

2017 Review of the Teacher Registration Act 2012

A. Introduction

1. The Association of Independent Schools of Western Australia (AISWA) welcomes the opportunity to contribute to the 2017 Review of the Teacher Registration Act 2012.
2. Membership of the Association of Independent Schools of WA (inc) is open to all non-government schools in Western Australia. Member schools in 2017 include both primary and secondary schools, Catholic schools, church affiliated schools and other Independent schools.
3. The Secretariat of the Association of Independent Schools of WA provides services and advice to 165 member schools across metropolitan, regional and remote WA. The forums and consultancy as well as the experiences of our member schools have formed the basis for the views expressed in this submission.

B. Effectiveness of the Act in achieving its objectives

4. AISWA notes that the objects of the Teacher Registration Act as set out in the long title are achieved by the Act.

C. The continued need for the functions of the Teacher Registration Board

5. There is a clear need for the continued functions of the Teacher Registration Board. Some consideration needs to be given to the way that the Teacher Registration Board communicates with stakeholders. Clearer and more timely communication with teachers and Principals would go some way to building greater compliance and building respect for the role of the Teacher Registration Board. The review of the Act, is an apposite example of the need for clear and timely communication. The Act has been proscribed as needing review at this time, and yet the information, dissemination, consultation and timeline given to interested parties can not lead to a thorough and considered review. Anecdotally, attendance at the Professional Teaching Council of Western Australia Professional Service Awards (October 25, 2017) attended by all the teacher Professional Associations indicated that they were unaware a review was underway.

D. Coverage of the Act

6. The definition of an 'educational venue' would be more comprehensive and inclusive if it were expanded to include the offices of the Association of Independent Schools of Western Australia offices, and if they are agreeable, the Department of Education, the Catholic Education of Western Australia. The work carried out in these venues is 'educational' and is often concerned with curriculum and the delivery of educational programs.

E. Registration categories, eligibility criteria and conditions

7. The requirement that the professional standards have been met within five years before applying for registration raises issues of equity for teachers returning from maternity leave, retirement as well as graduation into relief teaching is problematic. It would seem reasonable and in keeping with the intention of the Act that teachers are that pro rata arrangements for those entering or returning to the profession are in place.
8. The conditions around the limited registration category seem clear and Independent Schools report little difficulty or confusion around this category of registration. It is appropriate the proposed employer apply and pay for the limited registration application.

9. The label, non-practising registration, is problematic on a number levels for a variety people and sectors. AISWA proposes that as schools currently make determinations about the suitability for fully registered applicants to teach in their schools, it should logically follow that they can be trusted to make the determination about non-practising registered teachers or those returning from periods of leave such as maternity, sick, lengthy sabbaticals.
10. AISWA would suggest that the Teachers Registration Board consider that teachers are registered or not. The following categories would seem to better describe and cover the various career directions over the life of a teacher and may provide a starting place for discussion. For teachers who hold registration they may do so under one of the following categories

Band A	Registered teacher in a school setting
Band B	Registered teacher in a non-school setting
Band C	Registered teacher (Provisional) in a school setting
Band D	Registered teacher with a limited authority to teach
Band E	Registered teacher (Relief) in a school setting
11. The current professional learning requirements for teachers returning from leave, for teachers working part time, retired teachers, Principals and early career teachers who are often working as relief teachers are discouraging renewal of registration. Professional learning is often contextually based and to require the same number of hours from this group as for those working full time can result in engagement for the sake of 'doing the hours'. Alternatively, teachers in this group will let their registration lapse, because it's too onerous. This has resulted in the loss of well qualified and valuable teachers. A more reasonable approach may be to complete mandated or universally useful professional learning such as Mandatory Reporting, First Aid and so on.
12. In terms of whether all of the matters listed in section 27 should result in automatic cancellation of registration AISWA notes that there appears to be no provision in the Act /Regulations for the conditions under which registration can be suspended other than in disciplinary matters. It is our suggestion that suspension rather than cancellation for non-payment of fees is more appropriate.

F. Mutual recognition and overseas-trained teachers

13. AISWA has received a number of anecdotal accounts from teachers, particularly those from NSW about the difficulty and length of time in gaining mutual recognition of their full registration status in WA. AISWA commends the Teachers Registration Board on procuring the Fit2Work as the approved provider of the OCRC's to the Board.

G. Duration of registration and renewal requirements

14. AISWA comments and suggestions around the duration of registration and the renewal requirements can be found in section E of this submission

H. Disciplinary matters

15. It would seem to be appropriate and fair that the immunity of government school employers from prosecution is removed.
16. The understanding of the notification obligation of teachers and/or employers is an area where AISWA receives a number of queries seeking clarification of their obligations. It is the prime example of a need for clarification, particularly through the guidelines. In particular, it is often

unclear that the notification under section 42 of the Act only has to be given once the investigation has been completed and the *teacher has been suspended or dismissed from teaching at the educational venue; or the teacher has resigned or no longer teaches at the educational venue.*

17. The powers of the disciplinary committee: It is considered that it would be useful to amend the Act to stipulate the composition of disciplinary panel and the opportunity for the teacher under investigation to challenge perceived bias of the disciplinary panel.

Impairment matters

18. This is not an area where member schools have asked for consultation and so we have no feedback around the efficacy or appropriateness of this section of the Act.

I. Fees and resourcing the Board's operation

19. The fees in the current schedule would seem to be reasonable and in line with fees in other Australian states and territories. It should be noted however that there is a popular perception among teachers that they receive little or nothing for the fees that they pay.
20. The principle of cost recovery for the provision of registration services is an area that needs to be addressed as it is our understanding that a large proportion of the registration fees are used to cover the investigative function of a small percentage of teachers whose registration is in question. People who are unfit to be registered are not only the concern of those in the teaching profession.

J. Public and professional registers

21. The system currently in place for public and professional registers seems to work well. Independent School Principals comment favourably about the ease of access for professional purposes to the register.

K. Accreditation of initial teacher education programme

22. We support the Board having a statutory function to accredit initial teacher education programs as this is in line with what happens in other Australian states and territories.

L. The Board

23. The size, composition and qualifications of members of the Board under the current Act doesn't guarantee true representation of all education sectors, nor does it provide for diversity e.g. K-12; regional, metropolitan, gender, cultural, other groups concerned with teacher welfare.
24. The perception of the integrity of the independence of the board is compromised in consideration of the limited composition of the board. Inclusion in the Act of the requirement of persons from across the three sectors would go a long way towards improving/correcting this imbalance. This would have the additional benefit of improving the flow of information between the Board and the sectors

M. National consistency

25. A nationally consistent approach to teacher registration and programme accreditation would seem to be a desirable outcome to strive toward. It is our understanding that this proposal was raised in May 2017 and is being considered nationally by AESOC.