

**SUBMISSION TO
STATUTORY REVIEW OF THE
TEACHER REGISTRATION ACT 2012
(WA)**

On behalf of



**Professional Teaching Council of WA
November 2017**

INTRODUCTION

PTCWA is an umbrella organisation whose primary purpose is to promote professionalism in teaching through the enhancement of the work of the professional education associations in Western Australia. Since its inception as APEA in 1995 it has facilitated networking between associations, provided forums for the discussion of educational thought and current issues and coordinated resourcing such as insurance. PTCWA is a member of the Australian Joint Council of Professional Teaching Associations (AJCPTA).

This submission is prepared on behalf of the professional associations involved in the consultation and endeavours to provide some comment about areas of concern and some possible ways forward.

From the outset, it must be made clear that this submission is made by people committed to their profession. Participants contributing to this submission are dedicated teachers with a passion for the profession of teaching.

Term of reference 1: The operation and effectiveness of the Act

PTCWA continues to believe that there is a need for teacher registration in promoting the professionalism of teaching and that regulation of the profession should be undertaken by peers.

We value the independence of the TRBWA and its ability to work across sectors.

However, its independence as a body is questionable when it is housed in government buildings with oversight of the Department of Education. We also agree that the Minister should have no decision-making role under the Act but note that if the Minister is selecting members of the Board this can be an influence on decisions the Board makes.

Term of reference 2: The effectiveness of the make-up and operations of the Board

The lived experience of members of PTCWA is that the TRBWA is a registration and regulatory unit. The benefit of registration is the ability to teach in Western Australia and the acknowledgement that a teacher who is registered meets professional standards.

No other benefits are perceived by members of PTCWA and the worth of 'Membership' is questioned. If teachers had access to open and transparent accountability for the financial operations of the TRBWA there would be fewer complaints from teachers about fees.

Term of reference 3: The need for the continuation of the functions of the Board

PTCWA believes that the TRBWA is in a position to register teachers and, through the registration processes, regulate who can teach and under what conditions.

PTCWA sees no need for the TRBWA to add another layer of regulation. Its responsibilities should be restricted to being a registration board.

Term of reference 4: The need for amendments to the Act to ensure:

- a. its provisions operate as intended
- b. the Purposes of the Act are achieved including
 - a fair and efficient registration system that promotes a skilled teaching workforce
 - a disciplinary scheme that operates fairly while making the protection of children, and their best interests more broadly, the paramount concern
 - appropriate oversight by the State Administrative Tribunal
 - adequate resources are available for the performance of the Board's functions,

c. appropriate consistency with relevant national developments is promoted.

Registration

At present, lecturers at university are unable to meet full registration requirements. These highly skilled people who maintain currency of educational knowledge and who might benefit themselves and schools through part time or contract work are not able to maintain registration. One possibility for consideration is that a 'university' or 'college' could be included in the definition of a 'school' and that Registration be optional for educators in these settings.

PTCWA believes that the intention of Registration was to require that people who are teaching be qualified. We note that there is an increase in the number of 'specialists' being used to teach in schools. Library officers, for example, are often required to teach groups of children, despite their lack of teaching qualifications.

Teacher education programmes are highly regulated at a national level. PTCWA can see no reason to have another layer of 'accreditation' for initial teacher education programmes, particularly when the TRBWA has simply adopted AITSL professional standards as criteria for entrance to the profession and for continued professional learning, rather than 'developing professional standards'. Some of the members of PTCWA see a narrowing of the definition of teaching being imposed through the use of standards that emphasise subject disciplinary knowledge rather than a passion for learning. We note that there are other frameworks which could have been used and would be more useful, such as the Competency Framework, in which a great deal of work was invested by WA teachers.

We are also concerned that the profession is trivialised when someone, albeit an intelligent degree-qualified graduate, can become a teacher in 6 weeks.

At the same time, in our increasingly multicultural society, teachers with qualifications that are recognised but do not have a birth certificate (but with a passport and paying taxes) cannot be registered.

We believe that the English levels required for living in Australia, and required at immigration or citizenship, are different from those levels required to teach in Australian schools. English (particularly spoken English) levels need to be set at a university level.

The 'fitness and propriety' requirements for Registration include a police check and members of PTCWA recognise the importance of a teacher being a person of character with integrity and respect for others. The challenge of the Working with Children check process is that an employer is required to sign the form and a person without a WWCC cannot get one before they are employed. Setting WWCC as a pre-requisite for employment is not possible. The best is that they apply for a WWCC upon employment and receive the clearance 6-8 weeks later.

Transitioning from provisional to full registration

The processes for transition to Full Registration sound reasonable: graduate teachers have time and support to transfer theory to practice, mentors provide support and an administrator undertakes an independent assessment. The practice, however, falls far short of this. Many schools find it impossible to schedule blocks of time for graduate teachers to have non contact, let alone to schedule time with a mentor as well. A process that is relatively straight forward (albeit time consuming) for one teacher is complicated in a school of 140 teachers. Remote schools report a lack of skills in mentoring and assessing new graduates.

Re-registration

PTCWA has concerns about the re-registration processes. Experienced teachers report that the re-registration processes are clumsy and complicated. The system assumes that all schools and workplaces are connected to the internet, that the speed of the connection will accommodate a web site or that forms can be completed in limited time. Teachers report slow connections, emails that do not work, the small capacity of email inboxes meaning teachers do not receive notifications. One day out of the Re-registration processes result in instant dismissal.

Part-time workers or people working flexible contracts, people on exchange and people on maternity, sick, carer's, annual or long service leave have difficulties tracking their registration, completing on line forms and meeting criteria.

Re-registration requires a teacher to undertake professional development. PTCWA believes the quality of professional learning is patchy, at best. Professional development provided by professional associations is of high quality, current and applicable to the teachers because professional associations are made up of teachers with expertise in a specific field, discipline or area. PTCWA is not suggesting that TRBWA regulates professional learning through accreditation or approval processes. However, we are suggesting that the evidence required for Re-registration needs to demonstrate application to personal and professional knowledge and skills as a teacher.

There is an assumption that people who are out of the profession are not current in their knowledge or skills. We note that passionate teachers read and maintain skills in a variety of ways, including volunteering positions,

Non-practising registration

As stated earlier, PTCWA sees a need to include teachers who move to positions in universities or as consultants in the Registration process rather than seeing them as 'non-practising'. People working as consultants in the Association of Independent Schools office, Catholic Education Office or Education Department are involved in teacher education, modelling practice and mentoring teachers. These positions are not 'non-practising' but they cannot meet Re-registration requirements for Full Registration.

Cancellation of Registration

As explained above, PTCWA has concerns that a teacher who cannot navigate the Re-registration process or a website is seen as someone who has not met the requirements of Registration at the same level as someone who has been accused of misconduct.

We see the importance of a more flexible process for Re-registration.

PTCWA is concerned about predatory staff that use teaching as a means to groom and have inappropriate relationships with students. One of the benefits of the TRB is that it stops these predators from moving between state, catholic and independent schools. This function is paramount to the safety of children and the protection of the profession.

Disciplinary matters

PTCWA can see no reason why government school employers would be immune from prosecution. Legalities should be applied equally across sectors.

At present there are additional layers with regard to disciplinary processes. In investigating serious allegations, the Department of Education's Standards and Integrity directorate will conduct thorough investigations and a recommendation for the consideration of the Director General. Should the Director General determine a teacher to be dismissed due to

serious breach and the matter is not overturned upon appeal – the teacher is still determined eligible to teach across other sectors, pending a separate and subsequent investigation by the TRB. This seems an expensive and possibly unnecessary process.

Impairment matters

PTCWA sees very different functions and processes involved in discipline and impairment matters and therefore the need for different people making up each committee. We see the importance of a medical practitioner participating in impairment reviews.

We would have assumed that a teacher or an employer would have an obligation to notify TRBWA if a teacher was unfit to teach.

Fees

As stated above, it is unclear to teachers what their fees fund. This requires better articulation for the benefit of the profession.

PTCWA sees the importance of an independent Board and therefore that fees should cover operational expenses. The cost and processes of disciplinary matters need to be clear to teachers so that they understand that their fees are protecting the profession not only granting them the right to teach.

Some associations suggest removing the annual fee and having fees only attached to Registration. This would link the fees directly with the benefit to the teacher, but the size of the fee may make it more difficult for teachers to pay and be a deterrent for continuing registration.

Other associations suggest the Annual Registration Fee be the only fees charged.

Accreditation of initial teacher education programmes

University programmes already meet national requirements. Universities are already highly regulated. When there is a set of requirements for Provisional Registration, there is already the necessity for teacher education programmes to give students the best opportunities to be Registered. Accreditation of courses is a distraction from the central work the TRB needs to do.

We also believe that the expertise required to undertake this function would require a different Board composition and structure and would require additional funding. Again, universities already have costs associated with the accreditation of programmes.

The Board

PTCWA continues to believe that a Teacher Registration Board should be made up of teachers. It is teachers who should be, and are able to, making judgements about a teacher's capacity to teach.

With careful selection, even a small Board of 7-9 people could include:

- A representative from PTCWA
- Teachers from government, non-government and Catholic schools
- Teachers from early childhood, middle childhood, early adolescent and late adolescent phases of schooling
- A teaching principal
- A university lecturer in a school of education
- A teacher with legal training
- A teacher with an Aboriginal background

- A teacher with a Culturally and Linguistically Diverse Background
- A teacher with a background in supporting students with disability.

We believe that the board should

- Maintain equal voting rights
- Be independently funded
- Be independent of the minister
- Be independent of the Department of Education
- Have a chair and deputy chair elected from the board.

If the Board is to be reduced in number, mechanisms will be required for including the voices of teachers, especially in making judgements about Registration and Re-registration, in order for teachers to see the Registration process as valid, fair and reliable. Professional Associations are in a position to locate the expertise required.

Conclusion

PTCWA hoped that the TRBWA, by focusing on Registration, would increase the status of the profession by eliminating, or at least reducing the number of incompetent teachers.

Instead, teachers see another emphasis on the completion of paperwork for accountability, cumbersome processes, inflexibility and a punitive attitude.

TRBWA still holds a promise to be able to promote the teaching profession.

Submission made on behalf of:

Art Teachers Association of Western Australia (ArtEd WA)

Australian Council for Health, Physical Education and Recreation

Australian Association for Religious Education

Australian Association for Special Education, WA Chapter

Home Economics Institute of Australia (WA division)

Science Teachers Association of WA

WA Education Support Principals' and Administrators Association

Western Australian Association Teachers' of Italian

Western Australian School Libraries Association