

## LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY

### WRITTEN QUESTION

Mrs Finocchiaro to the Minister for Education:

#### **NT Teacher Registration Board**

1. Why does the NT Teacher Registration Board (the Board) not publish its findings as in other Australian jurisdictions?
2. How many findings of incompetence have been made by the Board? Please list for the last three financial years.
3. How many findings of misconduct have been made by the Board? Please list for the last three financial years.
4. How many teachers who have a criminal conviction recorded against them are registered to teach in the Northern Territory? Please list for the last three financial years.
5. What checks and balances are in place to ensure that registered teachers are fit and proper persons?
6. What is the membership of the Board?
7. Who appointed each board member?
8. How many disciplinary hearings has the Board heard in the last three years?
9. How many hearings in total has the Board conducted in the last three years?
10. What funding does the Board receive?
11. What remuneration do board members receive?
12. Where does the Board meet?
13. How many education courses have been accredited by the Board in the last three years?
14. How many unregistered persons have been authorized to teach by the Board in the last three years?
15. How many registrations have been suspended or cancelled by the Board?

16. How many members have disclosed interests (whether pecuniary or otherwise) that would conflict with the proper performance of the board member's or alternate member's functions in relation to a matter being considered or about to be considered by the Board in the last three years?
  17. How many board members have resigned in the last three years?
- 

**ANSWER:**

1. There is no consistent practice in relation to the publication of disciplinary findings by teacher regulatory authorities in Australia.

Victoria is the only jurisdiction to publish decisions made in its original jurisdiction.

The Teacher Registration Board of SA provides de-identified case summaries.

In some jurisdictions the decision maker is the relevant Civil and Administrative Tribunal and decisions are published by the tribunal.

The *Teacher Registration (Northern Territory) Act* (the Act) provides for very limited publication of Inquiry decisions through Information Notices issued under section 65 of the Act. Section 65 only provides for an Information Notice to be given to a teacher who was the subject of an inquiry and the person who made the complaint against the teacher (if relevant). Section 67 sets out the Board must also notify employers and teacher regulatory authorities in Australia and New Zealand where it suspends, cancels or disqualifies teacher registration.

2. 2015-16: 1  
2016-17: 1  
2017-18: 1
3. 2015-16: 1  
2016-17: 1  
2017-18: 3
4. Aggregated data is not available, this information is stored on individual teacher profiles and would require a manual process to aggregate for reporting.

5. Section 32(1) of the *Teacher Registration (Northern Territory) Act* (“the Act”) sets out that to decide if a person is a fit and proper person to teach, the Board must take into account the following:
- a) the person’s criminal history; and
  - b) any behaviour of the person that:
    - i) does not meet the standard of behaviour reasonably expected of a teacher; or
    - ii) is not in accordance with a code of professional ethics developed and maintained by the Board; or
    - iii) shows that the person is not of good character; and
  - c) must take into account whether the person:
    - i) has had an application for registration as a teacher, in the Territory or elsewhere, refused; or
    - ii) has had his or her registration as a teacher, in the Territory or elsewhere, suspended or cancelled; or
    - iii) has been disqualified from registration by the Board; or
    - iv) is, or has been, disqualified from registration as a teacher by a registration authority; and
  - d) must take into account any conditions currently, or previously imposed on the person’s registration as a teacher, either in the Territory or elsewhere; and
  - e) may take into account other matters it considers relevant.

### Application

When applying for registration an applicant must provide original or appropriately certified copies of:

- Evidence of birth name.
- Photo identification evidence of current name.
- Declarations of and documentary evidence of all previous names and name changes.
- Final academic transcripts.
- Evidence of teaching experience ie certified copies of official records or statements of service.
- Applicants who have taught outside of Australia and New Zealand are required to provide a ‘Letter of Good Standing’ from the relevant registration authority of that jurisdiction.
- Current Criminal History Check provided by SAFE NT.
- Since attaining the age of 18 years, if the applicant has lived overseas, a criminal history check must be provided from any jurisdiction/country in which they have lived for 12 months or more in the last 10 years.
- Documents in a language other than English must be prepared and certified as correct by an official translation service or an accredited translator

Applicants must make declarations in relation to the following questions:

#### 8. DECLARATIONS

1.	Have you ever been refused registration, licensing or classification as a teacher in Australia or in any other country?
2.	Have you ever had your registration, licensing or classification as a teacher or any other entitlement to teach cancelled or suspended or withdrawn or have you ever been disqualified from registration as a teacher in Australia or in any other country?
3.	Are there, or have there ever been, any conditions imposed on your registration as a teacher, either in the Territory or elsewhere?
4.	Have you ever been dismissed or resigned from a teaching position in Australia or in any other country following allegations by your employer of your misconduct or incompetence?
5.	Have you ever been, or are you currently, the subject of disciplinary proceedings, or any other action that might lead to such proceedings, in relation to your employment as a teacher in Australia or in any other country?
6.	Have you <b>ever</b> been convicted or found guilty of <b>any</b> offence?
7.	Have you <b>ever</b> been charged with <b>any</b> offence, whether or not you have been found guilty, or are there any charges in relation to any offence pending?

Applicants names are verified against prior notifications made to the Board by interstate and international teacher regulatory authorities.

Information is sought from New Zealand and interstate teacher regulatory authorities through a screening check where it is identified that an applicant has taught in another jurisdiction.

#### Mutual Recognition

Applications who apply under the *Mutual recognition Act 1992 (Cth)* or *Trans-Tasman Mutual Recognition Act 1997 (Cth)* must provide original or appropriately certified copies of:

- Evidence of birth name.
- Photo identification evidence of current name.
- Declarations of documentary evidence of all previous names and name changes.
- All current registration certificates or registration cards.
- Letter from the relevant teacher regulatory authority where there are conditions imposed on registration.
- Current Criminal History Check provided by SAFE NT within 3 months of being granted registration.
- Documents in a language other than English must be prepared and certified as correct by an official translation service or an accredited translator.

Applicants must make declarations in relation to the following:

#### 7. STATUTORY DECLARATION

1. I am currently registered as a teacher in \_\_\_\_\_.
2. I am seeking registration as a teacher in the Northern Territory (the 'second State') in accordance with the Mutual Recognition Principle under \_\_\_\_\_ :  
Section 19 of the Mutual Recognition Act 1992 relevant to QLD, VIC,  or WA, SA, TAS, NSW & ACT  
Section 18 of the Trans-Tasman Mutual Recognition Action 1997  relevant to New Zealand
3. The category of registration I am seeking in the Northern Territory and equivalent to my current registration is \_\_\_\_\_ :  
Full  or  
Registration  
Provisional   
Registration
4. This notice is accompanied by \_\_\_\_\_ :  
a complete and accurate certified copy of my current  or  
registration certificate/cards  
the original of my current registration certificate/cards
5. In relation to my occupation as a teacher, I am not the subject of disciplinary proceedings in any Australian State or Territory or in New Zealand, including any preliminary investigations or actions that might lead to disciplinary proceedings.
6. My registration as a teacher in any Australian State or Territory or in New Zealand has not been cancelled or is not currently suspended as a result of disciplinary action.
7. I have not been otherwise personally prohibited from carrying on my occupation as a teacher in any Australian State or Territory or in New Zealand as a result of criminal, civil or disciplinary proceedings in any Australian State or Territory or in New Zealand.
8. My occupation as a teacher is not subject to any special conditions as a result of criminal, civil, or disciplinary proceedings in any Australian State or Territory or New Zealand.
9. The only special conditions to which I am subject in carrying on the occupation of teacher in any Australian State or Territory or New Zealand are those that I have specified in Section 6.
10. I consent to the Teacher Registration Board of the Northern Territory making inquiries of, and exchanging information with, any registration authority in any Australian State or Territory or New Zealand regarding my activities as a teacher or other matters relevant to this notice.
11. I have completed and read this Application Form B and I conscientiously believe that the information I have provided, and the documents I have submitted, are true in every particular.

And I make this solemn declaration by virtue of the Oaths Act acknowledging that a person wilfully making a false statement in a statutory declaration is liable to a penalty.

Applicants names are verified against prior notifications made to the Board by interstate and international teacher regulatory authorities.

Information is sought from New Zealand and interstate teacher regulatory authorities through a screening check where it is identified that an applicant has taught in another jurisdiction.

## Renewal

When a teacher renews registration a criminal history that is less than two years old must have been provided to the Board and the teacher makes declarations similar to those set out above.

## Throughout period of registration

The Board receives notifications from registered teachers, police, employers, members of the public and interstate and international teacher regulatory authorities that may trigger a further assessment of whether a person is fit and proper through disciplinary proceedings under the Act.

### 6. Composition of Board

The Board consists of 12 members appointed by the Administrator, of whom:

- (a) one is to be a person nominated by the Chief Executive Officer;
- (b) 2 are to be teachers (of whom one is to be based at a remote school) nominated by the Northern Territory Branch of the Australian Education Union;
- (c) one is to be an indigenous teacher at a government school and is to be nominated by the Chief Executive Officer;
- (d) one is to be a teacher nominated by the Association of Northern Territory School Educational Leaders;
- (e) one is to be an educator nominated by the Association of Independent Schools of the Northern Territory;
- (f) one is to be a teacher nominated by the Independent Education Union;
- (g) one is to be an educator nominated by the Catholic Education Office;
- (h) one is to be an educator nominated by the Charles Darwin University;
- (i) one is to be an educator nominated by the Batchelor Institute of Indigenous Tertiary Education;
- (j) one is to be a person nominated by the Northern Territory Council of Government School Organisations; and
- (k) one is to be a teacher nominated by the Northern Territory Joint Council of Professional Teaching Associations.

7. Board members are appointed by the Administrator.  
Replacement or alternate members are appointed by the Minister.
8. 10 inquiries have been held since June 2015.
9. 10 inquiries  
35 preliminary investigations
10. The Department of Education for the 18/19 financial year provided \$1,412,128  
Note: The Board generates fees from teacher registration that goes direct to Treasury consolidated revenue.
11. Board members do not receive payment for attendance at Board meetings.

12. The Board meets in the conference room at the Board office at L4 22 Harry Chan Avenue Darwin.
13. There have been 3 initial teacher education courses accredited by the Board in the past 3 years:
  - Bachelor of Education Primary (BEDP)
  - Bachelor of Education Secondary (BEDS)
  - Master of Teaching
14. There have been a total of 229 unregistered persons authorised to teach from 1 January 2016 to 30 September 2018.

There are four categories under which an employer might apply for Authority to Employ:

**Category 1** - A person who does not hold the prescribed qualification  
Applicants in this category are experienced teachers and generally will have completed at least three years of an approved teacher education program.

**Category 2** - A person who has specialist knowledge and skills  
Applicants in this category are people who have specific knowledge and skills required for a particular teaching position, most commonly music and language.

**Category 3** - A Teach for Australia Associate  
Applicants in this category are enrolled in the Teach for Australia program and are sought by employers to employ them as an unregistered person in the Northern Territory.

**Category 4** - Pre-service teacher  
Applicants in this category are pre-service teachers who are in their fourth year, second semester of undergraduate study or who are in their second semester of an initial teacher postgraduate program at Charles Darwin University or Batchelor Institute.  
Applicants must have completed all professional experience and only have a maximum of two units left to complete

15. Suspensions (last 3 years from June 2015)  
6 registrations have been suspended.  
  
Cancellations (last 3 years from June 2015)  
7 registrations have been cancelled
16. Board members make disclosures at each board meeting in accordance with section 22 of the Act. This usually relates to knowledge of a teacher and interest is disclosed at low, medium, or high.
17. Four members resigned in the last three years.