



SSTUWA

The State School Teachers' Union of W.A. (Inc.)

A submission to the

Teacher Registration Act Review

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Teacher Registration Act
Review from The State School
Teachers' Union of W.A. (Inc.)

**We are a strong, independent, democratic union of public educators,
protecting and improving our industrial and professional rights and
promoting quality public education for all.**

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Preamble

The State School Teachers' Union of Western Australia (Inc.) (SSTUWA) is the industrial and professional organisation representing more than 16,000 school leaders, teachers, TAFE (Technical and Further Education) lecturers and school psychologists working in WA public schools and TAFE colleges.

As the only industrial body representing teachers, school leaders and psychologists in WA public schools, the SSTUWA is in a strong position to

represent the views of public school staff. We have a wealth of experience and depth of knowledge in public education matters.

This submission will outline concerns raised by members of the SSTUWA in relation to obtaining and maintaining registration under the current Teacher Registration Act (TRA) of 2012 and interpretations of the Act by the Teacher Registration Board of WA (TRBWA).

Who must be registered

A key aspect of teacher registration needs to be the holding of a recognised and accredited teaching qualification. The SSTUWA strongly supports this and opposes any amendments to the legislation which may have the effect of weakening the current requirements.

These include any move to introduce registration for lecturers or persons holding only Certificate IV qualifications and the current practices associated with persons entering the profession through the Teach for Australia pathway. The SSTUWA also believes that there needs to be appropriate oversight of unqualified teachers who are registered under the 'Limited Authority' category.

The SSTUWA believes that the provisions of the TRA 2012:

- Have failed to accommodate certain re-arrangements of the delivery of education to some students such as the changed role of teachers employed in the Department of Education's Schools of Special Educational Needs (SSEN) who provide support services for students with special educational need.
- Have failed to accommodate the practical circumstances required when educational settings are established which sit outside traditional schooling situations and need modifications to meet the needs of particular students.
- Do not acknowledge a definition of 'teacher' which includes school leaders and principals.
- Do not acknowledge that qualified teachers are working within the education system to provide support to schools and other teachers, but are not directly responsible for the direct delivery of education to students.
- Created an unnecessary category of "non-practising" registration.

The SSTUWA has raised concerns with the TRBWA over the interpretation of who can be registered. While we have argued that the Department of Education's SSEN is indeed an educational venue within the Department of Education, there are no provisions in the TRA to include these venues. These schools are education settings which have been created, expanded or altered by the Education Department for government schools since the TRA

of 2012 came into force.

The DoE's re-arrangement of its workforce has resulted in the establishment of the SSEN. For the purposes of the DoE's funding model, these sites are considered schools and those teachers working in these sites are practising teachers. These teachers predominantly work with other teachers, supporting them in working with students in need. The roles performed by teachers at SSEN are critical to the success of teachers in mainstream settings; they necessitate frequently working with students and should not be regarded as in any way of lesser importance or significance than teaching in a school setting.

While it may not have been the intention of the TRA or the TRBWA, the SSTUWA maintains that changing their registration category from "fully" registered to "non-practising" conveys precisely the message that working at SSEN is somehow not "real" teaching.

Any public education school site established or modified by the Department of Education in WA, is, for all intents and purposes, an approved education setting, and teachers within those sites are practising teachers. On this basis, we propose that the current definition of "teach" should include the administration of education programs.

The SSTUWA has a very clear view that principals and school leaders are instructional leaders. Their initial degrees are teaching degrees, and as such they are qualified teachers. Their work directly influences teaching and classroom practice. It is essential that principals and school leaders are considered as registered and practising teachers.

The SSTUWA is aware that other states/territories' registration authorities recognise that Union staff who were, at the time of their appointment or election to an education union, practising teachers and permit them to remain as registered teachers rather than being labelled as "non-practising."

By virtue of the roles undertaken by teachers and school leaders who are appointed or elected as union organisers or senior officers, their positions directly influence teaching practice and therefore student learning in classroom situations.

Teacher unionists continue to undertake professional development during their employment within the SSTUWA which has direct connections to their work as a teacher, and as such, should be able

to count towards their professional development and professional engagement as part of their registration.

To impose conditions on those teachers returning to

the classroom from a position classified as 'non-practising' implies that they 'lose all capacity' to operate effectively whilst out of the classroom. This is a ludicrous notion.

Recommendations:

1. That the definition of "teach" in the Teacher Registration Act 2012 be amended to include school leaders – principals, deputy principals, heads of department, heads of learning area, program coordinators in government schools including those working at the Schools of Special Education Needs.
2. That for the purposes of teacher registration the Department of Education's Schools of Special Educational Needs are a prescribed educational venue.
3. That the teachers listed in recommendation 1 have their professional learning and professional engagement recognised for renewal of registration.
4. That teachers who have met the requirements for full registration prior to employment or election into SSTUWA positions retain their full registration status. That these teachers are able to use their professional development and employment at the SSTUWA to count towards their renewal of teacher registration.
5. That where there is reference to children in education settings in the Teacher Registration Act, that this be amended to reflect that there are students who are 18 years old in prescribed education venues e.g. Agricultural settings, Stuart College, Canning College, Cyril Jackson

Full, provisional and limited registration

Types of registration

Despite one of the original intentions behind the establishment of teacher registration bodies in Australia being to enable ease of movement by registered teachers across state/territory lines, this has not met expectations.

Further efforts need to be made to streamline this process. This would be made easier by having only three categories of registration - limited, provisional, and fully registered.

It is the SSTUWA's belief, that for the purposes of registration, a teacher is either fully registered or provisional (if a graduate teacher) or classified as having limited authority to teach. Similarly- a relief teacher is either a fully registered teacher or a provisionally registered teacher, if a graduate, or have limited registration if not fully qualified.

In particular the SSTUWA finds the registration categories of "non-practicing" and "intending to teach" are unnecessary and in fact insulting to many experienced practitioners. The SSTUWA is aware of this particular category existing in only one other state.

It is the position of the SSTUWA that a teacher who is disengaged from education for any length of time and becomes unregistered should be able to reactivate their full registration status when recommencing work in a school. Their performance should be managed under the school's normal performance management processes. Depending on the length of time out of teaching, it may require the provision of additional professional development support.

Teachers are regularly, some would say too much so, required as their part of their professional duties and responsibilities to engage with new policy directions, adopt understandings of new curriculums and pedagogies and work with new technologies. The skills and capacities to take, modify and amend practice do not disappear when a teacher steps into a work or child rearing setting outside education. We would argue that is more likely teachers will bring back with them to schools much that is valuable to enrich the opportunities of their students and understandings of their colleagues.

Professional practice- interaction between the employer and the registration body

The SSTUWA notes that the responsibility of performance management rests with the employer. In W.A. public schools this is dealt with through a combination of the registered industrial agreement established between the employer, The Department of Education and the SSTUWA, and department policies. These current performance management and development processes and practices, which for government schools, are aligned to the Public Sector Management Act provide sufficient avenues to address any areas of concern.

The TRBWA currently defines "meeting the professional standards" for full registration as anticipating that the teacher will have satisfactorily completed "standards based performance management and development based on the Australian Teacher Performance and Development framework, on two separate occasions which demonstrates that the applicant meets all the professional standards at the proficient level taking into account each of the focus areas and proficient level descriptors under each standard."

This stipulation is unnecessary and somewhat condescending. The mandating of "standards based" performance management and that this must be demonstrated on "two separate occasions" is overly prescriptive and demeans the role of the principal in the process. It suggests compliance rather than professional judgement.

Professional Standards

The Professional Standards that are outlined in the TRA "are developed by the Board and approved by the Minister."

A key concern for the SSTUWA with the current AITSL Board is its politicisation by the federal government. This is most evident in its composition which currently does not include practising registered teachers on it. It also does not have representatives of either the Australian Education Union or the Independent Education Union as the most overwhelmingly representative voices of the teaching profession. The deliberate/political removal of bodies which are the designated representatives of the overwhelming majority of teachers across the education sector, have a significant understanding of teaching and which continue to be strong professional advocates for

teachers, including for the process of teacher registration itself, undermines the credibility of the body in the eyes of the profession.

The lack of connection by AITSL to the members of the teaching profession has created a sense of disquiet, a disconnection with the profession and continues to impede the development of loyalty and commitment by the profession to this organisation. While it may not be within the reach of the TRBWA to address this matter directly, the SSTUWA believes it is prudent for the TRBWA to be cognisant of teachers' views.

The use of the AITSL Teaching Standards for registration purposes is problematic. The AITSL Teaching Standards were originally designed as a set of aspirations for the purposes of self-reflection and professional conversation; they were not intended for use in performance management and, more particularly, substandard performance processes. However, they are now being adopted as the sole professional determinant in regulating teacher registration.

The SSTUWA has had concerns raised from the membership that it is almost impossible for them to be properly assessed across all seven standards and all strands within those standards, particularly as graduate, relief or part time teachers in order to move from provisional to fully registered. This is particularly an issue for relief teachers, part time teachers, women returning from maternity leave and specialist teachers such as PE or instrumental teachers.

This has unfortunately seen some teachers seeking to "volunteer" in paid roles in order to gain the evidence they require to demonstrate they can meet all of the AITSL strands in each standard.

The SSTUWA has also been told of teachers and school leaders being asked to imagine how they would deal with a situation if they did not have the work environment to be able to demonstrate a particular standard. This can only be seen to weaken the profession and does little to instil faith in the process.

We have also seen examples where line managers and school leaders refuse to sign off on evidence provided by a provisionally registered teacher seeking full registration, for reasons which may have nothing to do with an individual's teaching capacity.

While not a direct issue with the Act, we wish to

raise concerns about school leaders signing off on a teacher who is in the process of transitioning to full registration – particularly relief teachers. The compilation of evidence is not expected to be an exhaustive document – the teacher moving from graduate to provisional registration needs to demonstrate how existing practice meets the standards at the proficient level. While the intent was not to make this an onerous task, the SSTUWA is aware of some principals/school leaders expecting an unreasonable amount of evidence before signing off on proficiency.

The SSTUWA recommends that the TRBWA retains the current circumstance where, though AITSL standards are accepted as sufficient for registration purposes, they are not the sole means against which registration is judged.

If the Board is of a mind to embed AITSL standards as the sole professional benchmark then we believe that a review of the standards is necessary, given that their original purpose was not one of registration.

Any review must come with a commitment to engage in thorough consultation with all key stakeholders, including teacher unions. A key objective of this review should be to identify how persons qualified as teachers and employed in the schooling sectors, but not having direct responsibility for the day-to-day provision of student learning, are able to provide evidence of the proficiency of their practice and professional development in a manner which is not narrowly constrained by the requirements for direct management of students in on-going teaching and learning situations.

Maintaining registration

The SSTUWA proposes that, in the first instance, any individual who is registered and is maintaining payment of annual fees remains registered up to the point of renewal.

It is the SSTUWA's proposition that at the point of renewal, provided the qualified teacher makes application and has met the requirements, their registration be renewed.

Further, that a qualified teacher who is unable to meet the requirements for renewal due to parental or other approved leave arrangements, for example, have their registration placed on hold/paused until such time as they re-enter the work force. Not to accommodate the legislative entitlements of these teachers may well be discriminatory and should be addressed with urgency.

Qualified, registered teachers who move to positions within the education sectors, but do not have a role or responsibility for the direct teaching of students, must be permitted to maintain their fully registered status and we urge that the necessary amendments be made to the Act to allow this.

In addition, the SSTUWA maintains that teacher union officials, elected and appointed, be able to maintain their full registration if they continue the payment of fees and attend to professional learning requirements. This is the case in other states and territories.

Movement from provisional to full registration

Movement from graduate status to full registration currently requires 100 days of professional practice. While this is achievable as a full time teacher employed in a full time mainstream class, this requirement becomes difficult to meet if a teacher has not been able to be employed in a full time mainstream class. Not all graduate teachers are able to gain full time employment- and are thus at a disadvantage in completing the required 100 days of professional practice. There needs to be consideration given to teachers in this circumstance.

Recommendations:

1. That the Act be amended to reflect three categories of registration: full, provisional and limited.
2. That performance management processes, as employment related matters, continue to be determined through industrial instruments.
3. That further discussions occur between the peak education employer bodies and unions in regard to the intersection of authorities when a graduate teacher has not met the required standards for proficiency despite having been given opportunities and support at the school level.
4. That the Teacher Registration Board provides greater clarity to school leaders as to the amount, and nature, of evidence required by the Teacher Registration Board to justify movement of a graduate from provisional to full registration. That in doing so, the aim is to reduce the burden of unnecessary documentation for all concerned in the process.
5. That the Teacher Registration Act be amended to provide for a period of greater than three years for a graduate teacher to move from provisional to full registration where the graduate teacher has not been in full time teaching employment.
6. That the Teacher Registration Board undertake a thorough review of standards to be used for the purposes of registration, with thorough consultation with key stakeholders including teacher unions and teacher associations in WA.

Non-practising registration

This category needs to be abolished.

The impact of being labelled as a non-practising teacher is perceived by our members as classifying teachers not directly in front of students, as somehow less than a fully registered teacher. This fails to understand the value of the many roles performed by those school leaders without face to face teaching responsibilities as well as those teachers providing essential support to teachers who have responsibility for on-going face to face engagements with students in a learning environment.

It must be pointed out, that under the School Education Act 1993 s63.1.a, that the first function of a government school principal is “to provide educational leadership in the school.”¹

However, under the current application of the TRA, principals and other school leaders run the risk of have their moral and professional authority undermined in the minds of the community and teachers by being labelled as “non practising”. Significant emphasis is placed on the role of such leaders as critical to the effective functioning of schools, in particular in the area of student engagement and development. The best leaders in professional development provision in education understand the need to engage schools from the top down if change is to be brought about respectfully and effectively and embedded thoughtfully. This group of Education Act employees, like others who have moved away from the classroom, are qualified teachers. They are expected to know and understand matters pertaining to effective student learning.

One of the key findings of the Independent Study

into School Leadership was that “ the behaviours of school leaders have a greater impact on pupil performance than school structures or leadership models.”² Any attempts to undermine or threaten the characterisation of school leaders as anything other than “teacher” cannot be supported.

The SSTUWA urges changes to be made to the TRA to allow a teacher taking parental or other unpaid leave to be able to ‘pause’ their registration for the period of that leave. The status of registered teacher is retained but requires a ‘re-activation process’, including the resumption of payment of registration fees, in order to recommence teaching.

The SSTUWA considers that teachers returning to teaching or overseas trained teachers being classified as non-practising for the first year of their classroom practice, is entirely inappropriate. If an international or interstate teacher, who has met the requirements of a recognised teaching qualification, can demonstrate professional experience and relevant professional development training, has was a registered teacher in a recognised state, territory or county, they should be able to apply for the category of full registration immediately.

The onus of responsibility to manage the performance of an employee including their development and probation rests with the employer and should remain the subject of a relevant industrial agreement covering those potential employees.

Teachers coming from interstate or overseas should be able to have their qualifications and relevant experience and professional development recognised. This is another reason for AITSL standards not to be the sole benchmark against which teaching proficiency is measured.

Recommendations:

1. That the non-practising category of registration be removed. Registration categories should be confined to registered, provisionally registered, limited registration.
2. That teachers on leave (paid or unpaid) for periods of greater than six months have their registration paused or placed on hold until such time as they return to the teaching workforce.
3. That performance management remain the responsibility of the employer.
4. Teachers who have taken a leave of absence due to parental or other extended unpaid leave should have their registration, professional learning and professional engagement requirements paused or placed on hold until such time as they resume teaching.

Fitness and propriety

Across the country, there are various iterations of meeting fitness and propriety requirements. WA, NSW, NT all require a Working with Children Card (WWCC) and Victoria has an equivalent Working with Vulnerable People Card (WWVP).

QLD requires that a teacher has not had a conviction for a serious offence and SA requires a national police check/criminal record check.

The SSTUWA believes that it is reasonable to request that a teacher working in a child related setting have a valid WWCC in WA.

The SSTUWA notes, that, as outlined in the following section, that the Fit and Proper requirement for registration and renewal of registration should not include “impairment matters which include illness, injury or disability.” It is arguable that there is the potential for conflict between the operation of WA

Equal Opportunity laws and the TRA.

Traditionally ‘fit and proper’ in the legal sense has been limited to fitness of character rather than physical fitness or impairment.

There are matters of fitness and propriety which can be better dealt with via a Code of Conduct. NSW has such a code where “being under the influence of alcohol while you are “on duty” could affect your ability to work safely and efficiently especially when you have a responsibility to supervise students or work in close proximity” could constitute a breach of fitness and propriety of a teacher.

For the purposes of fit and proper, the SSTUWA seeks that the TRBWA include a code of conduct similar to those in QLD, SA, Tasmania, Victoria, NT and that this be done in consultation with key stakeholders.

Recommendations:

1. That for the purposes of demonstrating fitness and propriety, teachers applying for registration be required to provide a valid Working with Children Card.
2. That for the purposes of fitness and propriety, that the Teacher Registration Board of Western Australia, in consultation with key stakeholders, revise its code of conduct for the teaching profession.
3. That “impairment” be removed from the fitness and propriety requirements of the Teacher Registration Act.

Impairment review matters

South Australia appears to be the only state that has a similar clause to WA in relation to “impairment” as part of their TRA and includes a requirement on the “new to teaching form” whereby a teacher must identify an existing injury, illness or disability or potential injury, illness or disability which may arise during the proposed term of registration and which may impact on their ability to teach.

Queensland’s TRA has clauses relating to an impairment committee to investigate if they reasonably believe that the teacher could have an impairment that may have caused or contributed to behaviour of the relevant teacher that is the basis for the conduct of de-registration proceedings. There appears to be no requirement for a teacher to identify an impairment or disability at the time of application.

The SSTUWA has concerns about the broad application and potential misinterpretation of

notifying the TRBWA of a teacher’s impairment due to injury, illness or disability.

There is potential for this notification to adversely affect a person’s employment. For example, the “use or dependence” on alcohol or drugs is open to interpretation and misinterpretation. While we would argue strongly that a person who is intoxicated should not be teaching children, “use or dependence” may vary depending on an individual’s tolerance. Not only that, why would it be necessary to inform the Board about a teachers use and dependence on a prescription drug say for cancer. This should be managed at the local level.

The SSTUWA believes that it is appropriate for notification to a Teacher Registration Board of criminal convictions that have been found to be upheld, particularly those that relate to sexual offences, assault or fraudulent activity either in this state, nationally or internationally.

Recommendation:

1. That the category of impairment due to injury, illness or disability in the Teacher Registration Act be removed.

Renewal of registration

The current requirements to meet the renewal requirements of 100 days of professional engagement and 100 hours of professional learning within five years does not allow for any consideration of part time or relief teachers or teachers taking parental or other approved leave (paid or unpaid). This has the potential to be unduly onerous in terms of financial costs, such as those incurred to access PD, money forgone due to not being able to take up work if attending PD or the pressure to attend to PD in evenings or on holidays in addition to the costs of childcare.

The SSTUWA believes that it is highly inappropriate for a teacher on parental or other approved leave to have to apply to the TRBWA for “extenuating circumstances” in relation to their renewal.

This could also be characterised as discriminatory given that a significant number of extended leave applications are on the basis of child rearing.

As stated previously, the SSTUWA recommends that registration be placed on hold for the period of the extended leave. Resumption of work should enable full registration to be triggered upon returning to work. Should that teacher resume work in a part time capacity, then their renewal fees should be calculated at the part-time rate.

The teacher in the circumstances described above, would still be undertaking performance management within the school setting which would enable supports and mechanisms to be put in place to assist that teacher in meeting the requirements of current professional learning.

The SSTUWA also wishes to raise its concerns around the ability of relief teachers to fulfil the professional development and professional engagement hours required for renewal.

Having to meet the requirements therefore of 100 hours of professional learning and 100 days of professional engagement over five years for a relief teacher is difficult. Often relief teachers aren't able to access professional learning offered at the school on school development days unless they are either working on regular relief times or know the principal. Proportionately, it is more costly for a relief teacher to undertake paid professional learning sessions - it becomes a difficult choice between getting paid for that day and undertaking professional learning which incurs an additional cost.

The SSTUWA believes that a pro rata time period for professional development and professional engagement be applied for relief teachers when renewing their registration.

Recommendations:

1. That the Teacher Registration Act be amended to allow for pro rata professional learning and professional engagement requirements for part time and relief teachers in meeting their renewal requirements.
2. That teachers who work in school settings such as school leaders, heads of department, Schools of Special Educational Needs staff, and Classroom Management Strategies consultants have their professional learning and professional engagement in these education settings count for the purposes of meeting renewal requirements.
3. That the Board examine how professional learning and professional engagement can be reported on as part of a teacher's renewal processes to take account of their teaching role which may not fit neatly into all seven of the AITSL teaching standards.
4. That the professional learning and professional engagement requirements for renewal are paused or placed on hold while teachers are on parental or other approved leave. That there is no stipulation of the length of time over which this can occur.
5. That a more streamlined process be adopted for teachers taking parental or other approved leave rather than having to apply for “extenuating circumstance” at any stage of their registration.
6. That a reduced and/or pro rata time requirement for professional development and professional engagement be applied for relief teachers when renewing their registration.

Disciplinary matters

It is the view of the SSTUWA that the TRA be amended to empower the TRBWA to suspend, as opposed to cancel, registration when interim negative notices are issued and the matter is yet to be reviewed by the State Administrative Tribunal.

There should be no time limit on the period of suspension, as State Administrative Tribunal proceedings may need to be stayed whilst criminal proceedings are dealt with.

Due legal process should take precedence before final decisions are made to cancel registration. To do otherwise is premature and unfair.

The recommendations listed below are designed to ensure that, while due processes in other jurisdictions are taking place, no decision to cancel a teacher's registration is made prior to a final determination by a court or tribunal. This

will ensure that teachers and schools leaders are not unduly prejudiced by allegations that may ultimately fail to be proven. Currently the interaction of relevant legislation (Education Act, Working with Children Act, TRA) means that employees are required to be dismissed, and de-registered, notwithstanding that they have not yet been found guilty of any allegations. The loss of their employment and continuity of service is the consequence of the operation of the current section 27 (2) (b) of the TRA 2012.

Where there are cases in which the Working With Children Screening Unit restores the Working With Children Check, the criminal charges are discontinued or the person is not found guilty, a teacher is able to apply directly to the Working With Children Screening Unit to have their Working With Children Check assessment restored.

Recommendations:

1. As indicated in the SSTUWA's letter to the previous Education Minister, Peter Collier, on 7 April 2016, the SSTUWA recommends the creation of a new section 27A headed "Suspension of registration by the Board." That this section states:
 - a. The registration of a teacher shall be suspended if an interim negative notice is issued to a teacher under the Working with Children (Criminal Record Checking) Act 2004.
 - b. The suspension shall be lifted if the CEO of the Department of Communities subsequently withdraws an interim negative notice or negative notice and issues an assessment notice.
 - c. There is no time limit restricting the period of suspension referred to above. However, the Board must cancel registration if a decision is made by the State Administrative Tribunal to uphold the negative notice and it is no longer an interim notice.
 - d. In the event that a teacher does not seek a review of an interim negative notice in the State Administrative Tribunal, the registration shall be subsequently cancelled if:
 - i. The relevant teacher advises the Board in writing that they are not seeking review of the interim negative notice, or
 - ii. The time period for lodging a review of an interim negative notice has lapsed.
 - e. It is not an offence for an employer to maintain the employment of a teacher who is suspended in accordance with this provision. However, the teacher is prohibited from teaching at an educational venue during the period that registration is suspended in accordance with this provision.

Fees

The sentiment amongst many SSTUWA members is that payment of fees to the TRBWA does not constitute value for money. There is no sense that the Board promotes a positive view of the profession; rather it simply collects fees.

Teachers are not convinced that the current registration fee payable to the Board is set on a cost recovery basis. There is no transparency as to how fees are used.

WA and Tasmania appear to be the only states which impose a renewal fee. It may be that the Board should investigate how registration authorities in these states function in the light of this reduced income. At the very least, the SSTUWA recommends a reduced renewal fee be considered.

The SSTUWA has also raised concerns with the TRBWA and the previous Minister for Education, Peter Collier over the requirement to charge a late fee and the penalty of de-registration for lack of payment. This is a harsh and unjust fee.

The SSTUWA believes that there is no need to either charge a late fee or de-register a teacher for non payment of fees. Instead, this can be achieved by “suspending” registration until such time as the fees are paid. The effect is the same, in that a teacher would be unable to teach until s/he has their suspended registration lifted. This would also reduce the time and monetary costs involved in the processes of cancelling and re-registering teachers.

Recommendations:

1. That relief and part time teachers be able to pay a reduced rate of their annual fee.
2. That the late fee payment be replaced by a capacity to “suspend/pause” registration until such time as payment is made.
3. That the renewal fee be abolished or significantly reduced.
4. That teachers on parental or other approved leave, including extended sick leave not be required to pay their annual fee during their period of leave.

Register of teachers

Given the global concerns about privacy and security of information and the potential for hacking of data and information, it is questionable as to whether a public register should include more detail in the public domain other than a teacher's name and registration status – as limited, provisional or full.

To protect the privacy of individuals, the departments of education and school principals/ school leaders, should have access to registration details that would include: name, category of registration, registration number, date of commencement of registration.

Recommendation:

1. That the current practice of recording minimal information – name, category of registration, registration number date of original registration – on a public register be continued.

Accreditation of initial teacher education programs

Teaching is a complex profession of critical importance, and attempting to fast-track teacher training in the name of “efficiency” is a dangerous, false economy. The SSTUWA opposes the introduction of programs such as Teach for Australia (TFA) which are unsustainable for many of the people concerned. They are also considerably more expensive than traditional teacher education programs and therefore untenable in the long term. Fewer than half of TFA participants are still teaching

just over three years after completing the program.

The SSTUWA rejects the premise that TFA associates are classroom ready after a six week introductory course.

It is essential that initial teacher education is supported through strengthening and increasing the length of training and with the highest standards for entry into teaching courses rather than reducing the quality and lowering barriers to entry.

Recommendations:

1. That the capacity within the Teacher Registration Act of WA to accredit initial teacher education programs offered in Western Australia, by recognised tertiary providers, be retained.
2. The SSTUWA supports moves aimed at raising minimum Australian Tertiary Admission Rank scores for entry into teacher education.
3. That the Board liaise with employers of teachers and teacher unions regularly to explore ways of ensuring consistency of graduate practice from various Initial Teacher Education providers.

The Board

Currently many teachers have an antagonistic view towards the Board which is not constructive and is at odds with the stated purpose and intention of the Board. As an early and long-time supporter of professional registration, the SSTUWA believes a registration authority should play a positive and proactive role in promoting the profession. To do this successfully it needs to enjoy the confidence of the teaching profession. The SSTUWA is of the view that, for the Board to enjoy such confidence, it must have practising teachers and their representatives as members.

As happened under the inaugural iteration of a teacher registration body, the WA College of Teaching, the SSTUWA strongly recommends that a responsibility for promoting the teaching profession to the public be re-incorporated as one of the roles of the TRBWA.

The Act currently stipulates that at least three members of the board are to be registered teachers and at least one member to a lawyer. The SSTUWA would argue that any teacher representative board needs to have a greater number of registered, practising teachers.

Recommendations:

1. That the Teacher Registration Board of WA include a SSTUWA representative.
2. That the make-up of the Board consists of a greater number of current, practising teachers and that the Board adopt a more representative role.
3. That the Teacher Registration Act be amended to allow the Teacher Registration Board of WA to promote the teaching profession as one of its core functions.

National consistency

Currently there is no nationally consistent registration process or approach with regard to categories of registration, time frames for renewal, evidence of meeting standards, professional learning requirements or evidence of professional learning standards or fees.

If one of the aims of state and territory registration bodies is to allow teachers greater fluidity between jurisdictions without having to reproduce their paperwork – then this can be achieved both through greater consistency and simpler information sharing processes between registration authorities.

In the interests of child safety, there would be a benefit in considering a national approach to mutual recognition of qualifications, processes to deal with WWCC or WWVP and perhaps a mutually agreed

code of conduct for teachers across the country.

While supporting greater consistency between organisations, the SSTUWA, however, strongly opposes any move towards a single, national, registration body covering the entire profession across Australia.

State and territory governments are the employing authorities for public school teachers and school leaders. It is those governments which, in consultation with teachers and their representative organisations, employ teachers and govern the employment relationships in each jurisdiction. It is rightfully the prerogative of those governments to determine the operation of their registration authorities.

Recommendations:

1. That registration authorities work towards achieving better information sharing capacity between state and territory teacher registration boards when a teacher's registration has been cancelled due to a criminal conviction, particularly in relation to a criminal conviction relating to indecent sexual dealings of a child.
2. That the Teacher Registration Act of WA and Teacher Registration Board of WA remain as state identities.

1 Government of Western Australia. Department of the Premier and Cabinet. State Law Publisher. *School Education Act 1999*. <http://bit.ly/2ybFpyC>.

2 PricewaterhouseCoopers LLP, 2007, Independent Study into School Leadership, Summary Report, Department for Education and Skills (DfES), London January 2013.

Recommendations

Who must be registered

1. That the definition of “teach” in the Teacher Registration Act 2012 be amended to include school leaders – principals, deputy principals, heads of department, heads of learning area, program coordinators in government schools including those working at the Schools of Special Education Needs.
2. That for the purposes of teacher registration the Department of Education’s Schools of Special Educational Needs are a prescribed educational venue.
3. That the teachers listed in recommendation 1 have their professional learning and professional engagement recognised for renewal of registration.
4. That teachers who have met the requirements for full registration prior to employment or election into SSTUWA positions retain their full registration status. That these teachers are able to use their professional development and employment at the SSTUWA to count towards their renewal of teacher registration.
5. That where there is reference to children in education settings in the Teacher Registration Act, that this be amended to reflect that there are students who are 18 years old in prescribed education venues e.g. Agricultural settings, Stuart College, Canning College, Cyril Jackson

Full, provisional and limited registration

1. That the Act be amended to reflect three categories of registration: full, provisional and limited.
2. That performance management processes, as employment related matters, continue to be determined through industrial instruments.
3. That further discussions occur between the peak education employer bodies and unions in regard to the intersection of authorities when a graduate teacher has not met the required standards for proficiency despite having been given opportunities and support at the school level.
4. That the Teacher Registration Board provides greater clarity to school leaders as to the amount, and nature, of evidence required by the Teacher Registration Board to justify movement of a graduate from provisional to full registration. That in doing so, the aim is to reduce the burden of unnecessary documentation for all concerned in the process.
5. That the Teacher Registration Act be amended to provide for a period of greater than three years for a graduate teacher to move from provisional to full registration where the graduate teacher has not been in full time teaching employment.
6. That the Teacher Registration Board undertake a thorough review of standards to be used for the purposes of registration, with thorough consultation with key stakeholders including teacher unions and teacher associations in WA.

Non-practising registration

1. That the non-practising category of registration be removed. Registration categories should be confined to registered, provisionally registered, limited registration.
2. That teachers on leave (paid or unpaid) for periods of greater than six months have their registration paused or placed on hold until such time as they return to the teaching workforce.
3. That performance management remain the responsibility of the employer.
4. Teachers who have taken a leave of absence due to parental or other extended unpaid leave should have their registration, professional learning and professional engagement requirements paused or placed on hold until such time as they resume teaching.

Fitness and propriety

1. That for the purposes of demonstrating fitness and propriety, teachers applying for registration be required to provide a valid Working with Children Card.
2. That for the purposes of fitness and propriety, that the Teacher Registration Board of Western Australia, in consultation with key stakeholders, revise its code of conduct for the teaching profession.
3. That “impairment” be removed from the fitness and propriety requirements of the Teacher Registration Act.

Impairment review matters

1. That the category of impairment due to injury, illness or disability in the Teacher Registration Act be removed.

Renewal of registration

1. That the Teacher Registration Act be amended to allow for pro rata professional learning and professional engagement requirements for part time and relief teachers in meeting their renewal requirements.
2. That teachers who work in school settings such as school leaders, heads of department, Schools of Special Educational Needs staff, and Classroom Management Strategies consultants have their professional learning and professional engagement in these education settings count for the purposes of meeting renewal requirements.
3. That the Board examine how professional learning and professional engagement can be reported on as part of a teacher’s renewal processes to take account of their teaching role which may not fit neatly into all seven of the AITSL teaching standards.
4. That the professional learning and professional engagement requirements for renewal are paused or placed on hold while teachers are on parental or other approved leave. That there is no stipulation of the length of time over which this can occur.
5. That a more streamlined process be adopted for teachers taking parental or other approved leave rather than having to apply for “extenuating circumstance” at any stage of their registration.
6. That a reduced and/or pro rata time requirement for professional development and professional engagement be applied for relief teachers when renewing their registration.

Disciplinary matters

1. As indicated in the SSTUWA’s letter to the previous Education Minister, Peter Collier, on 7 April 2016, the SSTUWA recommends the creation of a new section 27A headed “Suspension of registration by the Board.” That this section states:
 - a. The registration of a teacher shall be suspended if an interim negative notice is issued to a teacher under the Working with Children (Criminal Record Checking) Act 2004.
 - b. The suspension shall be lifted if the CEO of the Department of Communities subsequently withdraws an interim negative notice or negative notice and issues an assessment notice.
 - c. There is no time limit restricting the period of suspension referred to above. However, the Board must cancel registration if a decision is made by the State Administrative Tribunal to uphold the negative notice and it is no longer an interim notice.
 - d. In the event that a teacher does not seek a review of an interim negative notice in the State Administrative Tribunal, the registration shall be subsequently cancelled if:
 - i. The relevant teacher advises the Board in writing that they are not seeking review of the interim negative notice, or

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- ii. The time period for lodging a review of an interim negative notice has lapsed.
 - e. It is not an offence for an employer to maintain the employment of a teacher who is suspended in accordance with this provision. However, the teacher is prohibited from teaching at an educational venue during the period that registration is suspended in accordance with this provision.

Fees

1. That relief and part time teachers be able to pay a reduced rate of their annual fee.
2. That the late fee payment be replaced by a capacity to “suspend/pause” registration until such time as payment is made.
3. That the renewal fee be abolished or significantly reduced.
4. That teachers on parental or other approved leave, including extended sick leave not be required to pay their annual fee during their period of leave.

Register of teachers

1. That the current practice of recording minimal information – name, category of registration, registration number date of original registration – on a public register be continued.

Accreditation of initial teacher education programs

1. That the capacity within the Teacher Registration Act of WA to accredit initial teacher education programs offered in Western Australia, by recognised tertiary providers, be retained.
2. The SSTUWA supports moves aimed at raising minimum Australian Tertiary Admission Rank scores for entry into teacher education.
3. That the Board liaise with employers of teachers and teacher unions regularly to explore ways of ensuring consistency of graduate practice from various Initial Teacher Education providers.

The Board

1. That the Teacher Registration Board of WA include a SSTUWA representative.
2. That the make-up of the Board consists of a greater number of current, practising teachers and that the Board adopt a more representative role.
3. That the Teacher Registration Act be amended to allow the Teacher Registration Board of WA to promote the teaching profession as one of its core functions.

National consistency

1. That registration authorities work towards achieving better information sharing capacity between state and territory teacher registration boards when a teacher’s registration has been cancelled due to a criminal conviction, particularly in relation to a criminal conviction relating to indecent sexual dealings of a child.
2. That the Teacher Registration Act of WA and Teacher Registration Board of WA remain as state identities.

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