

# Making an Application for Registration Policy

POL6

## 1. Purpose

This policy outlines the requirements for making an application for registration to the Teacher Registration Board of Western Australia (Board), and the Board's considerations in determining whether the requirements for making of an application have been met.

## 2. Scope

This policy applies to all applications for registration made to the Board, including applications for initial registration, renewal of registration and applications to change from one registration category to another.

It does not apply to Notices for Mutual Recognition submitted to the Board, which are addressed in the Board's *Mutual Recognition Policy*.

## 3. Background

The Board operates within the authority of the *Teacher Registration Act 2012* (Act).

The Act mandates the requirements for the teacher registration scheme and the powers of the Board in exercising its functions in relation to these matters.

Some key legislative provisions relevant to the making of applications for registration are provided below:

Section 10(2) of the Act details the requirements for 'making' *an application for registration*.

*An application must —*

- (a) be in writing in the form approved by the Board; and*
- (b) specify the category of registration applied for; and*
- (c) be accompanied by evidence that the relevant applicant meets the requirements for the category of registration in accordance with Subdivision 2; and*
- (d) be accompanied by the written consent of the relevant applicant for the Board to obtain a criminal history check in respect of the relevant applicant; and*
- (e) be accompanied by the prescribed registration fee, if any.*

Section 11(2) of the Act details the requirements for the 'making' of an *application for the renewal of registration*.

*An application must —*

- (a) be in writing in the form approved by the Board; and*
- (b) specify the category of registration that the application is in respect of; and*
- (c) be accompanied by the written consent of the relevant applicant for the Board to obtain a criminal history check in respect of the relevant applicant; and*
- (d) be accompanied by the prescribed renewal fee, if any.*

Section 12A(2) of the Act details the requirements for the ‘making’ of an *application to change category of registration*.

*An application must —*

- (a) be in writing in the form approved by the Board; and*
- (b) specify the category to which the registration is to be changed; and*
- (c) be accompanied by evidence that the applicant meets the requirements for the category to which the registration is to be changed in accordance with Subdivision 2; and*
- (d) if the application is to change to a category of registration other than non-practising registration — be accompanied by the written consent of the applicant for the Board to obtain a criminal history check in respect of the applicant; and*
- (e) be accompanied by the prescribed fee, if any.*

#### **4. Definitions**

Renewal of registration	An application made during a registration period to renew registration in the same category.
Change of category	An application made during a registration period to move to another registration category.
Criminal History Check	A background check conducted by the Australian Criminal Intelligence Commission (ACIC) concerning the criminal convictions of a person for offences under the law of the Commonwealth, or of a State or Territory.
Employer	Employer means a person who is responsible for appointing, employing or engaging registered teachers at the educational institution or giving registered teachers permission to teach at the educational institution.
Applicant	A person who lodges an application for registration, the renewal of registration or a change of category of registration. In the case of Limited Registration, the applicant is generally an employer/school/educational institution who nominates a teacher in respect of a teaching position/s.
Pre-application Notice	Written notification of an employer/school/education institution’s intention to make an application for Limited Registration. A Pre-application notice is submitted using a form approved by the Board.

## 5. Policy

### Valid applications

In order to constitute a valid application, an application for registration to the Board must meet certain criteria as prescribed under legislation. Applications which do not meet these criteria are considered not to be validly made and will not be processed or assessed.

An application is considered to be validly made when the Board receives the correct form, the applicable fee, and some prima facie evidence seeking to demonstrate the requirements of the particular category of registration.

Applications that are validly made will proceed to assessment and, dependant on the nature of the evidence provided, registration will be either be granted or refused. Once an application has been made, there is no legislative provision for an application to be withdrawn or cancelled. There is scope, however, for a person to change the category of registration applied for. This is dealt with below at section 7 of this Policy.

The date an application is made is relevant, particularly with respect to applications for renewal of registration or change of registration category. Under section 23 of the Act, the registration of a teacher is taken to continue past the registration expiry date if an application for renewal or change of category of registration is made to the Board at least 28 days prior to the expiry of the teacher's registration.

Should an application to either renew or change registration category not be made 28 days prior to registration expiry, a teacher's registration may expire prior to finalisation of the application. Should a teacher's registration expire, they are not entitled to teach until their application is finalised and approved.

If required to teach during this period and until the current application is finalised and granted, an application for Limited Registration from the employer would need to be made.

#### 5.1 An application must be in writing in a form approved by the Board

An application must be made using the appropriate form approved by the Board. Applications may be made online or using paper-based forms.

#### 5.2 An application must specify the category of registration

The categories of registration contemplated in the Act are:

- Provisional Registration (Graduate Teacher);
- Provisional Registration (Returning Teacher);
- Full Registration;
- Limited Registration; and
- Non-Practising Registration.

All applications must specify the category of registration applied for. Completion of the relevant application form for the category of registration is considered to demonstrate this requirement.

#### 5.3 An application must be accompanied by evidence that the relevant applicant meets the requirements for that category

A valid application must include some prima facie evidence seeking to demonstrate the registration requirements for the category of registration applied for.

Although evidence must be provided as part of the application, there may be circumstances where all relevant evidence is not available at the time the application is submitted. This additional evidence may be provided following submission of the application and during the assessment phase.

However, it is important to note that the Board may only grant registration where it is satisfied that all requirements for the relevant category of registration have been adequately evidenced. Where required evidence is not provided, the application may be refused.

#### **5.4 An application must be accompanied by written consent of the relevant applicant for the Board to obtain a criminal history check**

Where an application must include the applicant's consent to obtain a Criminal History Check, this consent must be included in the application. This is generally demonstrated by completion of the relevant section of the application form.

To enable the Board to undertake a Criminal History Check in respect of an applicant, provision of identification documents is generally required. Whilst the submission of identification documentation is requested at the time of application, it is not a specific requirement for a valid application to be made. Required identification documentation may be provided following submission of the application.

It is important to note, however, that the Board will only grant registration to a teacher who is considered a fit and proper person to be registered. This includes consideration of a Criminal History Check. If the Board is prevented from undertaking a Criminal History Check due to an applicant's failure to submit the required identification documentation, it is likely that the application will be refused on the basis that the Board is unable to be reasonably satisfied that the applicant is a fit and proper person.

#### **5.5 An application must be accompanied by the prescribed registration fee.**

The relevant fee must accompany an application. An application shall only be taken to be made where the correct fee has been paid. This fee is non-refundable.

Fees are determined by the *Teacher Registration (General) Regulations 2012* (Regulations) and may be amended from time to time.

### **6. Applications for Limited Registration**

An application for Limited Registration and the renewal of Limited Registration is made by the employer/school/educational institution. An application for the renewal of Limited Registration generally applies where the applicant, the school/educational institution and the teaching position remain the same.

An employer/school/educational institution may submit a Pre-application Notice (Notice) either prior to or together with an application for Limited Registration.

The submission of a Notice allows a nominated teacher to commence in the teaching position prior to the application for Limited Registration being finalised. The nominated teacher may commence once written Board acknowledgement of the Notice has been received.

Where a Notice is submitted prior to the application for Limited Registration, an employer is required to apply for Limited Registration within 14 days. Failure to do so would mean that the teacher is no longer legally permitted to teach and may represent a contravention of the Act.

## 7. Change or withdrawal of an application

There is no legislative provision for an application for registration to be withdrawn or cancelled, once made and no refunds are available. Where an applicant claims and it is evident that an application has been made in error and assessment of the application has not commenced, it will be deemed to not have been made and any applicable fees will be refunded. There is also provision for a person to change the category of registration applied for. This may occur in a situation where it becomes apparent that an applicant does not meet the requirements for one category, although may meet the requirements for another.

Regulation 18 allows for a person who has applied for registration in a particular category, by written notice to the Board, to change the category of registration applied for at any time before the application is granted or refused.

## 8. Applications during a period of suspension

On occasion, as a result of disciplinary matters, the registration of a teacher may be suspended for a period of time.

A teacher whose registration is subject to a period of suspension, and who wishes to re-commence teaching at the end of their suspension period, may be required to re-apply for teacher registration.

Whilst a teacher may make an application for registration whilst suspended, the Board is legislatively unable to grant registration prior to the end of the period of suspension.

Applicants in this situation are advised to contact the Board for further advice relating to their specific circumstance.

## 9. Supporting information

[Teacher Registration Act 2012](#)

[Teacher Registration \(General\) Regulations 2012](#)

[Fit and Proper Policy](#)

[Mutual Recognition Policy](#)

## 10. Change History

Approved	Version	Details	Approved By
16/5/2013	1	New Policy Issued	Board
16/7/2013	2	Amendment	Board
06/09/2016	3	Amendment	Director
17/02/2021	3.1	Amended the references to criminal record check. Now criminal history check. Except where the policy quotes directly from the Act.	Assistant Director
20/09/2023	4	Amended in line with changes to the Act.	Board
Next Review Date		3 years	