



# Teacher Registration Board of Western Australia

## ANNUAL REPORT

**2012 - 2013**

## LETTER OF TRANSMITTAL

Mr Terry Werner  
A/Chief Executive Officer  
Department of Education Services  
22 Hasler Road  
OSBORNE PARK WA 6017

Dear Mr Werner

In accordance with section 114 of the *Teacher Registration Act 2012*, I submit, for inclusion in the Annual Report of the Department of Education Services, the Annual Report of the Teacher Registration Board for the period 7 December 2012 to 30 June 2013.

Yours sincerely



Ron Dullard  
**A/CHAIRPERSON**  
**TEACHER REGISTRATION BOARD OF WESTERN AUSTRALIA**

11 September 2013

## EXECUTIVE SUMMARY

This Annual Report fulfils the requirements of section 114 of the *Teacher Registration Act 2012* (Act) by reporting on the activities and performance of the Board's functions, to the Chief Executive Officer of the Department of Education Services, for the period 7 December 2012 to 30 June 2013.

The Teacher Registration Board of Western Australia (TRBWA), came into operation on 7 December 2012, established by the Act, as the body responsible for the registration of teachers in Western Australia. The TRBWA replaced the Western Australian College of Teaching (WACOT), which ceased operations on 6 December 2012.

The Annual Report describes the way in which the TRBWA has carried out its functions and met its obligations under the Act. It reflects the operations of the Board in its establishment phase, focussing on the key regulatory responsibilities of registration and discipline of teachers and the accreditation of initial teacher education programmes.

## **CHAIRPERSON'S REPORT**

I am pleased to present to you the first Annual Report of the Teacher Registration Board of Western Australia.

TRBWA has been in operation since 7 December 2012. The first seven months have been a time of transition and change with the development and implementation of policy and process to meet the requirements of the new legislative framework governing the work of the Board. During this time the TRBWA has sought to develop a streamlined application process and uncomplicated and client focused service to teachers.

The TRBWA is committed to serving the public interest by ensuring that registered teachers are appropriately qualified and meet the highest standards of expertise and professional conduct to be a teacher in Western Australia.

The Board looks forward to working with teachers in Western Australia to ensure the continuation of a high quality teaching profession of which all Western Australians can be proud.

The Board would also like to extend its appreciation to the staff of the Teacher Registration Directorate of the Department of Education Services who, in a time of challenge and change, have demonstrated a high level of professional conduct and goodwill in supporting the Board.



Mrs Audrey Jackson AM  
**CHAIRPERSON**  
**TEACHER REGISTRATION BOARD OF WESTERN AUSTRALIA**

## THE BOARD

The Teacher Registration Board of Western Australia, established by the *Teacher Registration Act 2012*, came into operation on 7 December 2012 as the body responsible for the registration of teachers in Western Australia. The TRBWA replaced the Western Australian College of Teaching (WACOT).

### Functions of the Board

The TRBWA's role is determined by the Act and its primary functions are to:

- register and re-register those persons who meet all legal requirements to be teachers in Western Australia;
- take action against those who teach without being registered, employers who employ unregistered teachers, and registered teachers who are no longer entitled to be registered;
- administer the disciplinary and impairment review processes; and
- accredit initial teacher education programmes delivered by Western Australian institutions.

In performing its functions the Board is required to:

- maintain an up-to-date register of teachers;
- develop and publish professional standards for teachers;
- develop and publish accreditation standards; and
- make the best interests of children its paramount consideration in all decision-making.

### Membership

Under the Act, the TRBWA's Board members are all appointed by the Minister for Education. One member must be an Australian lawyer and at least three are to be currently registered teachers. The Minister also selects the chairperson and deputy chairperson from among the Board members.

The Board members are:

Audrey Jackson AM, Chairperson

Formerly Executive Director of the Association of Independent Schools of WA

Ron Dullard, Deputy Chairperson

Formerly Director of Catholic Education in WA

Hon Christine Wheeler AO, QC

Formerly a judge of the Supreme Court of Western Australia and the Court of Appeal

Greg Robson

Kimberley Regional Executive Director for the Department of Education

Nathan Harvey

Head of Languages at Willetton Senior High School

Peter Collins

Vice Principal at Ursula Frayne Catholic College

Sue Yardley

K-6 Curriculum Co-ordinator at Thornlie Christian College

Members are selected on the basis of their experience, skills and qualifications relevant to the Board's functions. The terms of office for each Board member vary but are all for periods not exceeding five years. Varying the duration of office is a strategy for succession planning to ensure continuity of skills and experience across the Board membership.

### **Committees of the Board**

- **Accreditation Committee**

The Board established an Accreditation Committee which has convened once during the reporting period to consider an ongoing matter referred to the Board from WACOT. Mr Greg Robson was appointed as Chairperson and Mr Ron Dullard and Mr Nathan Harvey as committee members.

- **Disciplinary Committee**

The Board has established a Disciplinary Committee pursuant to section 49 of the Act. Disciplinary Committees are to consist of three persons (a registered teacher, a lawyer and such other person as the Board considers appropriate) and must include at least one member of the Board. The Hon Christine Wheeler (Australian lawyer and Board member) has been appointed Chairperson and the other members are Ms Sue Yardley (registered teacher and Board member) and Mr David Carvasso (a former District Director for the Department of Education).

The Disciplinary Committee was not required to meet during the reporting period.

- **Impairment Review Committee**

The Board has established an Impairment Review Committee pursuant to section 50 of the Act. The Impairment Review Committee is to consist of three persons (a registered teacher, a medical practitioner and such other person as the Board considers appropriate) and must include at least one member of the Board. Mr Ron Dullard (Deputy Chair of the Board) has been appointed Chairperson and Mr Peter Collins (registered teacher and board member) appointed as a committee members. The appointment of a medical practitioner is yet to be finalised.

The Impairment Review Committee was not required to meet during the reporting period.

### **Operation of the Board**

The inaugural meeting of the Board was on 16 January 2013 and meetings are scheduled monthly. The Board formally met seven times during the reporting period with an extraordinary meeting held in June in addition to its scheduled meeting.

The Board is supported by the Teacher Registration Directorate of the Department of Education Services, which is located in Ascot. The Directorate provides secretariat support to each of the meetings of the Board. In addition, the Directorate assesses and processes applications for the Board's consideration for the registration of teachers, investigates matters of alleged misconduct and disciplinary related matters, and provides administrative support to the accreditation panel process. The Directorate also provides substantial support to the Board on policy matters.

## TEACHER REGISTRATION

The registration of teachers involves the assessment of applications:

- for initial registration from applicants from Australia and overseas;
- from registered teachers wishing to change their category of registration; and
- for renewal in the same category of registration.

It also includes providing for continuation of registration by collecting annual fees and maintaining a public register of registered teachers.

During the reporting period the Board:

- approved 2,461 new registrations; and
- renewed 530 registrations.

The total number of teachers registered as of 30 June 2013 was 50,334.

### Number of Registered Teachers by Category of Registration

Full	Provisional	Non-Practising	Limited	Total
38,872	10,921	213	328	50,334

### Registration Applications Approved

Application Category	New	Renewals	Total
Full	939	441	1,380
Provisional	1,186	89	1,275
Non-Practising	213	n/a	213
Limited	123	0	123
	<b>2,461</b>	<b>530</b>	<b>2,991</b>

Of the total applications approved, 359 were Mutual Recognition notifications from teachers registered in other Australian jurisdictions and New Zealand.

A total of 3,493 applications (both new applications and renewals across all categories) were received in the reporting period. Of the total applications received, 314 were discontinued for various reasons including requests to discontinue from the applicants, a change of category or because the application was incomplete.

### Cancellations of registration

The Act mandates that the Board is to cancel the registration of a teacher as soon as possible after the Board becomes aware that the teacher is not entitled to be registered. This includes if a teacher is issued a negative notice or an interim negative notice under the *Working with Children (Criminal Record Checking) Act 2004* or in respect of being in arrears for fees due and payable.

During the reporting period the Board cancelled the registration of 10 teachers pursuant to section 27 of the Act as they had been issued with a negative notice.

It is a requirement that all teachers registered with the TRBWA pay an annual fee payable by 31 March in each year. If not paid by this date but paid by 30 April, regulations require that a late payment processing fee also applies.

The TRBWA commenced cancellation processes soon after 30 April 2013. In acknowledgement of the transition phase and change in processes, the Board, however, afforded registered teachers another opportunity to pay outstanding fees and chose to

consider the final cancellation list at its June meeting. Subsequently at its 19 June 2013 meeting the Board decided to cancel, effective from 8 July 2013, the registration of 1,764 teachers who had not paid their annual fee and who had not demonstrated extenuating circumstances as to why their registration should not be cancelled.

The 8 July 2013 date was chosen as it is the first Monday of the mid-year break and serves to minimise the impact on students and schools. The outcome of the cancellation process will be reported in the next reporting period.

### **Management of complaints**

Public Sector Commissioner's Circular 2009-27 – Complaints Management requires most Western Australian public sector agencies to have a complaints management system which complies with the Australian Complaint Handling Standard ISO AS10002-2006. A complaint is defined by this standard as an expression of dissatisfaction made to an organisation, related to its products, or the complaints handling process itself, where a response or resolution is explicitly or implicitly expected.

The TRBWA's Customer Feedback Policy was approved by the A/Director, TRBWA on 3 May 2013. The purpose of the policy is to ensure that customer feedback, including compliments, suggestions and complaints, contributes to the continual improvement of the TRBWA's service to the community, and that customer feedback to the TRBWA is responded to appropriately.

During the reporting period, the TRBWA received 95 complaints which have been handled in accordance with the Board's approved policy.

The main themes of these complaints were the timeliness of billing and receipting relating to the annual fee, the professionalism of TRBWA correspondence, the amount of a late payment processing fee associated with the annual fee for teacher registration, the purpose of registration, and reports of a technical issue experienced with the TRBWA on-hold system.

## **DISCIPLINARY AND IMPAIRMENT MATTERS**

Part 4 of the Act requires that an employer must give notice to the TRBWA about the suspension, dismissal or resignation of a registered teacher. The Act sets out the action to be taken by the Board when such notifications are received.

Notice is also required to be given to the TRBWA, by the Director of Public Prosecutions or the Commissioner of Police, when a registered teacher has been charged with an indictable offence or a sexual offence involving a child.

Registered teachers are required to notify the TRBWA about any legal actions, loss of qualifications or if the registered teacher has been issued an interim negative notice or a negative notice.

Since the commencement of the TRBWA to 30 June 2013 the Board has received 32 notifications from employers.

The TRBWA received 53 disciplinary matters that were transitioned from the WACOT. Pursuant to section 146 of the Act, 16 of these matters were required to be considered as if they had commenced under the new Act.

In the reporting period, the Board considered 23 matters. As noted above, the Board cancelled the registration of 10 teachers who were not entitled to be registered pursuant to section 27 of the Act because they had been issued with a negative notice by the Department of Child Protection, Working with Children Criminal Screening Unit. The Board finalised five matters by taking no further action. The other eight matters are ongoing.

Regulation 19 of the *Teacher Registration (General) Regulations 2012* allows for a person to seek written advice from the Board regarding whether or not, taking into account the relevant information provided to the Board, the person would be a fit and proper person to be registered as a teacher. One matter was referred to the Board for advice and the Board determined that the person was not a fit and proper person to be registered at the time that the advice was given.

The TRBWA investigated nine schools for employing unregistered teachers and the Board determined to issue each school with a cautionary letter that outlined the requirements of the Act that all teachers who are teaching at educational venues are to be registered.

The Act provides a right of review of a Board decision to the State Administrative Tribunal. There were no reviews of Board decisions by the State Administrative Tribunal during the reporting period.

## **ACCREDITATION OF INITIAL TEACHER EDUCATION PROGRAMMES**

The Board participates in a national scheme to accredit initial teacher education programmes (ITEP) and has established its approach and processes for deciding on relevant applications for accreditation from Western Australian institutions.

The focus of the Board during this reporting period in the area of accreditation has been to establish policy and processes to ensure a nationally consistent approach. In April, officers from the Australian Institute for Teaching and School Leadership (AITSL) provided training for panel members, approved by the Board, to assess ITEP accreditation applications.

During this reporting period the Board has accredited one ITEP, for a limited accreditation period. It is currently progressing work in this area in readiness for the assessment of applications from several other universities.

## **SIGNIFICANT ISSUES IMPACTING THE OPERATIONS OF THE BOARD**

### **Renewals of registration**

The Board extended to 22 July 2013 the registration of those teachers previously registered by WACOT whose registration was due to expire between 7 December 2012 and 29 June 2013. This was done in order to allow these registered teachers additional time to meet the requirements for renewal of registration under the provisions of the new Act. The 22 July 2013 date was chosen as it is the first day of second semester and to allow reasonable opportunity to this cohort to meet their registration obligations. During this reporting period the TRBWA has provided notifications and advice to registered teachers and employers to communicate this decision.

### **Extension to registration**

The *Teacher Registration (General) Regulations 2012* were amended, during the reporting period, to extend the expiry date of registration for the categories of Provisional and Limited Registration.

Those provisionally registered teachers who transitioned from WACOT now hold Provisional Registration with the TRBWA. Although generally provisional registration is unable to be renewed, a transitional provision of the Act allows for this cohort of teachers to renew their provisional registration until 6 December 2013 to give them time to meet the requirements to move to Full Registration.

In response to a request from stakeholders to provide additional time to this cohort of teachers, the Board has extended that expiry date to 31 December 2015.

### **Teacher Register Information (Professional)**

The TRBWA is required to keep an accurate and up to date register of information in respect of each registered teacher. The information available on the public register is limited to the teacher's name, category of registration, registration number and the date of commencement of the person's registration.

During the reporting period the TRBWA has been developing a Professional Register as provided for by the Act which will feature richer information on each teacher's registration and will be made visible to employers, principals and their delegates. It is anticipated that the implementation of the Professional Register will be an important innovation that will greatly assist the work of the TRBWA and support compliance with the Act.

### **Early childhood teacher registration**

The Act introduced a requirement for early childhood teachers teaching in educational venues other than schools to be registered. Previously, only teachers teaching in schools were required to be registered. This means that all teachers employed or given permission to teach in Western Australian schools, community kindergartens, licensed child care centres and centre-based education and care services must be registered with the TRBWA.

The Act has also included transitional provisions to manage this new requirement and the Board has been developing policy in this new area of registration to support the applications for registration from those persons teaching in educational venues other than schools.