspected of being in need of care and protection; and to safeguard or promote the safety, welfare or well-being of the child or young person. Limit applies per approval. 	Care Act s22	Secretary														
	(a) up to a limit of \$50,000.			X	X	X	X ¹¹										
	(b) up to a limit of \$20,000.			X	X	X	X ¹²										
	(c) up to a limit of \$5,000.			X	X	X	X	X ¹³									
	(d) up to a limit of \$1,000.			X	X	X	X	X ¹⁴									

¹¹ Limited to Directors Community Services, and other Directors in the Districts whose functions relate to child protection

¹² Limited to Director, Intensive Support Service

¹³ Limited to Manager, Client Services and Manager, Helpline

¹⁴ Limited to Manager, Casework and Team Leader, Helpline

Del #	Powers/Functions	Source	From	Delegate																
				1	2	3	4	5	6	7	8	9	10	11	12	13				
22.166	Financial Assistance in Circumstances of Serious/Persistent Conflict Approve financial assistance to provide access to appropriate services or other assistance: <ul style="list-style-type: none"> as is necessary in response to requests for assistance where the child or young person's safety, welfare or well-being is in jeopardy; or if there is serious or persistent conflict with parents; or if parents are unable to provide adequate supervision. • Limit applies per approval.	Care Act s113	Secretary																	
	(a) up to a limit of \$50,000.			X	X	X	X ¹⁵													
	(b) up to a limit of \$20,000.			X	X	X	X ¹⁶													
	(c) up to a limit of \$5,000.			X	X	X	X	X ¹⁷												
	(d) up to a limit of \$1,000.			X	X	X	X	X ¹⁸												

¹⁵ Limited to Director, Community Services

¹⁶ Limited to Director, Intensive Support Services

¹⁷ Limited to Manager, Client Services and Manager, Helpline

¹⁸ Limited to Manager, Casework and Team Leader, Helpline

Del #	Powers/Functions	Source	From	Delegate															
				1	2	3	4	5	6	7	8	9	10	11	12	13			
22.167	Authorised Carer – Indemnity Indemnify an authorised carer for any loss or damage caused by a child or young person while in the care of the authorised carer: <ul style="list-style-type: none"> in a specific case where indemnity is less than \$500. in a specific case where indemnity is less than \$1,000. in a specific case where indemnity is up to \$2000. in a specific case where indemnity is over \$2,000 and under \$10,000 (subject to DCJ Financial Procedures Policy). In a specific case where indemnity is \$10,000 and over. 	Care Act s147	Secretary																
	(a) under \$500.			X	X	X	X	X ¹⁹											
	(b) under \$1,000.			X	X	X	X ²⁰												
	(c) under \$2,000.			X	X	X													
	(d) \$2,000 - \$10,000.			X	X	X													
(e) over \$10,000.	X	X	X																

¹⁹ Limited to Manager, Casework

²⁰ Limited to Manager, Client Services

Del #	Powers/Functions	Source	From	Delegate															
				1	2	3	4	5	6	7	8	9	10	11	12	13			
22.168	Allowances Approve expenditure in relation to a child in out-of-home care, in accordance with policy for: <ul style="list-style-type: none"> Statutory Care Allowance or Supported Care Allowance payments for a child or young person; period of approval not to exceed 12 months; amount approved per fortnight. 	Care Act s161(1)	Secretary																
	(a) limited to Individual Care Agreement (“ICA”) Care, Care +1 and Care +2 Allowance.			X	X	X													
	(b) limited to Statutory and Supported Care +1 and Care +2 Allowances.			X	X	X	X	X ²¹											
	(c) limited to Statutory and Supported Care Allowance			X	X	X	X	X ²²											
22.169	Allowances Approve expenditure on other allowance payments, including subsidy or supervisory allowance for a child or young person in out-of-home care: <ul style="list-style-type: none"> approval within guidelines; approval period not to exceed 3 months; amount approved per fortnight. 	Care Act s161(1)	Secretary																
	(a) up to \$2,000.			X	X	X													
	(b) up to \$1,000.			X	X	X	X ²³												
	(c) up to \$650.			X	X	X	X	X ²⁴											
	(d) up to the equivalent of Statutory Care Allowance.			X	X	X	X	X ²⁵											

²¹ Limited to Manager, Client Services and Manager, Helpline

²² Limited to Manager, Casework and Team Leader, Helpline

²³ Limited to Director, Community Services, Director, Intensive Support Service and other Directors in the Districts whose functions relate to child protection

²⁴ Limited to Manager, Client Services and Manager, Helpline

²⁵ Limited to Manager, Casework and Team Leader, Helpline

Del #	Powers/Functions	Source	From	Delegate																
				1	2	3	4	5	6	7	8	9	10	11	12	13				
22.170	Services or Assistance Approve the purchase of services or financial assistance, other than allowances and renovations to accommodation, for a child or young person in out-of-home care: <ul style="list-style-type: none"> approval within guidelines; limit applies per approval for an item or service or a connected series of services; excludes the purchase of ICA accommodation unless the service provider has a current Header Agreement for the provision of such services and the purchase complies with the terms of that Agreement. 	Care Act s161	Secretary																	
	(a) up to a limit of \$500,000.			X	X ²⁶	X														
	(b) up to a limit of \$250,000.			X	X	X														
	(c) up to a limit of \$50,000.			X	X	X	X ²⁷													
	(d) up to a limit of \$20,000.			X	X	X	X ²⁸													
	(e) up to a limit of \$5,000.			X	X	X	X	X ²⁹												
	(f) up to a limit of \$1,000.			X	X	X	X	X ³⁰												

²⁶Limited to Deputy Secretary - Clusters

²⁷Limited to Director, Community Services and other Directors in the District whose functions relate to child protection

²⁸Limited to Director, Intensive Support Service

²⁹Limited to Manager, Client Services and Manager, Helpline

³⁰Limited to Manager, Casework and Team Leader, Helpline

Del #	Powers/Functions	Source	From	Delegate													
				1	2	3	4	5	6	7	8	9	10	11	12	13	
22.171	Accommodation – Renovations Approve expenditure of funds for housing renovations for a child or young person in out of home care: (a) up to a limit of \$250,000.	Care Act s161	Secretary	X	X ³¹	X											
	(b) up to a limit of \$100,000.			X	X	X											

³¹ Limited to Deputy Secretary - Clusters

Del #	Powers/Functions	Source	From	Delegate																
				1	2	3	4	5	6	7	8	9	10	11	12	13				
22.172	Education Approve financial assistance* for full-time educational purposes in relation to a person over the age of 18 years but younger than 25 years who was receiving such assistance immediately before they attained the age of 18 years. while the person continues to reside in the home of the person to whom the financial assistance is provided; approval within guidelines; limit applies per approval (based on approved case plan/leaving care plan).	Care Act s161(3)	Secretary																	
	(a) up to a limit of \$100,000.			X	X	X														
	(b) up to a limit of \$50,000.			X	X	X	X ³²													
	(c) up to a limit of \$20,000.			X	X	X	X ³³													
	(d) up to a limit of \$5,000.			X	X	X	X	X ³⁴												
	(e) up to a limit of \$1,000.			X	X	X	X	X ³⁵												
	(f) limited to Post Care Education Support + 1 and Post Care Education Support +2 allowances.			X	X	X	X	X ³⁴												
	(g) limited to Post Care Education Support allowance.			X	X	X	X	X ³⁵												

*Relevant programs include the Teenage Education Payment and Post Care Education Financial Support

³² Limited to Director, Community Services and other Directors in the District whose functions relate to child protection

³³ Limited to Director, Intensive Support Services

³⁴ Limited to Manager, Client Services

³⁵ Limited to Manager, Casework

Del #	Powers/Functions	Source	From	Delegate														
				1	2	3	4	5	6	7	8	9	10	11	12	13		
22.173	<p>After Care 15-25 Approve financial assistance for children of or above 15 years and young people who leave out-of-home care, until they reach the age of 25 years if considered necessary (i.e. After Care allowance and contingency payments):</p> <ul style="list-style-type: none"> approval within guidelines; approval period for After Care allowance payments not to exceed 3 months; limit applies per approval. <p>Note. 1. Payments may be made until the person reaches the age of 25 years.</p> <p>Refer to <i>Financial support for children and young persons in out-of-home care Guidelines and Policy</i>.</p> <p>(a) up to a limit of \$100,000.</p>	Care Act s165 (1)	Secretary															
				X	X	x												
	(b) up to a limit of \$50,000.			X	X	X	X ³⁶											
	(c) up to a limit of \$20,000.			X	X	X	X ³⁷											
	(d) up to a limit of \$5,000.			X	X	X	X	X ³⁸										
(e) up to a limit of \$1,000.	X	X	X	X	X ³⁹													

³⁶ Limited to Director, Community Services and other Directors in the District whose functions relate to child protection

³⁷ Limited to Director, Intensive Support Service

³⁸ Limited to Manager, Client Services and Manager, Helpline

³⁹ Limited to Casework Manager and Team Leader, Helpline

Del #	Powers/Functions	Source	From	Delegate															
				1	2	3	4	5	6	7	8	9	10	11	12	13			
22.174	After Care 25+ Approve appropriate assistance to a person beyond the age of 25 years: up to a limit of \$100,000.	Care Act s165 (3)	Secretary	X	X														
22.175	Allowances – guardianship Approve expenditure in relation to a child under a guardianship order, in accordance with policy for: <ul style="list-style-type: none"> • Guardianship Allowance payments for a child or young person; • period of approval not to exceed 12 months; • amount approved per fortnight. • This includes back payment of the allowance up to the specified period as per policy. 	Care Act s79C(1) and (2)	Secretary																
	(a) limited to the equivalent of ICA Care, Care +1 and Care +2 Allowance			X	X	X													
	(b) limited to the equivalent of Statutory and Supported Care +1 and Care +2 Allowances			X	X	X	X	X ⁴⁰											
	(c) limited to the equivalent of Statutory and Supported Care Allowance			X	X	X	X	X ⁴¹											

⁴⁰ Limited to Manager, Client Services and Manager, Helpline

⁴¹ Limited to Manager, Casework and Team Leader, Helpline

Del #	Powers/Functions	Source	From	Delegate																
				1	2	3	4	5	6	7	8	9	10	11	12	13				
22.176	Services or Assistance – guardianship Approve the purchase of services or financial assistance, other than allowances, for a child or young person under a guardianship order: <ul style="list-style-type: none"> approval within guidelines; limit applies per approval for an item or service or a connected series of services. This includes back payment of the allowance up to the specified period as per policy 	Care Act s79C (1) and (2)	Secretary																	
	(a) up to a limit of \$500,000.			X	X ⁴²	X														
	(b) up to a limit of \$250,000.			X	X	X														
	(c) up to a limit of \$50,000.			X	X	X	X ⁴³													
	(d) up to a limit of \$20,000.			X	X	X	X ⁴⁴													
	(e) up to a limit of \$5,000.			X	X	X	X	X ⁴⁵												
(f) up to a limit of \$1,000.	X	X	X	X	X ⁴⁶															

⁴² Limited to Deputy Secretary, Child Protection and Permanency, District and Youth Justice Services

⁴³ Limited to Director, Community Services and other Directors in the District whose functions relate to child protection

⁴⁴ Limited to Director, Intensive Support Services

⁴⁵ Limited to Manager, Client Services and Manager, Helpline

⁴⁶ Limited to Manager, Casework and Manager, Helpline