



ACT TEACHER QUALITY INSTITUTE

Teacher Registration and Permit to Teach Policy

Teacher Registration and Permit to Teach Policy

WHAT IS THIS POLICY ABOUT?

This policy sets out the framework for the registration and permit to teach requirements of the ACT Teacher Quality Institute (TQI) under the *ACT Teacher Quality Institute Act 2010* (the Act). The policy supports the intention of the Act that only suitably qualified teachers work in ACT schools.

POLICY STATEMENT

Only approved teachers may teach in ACT schools.

Schools must not allow anyone to teach who is not an approved teacher.

An approved teacher is one who is registered or granted a permit to teach by TQI. Teaching is defined under the Act as the carrying out of duties that include:

- delivery of education services in a school.
- assessment of student participation in education services; or
- administration of education services.

LEGISLATIVE REFERENCE

The *ACT Teacher Quality Institute Act (2010)* sets the legislative basis for the principles and directions set out in this policy, specifically:

- Part 4 – Registration and permits to teach
- Part 5 – Codes of practice
- Part 8 – Notification and review of decisions.

Other relevant legislation includes:

- *ACT Teacher Quality Institute Regulation 2010* (as amended 2019)
- *Mutual Recognition (Australian Capital Territory) Act 1992*
- *Trans-Tasman Mutual Recognition Act 1997*
- *ACT Working with Vulnerable People Act 2011*.

CATEGORIES OF REGISTRATION AND PERMITS TO TEACH

There are two categories of registration, **Full** and **Provisional**.

Full registration is granted to applicants who meet all the eligibility requirements – see Section 32.

Provisional registration is granted to applicants who do not yet meet the professional standards or teaching experience requirements but meet all the other eligibility requirements. Teachers can remain provisionally registered for no longer than five years – see Section 33.

TQI may also grant a **permit to teach**. This is not a category of registration but an authorisation for a person to teach for a specified period in a specific teaching role and is granted where an applicant does not meet the eligibility requirements for either Full or Provisional registration – see Section 34.

ELIGIBILITY FOR REGISTRATION OR A PERMIT TO TEACH

The eligibility criteria for registration cover academic qualifications, professional standards, teaching experience, English language proficiency, suitability to teach and the right to work in Australia. To be considered for registration or permit to teach or to continue to be eligible for registration or permit to teach, applicants or registered teachers must provide documentary evidence that TQI considers appropriate to enable it to determine eligibility or ongoing eligibility.

Appropriate documentation will be defined on the TQI Internet site.

TQI may request an applicant or registered teacher to provide additional documentation to enable it to determine eligibility or ongoing eligibility for registration or permit to teach, If appropriate documentary evidence is not provided at the time of application, TQI will refuse to consider the application. If a registered teacher fails to provide requested documentation within a timeframe determined by TQI, their registration or permit to teach may be suspended or cancelled.

Full registration

Teachers will be granted **Full registration** only if they meet all the eligibility requirement below.

They:

- have completed at least four years of full-time higher education study (or part-time equivalent), including at least one year of an accredited teacher education program, leading to the award of a school teacher qualification recognised under the Australian Qualifications Framework. Overseas qualifications will be accepted if they are assessed under the *ACT Teacher Quality Institute Qualifications Policy* as equivalent.
- are able to demonstrate through a TQI approved school-based assessment that they meet the Proficient level of the *Australian Professional Standards for Teachers*
- have completed 180 days of teaching over the previous five years as a qualified teacher in a recognised Australian or New Zealand school (usually achieved by teaching a full school year) or have experience that TQI is satisfied is equivalent
- are able to demonstrate their English language proficiency evidenced by their teaching qualification studies as defined in the *ACT Teacher Quality Institute Qualifications Policy*, in English in one of a number of prescribed English-speaking countries or by providing the prescribed results of an approved English language test
- can demonstrate suitability to teach through a current ACT Working with Vulnerable People (WwVP) general registration, compliance with any relevant codes of practice and application declarations. An applicant holding a conditional WwVP registration would only be granted TQI registration where TQI has assessed that the condition imposed by Access Canberra:
 - i. is not prejudicial to the standing of the teaching professional as a whole
 - ii. does not relate to fit and proper person considerations **relevant to the inherent role of a teacher**.
- have not had their registration or permit to teach cancelled or suspended, other than on the request of the holder, by TQI or another registering or accrediting authority
- are Australian or New Zealand citizens or have a right to work in Australia.

Provisional registration

Applicants may be granted **Provisional registration** where they are not able to provide the necessary evidence that they have accumulated the required teaching experience, skills and abilities to meet the *Australian Professional Standards for Teachers* at the Proficient level, but meet all the eligibility requirements below.

They:

- have completed at least four years of full-time higher education study (or part-time equivalent), including at least one year of an accredited teacher education program, leading to the award of a school teacher qualification recognised under the Australian Qualifications Framework. Overseas qualifications will be accepted if they are assessed under the *ACT Teacher Quality Institute Qualifications Policy* as equivalent.
- are able to demonstrate their English language proficiency evidenced by their studies in English in one of a number of specified English-speaking countries or by providing the prescribed results of an approved English language test
- can demonstrate suitability to teach through a current ACT Working with Vulnerable People (WwVP) general registration, compliance with any relevant codes of practice and application declarations. An applicant holding a conditional WwVP registration would only be granted TQI registration where TQI has assessed that the condition imposed by Access Canberra:
 - is not prejudicial to the standing of the teaching professional as a whole and
 - does not relate to fit and proper person considerations **relevant to the inherent role of a teacher**.
- have not had their registration or permit to teach cancelled or suspended, other than on the request of the holder, by TQI or another registering or accrediting authority
- are Australian or New Zealand citizens or have a right to work in Australia.

Permit to teach

Permits to Teach may be approved, where there is not a registered teacher available to fill a position, for applicants who have specialist knowledge, training, skills or qualifications or whose teaching qualification does not meet the eligibility requirements for Full or Provisional registration.

Included in the above, a Permit to Teach may be approved for an Initial Teacher Education (ITE) student, who is currently enrolled in accredited ITE program, providing:

either	or
1. <ul style="list-style-type: none"> a) the ITE student has commenced the final year of the ITE program; and b) the ITE program provider and a teacher employer/school has a TQI endorsed Student Permit to Teach agreement addressing the principles: <ul style="list-style-type: none"> i. assuring the integrity and quality of the initial teacher education program, and ii. ensuring that initial teacher education students are adequately supervised, monitored and supported while working in schools; and c) the ITE program provider confirms that the student is likely to graduate at the end of the final year of the ITE program and complies with eligibility requirements outlined in the TQI endorsed Student Permit to Teach agreement. 	2. <ul style="list-style-type: none"> a) the ITE student is in the final semester of the ITE program and has successfully completed all required professional experience placements, and b) the ITE program provider confirms that the student is likely to graduate at the end of the current semester. <p>Approval under this provision permits the ITE student to accept work in any ACT school.</p>
<p>Approval under this provision permits the ITE student to accept work in the nominated ACT school.</p>	

Before an application can be made for a permit to teach, the employer must make a request to TQI on behalf of the applicant stating that a school wishes to employ the person in a specified role for a defined period and that there is no suitable registered teacher available to fill the position.¹

In exceptional circumstances, a Permit to Teach may be approved for an ITE student, who is required to re-sit a component of the LANTITE in order to satisfy the requirement for the award of the ITE qualification, if the ITE provider confirms that the ITE student is actively engaged in receiving support to prepare for the re-sit of the LANTITE test component at the next available opportunity.

Under these circumstances, a Permit to Teach may be approved or renewed at the request of an employer, on a semester by semester basis, until the student has either exhausted all test attempts (in which case the permit to teach is cancelled) or passed the test and is eligible to graduate from the ITE program and apply for teacher registration.

APPLICANTS FROM INTERSTATE OR NEW ZEALAND - MUTUAL RECOGNITION PRINCIPLE

Applicants who are registered to teach elsewhere in Australia or in New Zealand may apply for registration under the **mutual recognition principle**. This principle applies to teachers with current registration in any other state or territory in Australia (through the *Mutual Recognition (Australian Capital Territory) Act 1992*) and to teachers with a Practising Certificate in New Zealand (through the *Trans-Tasman Mutual Recognition Act 1997*). Under this principle teachers may be registered in the ACT in the category equivalent to their interstate or New Zealand registration.

Where teachers apply for registration in the ACT under the mutual recognition principle TQI will confirm the status and standing of the teacher with the relevant jurisdiction.

Before commencing teaching in a school, teachers applying under the mutual recognition principle must formally notify TQI of their intention to seek registration in the ACT under the *Mutual Recognition (Australian Capital Territory) Act 1992* or the *Trans Tasman Mutual Recognition Act 1997*. This notification is made by completing an online form, *Mutual Recognition Application Form*, on the TQI website and providing the information and documents required by s.19 of the *Mutual Recognition (Australian Capital Territory) Act 1992* – these are detailed in the application form.

Once this notification is provided to TQI the teacher is deemed to be registered. TQI then has one month in which to assess the application and decide whether to register the applicant or postpone the granting of registration. Teachers are entitled to carry on their occupation in this period subject to meeting any requirements under the *ACT Working with Vulnerable People Act 2011*.

INITIAL TEACHER REGISTRATION APPLICATION REQUIREMENTS

Applicants must use the online application form available to make an application for teacher registration. TQI may refuse an incomplete application and applications will not be processed until TQI has received all the required documentation and the relevant application fee.

All documentation submitted must be certified by a person authorised under the *Statutory Declarations Act 1952* (Cwlth) or, if applying from overseas, by a Notary Public or a person in a profession specified by TQI in the application information at the time. Any document not in English must be submitted with a translation, along with a declaration that it is a fair and reasonable translation, provided by a translator accredited for that language by the National Accreditation Authority for Translators and Interpreters (NAATI), or by a translator for that language from an equivalent accredited organisation.

Additional documents or information

If TQI asks for additional information or documentation the applicant will be given 28 days to provide it. The application will lapse if the requested information is not provided within this time unless an extension of time has been granted.

Assessment timeframe

¹ Please note: When endorsing an ITE Student Permit to Teach agreement, TQI will confine its consideration to those elements within its legislative remit.

TQI will not commence assessing applications for teacher registration or a permit to teach until all the documentation required and the application fee have been received.

If an application is received incomplete, TQI will provide the applicant with written advice indicating the missing documentation must be received within 14 days or the application will be deemed to have been withdrawn. This advice will provide the applicant with provision to apply for an extension of time to provide the required documentation based on action being taken to obtain it.

If an applicant withdraws an application or an application is deemed to be withdrawn because documents are not provided in the time specified, this does not preclude the applicant from submitting another application at a later date.

The initial assessment of fully documented applications will take up to 10 days however more complex assessments may take longer.

Registration period

The TQI registration year is 1 April to 31 March. Teachers granted Full registration, Provisional registration or a permit to teach are registered until 31 March in the following year. Application fees operate on a sliding scale to accommodate initial applications made at different times of the year.

Registration cards

All applicants successfully registered or granted a permit to teach will be issued with a certificate and card. The card and certificate will include the teacher's name, registration or permit number, registration period, registration category and any conditions on the registration or permit.

If a card or certificate is lost, stolen or damaged the teacher may apply to TQI for a replacement. The request for a replacement must be accompanied by a statement outlining the circumstances under which the card or certificate was lost, stolen or damaged.

ASSESSMENT OF APPLICATIONS

Suitability to teach

Suitability to teach for both new applications and for renewal of registration or a permit to teach is assessed on the basis of the applicant:

- complying with any relevant Code of Practice relating to Professional Conduct, and
- holding a current general registration under the ACT *Working with Vulnerable People (Background Checking) Act 2012*. An applicant holding a conditional WwVP registration would only be granted TQI registration where TQI has assessed that the condition imposed by Access Canberra
 - a) is not prejudicial to the standing of the teaching profession as a whole, and
 - b) does not relate to fit and proper person considerations relevant to the inherent role of a teacher
- having not had their registration or permit to teach cancelled or suspended in any Australian jurisdiction or in New Zealand, other than in accordance with a request by the person.

Granting a category of registration other than that applied for

TQI may decide to grant a category of registration other than that applied for or approve a permit to teach (if requested by a school) where the applicant is not eligible for registration. TQI will provide written notice of the proposed decision including reasons. The applicant then has 14 days to provide written comments to be taken into consideration by TQI in making the final decision about the category of registration to be granted.

Conditions on registration or permit to teach

All approved teachers are required to undertake professional development activities and comply with any relevant codes of practice as a continuing condition of registration or a permit to teach.

TQI may also impose additional conditions if it considers they are necessary to ensure that a teacher meets the eligibility requirements for registration or a permit to teach. Any conditions will be shown on the back of the teacher's registration or permit card and will be provided to the teacher's employer or prospective employer.

If additional conditions are imposed the teacher will be advised in writing explaining the reasons for conditions. The teacher then has 14 days to provide written comments to be taken into consideration by TQI in making the final decision. Teachers may make a written request for an extension of the time for providing comments. If this is not granted TQI will provide reasons in writing.

Refusal of registration

TQI may refuse to grant a registration. TQI will give the applicant written notice of the proposed decision including reasons. The applicant then has 14 days to provide written comments to be taken into consideration by TQI in making the final decision. Applicants may make a written request for an extension of the time for comments. If this is not granted TQI will provide reasons in writing. If an application for registration or permit to teach is unsuccessful the application fee will be refunded.

REGISTRATION RENEWAL

Teachers must apply to renew their registration or permits to teach annually before the expiry date on their Registration or permit to teach card. Teachers who have not applied to renew their registration before the registration expires will not be able to renew and will need to make a new registration application.

A teacher can only hold Provisional registration for five years. Provisionally registered teachers would be expected to have progressed to Full registration during that time. In exceptional circumstances provisional registrants may have their registration renewed for one year beyond the maximum 5-year period.

A permit to teach cannot be renewed unless requested by the employer.

To be eligible for Full registration renewal teachers must:

- complete the requirements for professional practice of 100 days of teaching over the previous 5 years, generally completed through 20 days annually
- have undertaken the required professional learning or development activities specified in the TQI Professional Learning Directions (*Notifiable Instrument NI2014/53*) generally completed through 20 hours in the preceding school year, and
- have complied with the Suitability to Teach provisions in this policy
- have had any declarations made in the renewal application assessed by TQI.

To be eligible for Provisional registration renewal teachers must:

- have undertaken the required professional learning or development activities specified in the TQI Professional Learning Directions (*Notifiable Instrument NI2014/53*) generally completed through 20 hours in the preceding school year
- have complied with the Suitability to Teach provisions of this policy
- have had any declarations made in the renewal application assessed by TQI.

To be eligible for permit to teach renewal applicants must:

- continue to meet the eligibility requirements for a permit to teach
- have complied with any relevant Code of Practice and any other conditions imposed on their

- registration or permit to teach
- have undertaken the required professional learning or development activities specified in the TQI Professional Learning Directions (*Notifiable Instrument NI2014/-53*), generally completed over 20 hours annually, and
- have a current ACT Working with Vulnerable People general registration.

TQI will not finalise applications for renewal of registration or a permit to teach until all documentation required and the application fee have been received.

The initial assessment of renewal applications will take up to 10 days however more complex assessments may take longer.

Conditions on renewal of registration

TQI may impose conditions on the renewal of registration or a permit to teach to ensure the teacher meets eligibility requirements for the relevant category.

If TQI decides to impose conditions the teacher will be advised in writing explaining the reasons for the conditions. The teacher then has 14 days to provide written comments to be taken into consideration by TQI in making the final decision. The teacher may make a written request for an extension of the time for comments. If this is not granted, TQI will provide its reasons in writing.

PROGRESSION TO FULL REGISTRATION

Provisionally registered teachers wishing to progress to Full registration must demonstrate that they have achieved all the following.

They have:

- completed 180 days of teaching over the previous five years as a qualified teacher in a recognised Australian or New Zealand school (usually achieved by teaching a full school year) or have experience that TQI is satisfied is equivalent. This should include a minimum of 20 days sustained period with a single school to assist the teacher being able to demonstrate their achievement of the Proficient level descriptors.
- undertaken the required professional learning or development activities
- maintained the required standards of professional conduct and suitability for registration including any conditions specified as part of provisional registration, and
- completed a school-based assessment process against the Proficient level of the *Australian Professional Standards for Teachers*, which includes collecting evidence of preparation, reflection and annotation of work against the Standards, and a recommendation for Full registration from their current Principal.

Full details of the assessment process and procedures (including requirements for supporting documentation) are available in the TQI documents:

- *Progressing from Provisional to Full Registration – A guide for Provisionally Registered Teachers*
- *Progressing from Provisional to Full Registration – A guide for Professional Guidance Panels of Provisionally Registered Teachers.*

In recognition of the learning that occurs for teachers when evidencing their practice against the Australian Professional Standards for Teachers, five hours of teacher identified professional learning is automatically allocated to a teacher's profile when they move from provisional to full registration.

NEW FULL REGISTRATION APPLICATION FOLLOWING VOLUNTARY EXPIRY OF REGISTRATION

Teachers who have been fully registered with the ACT TQI but have chosen to allow their registration to expire will be recognised for Full registration under the following circumstances:

- After a registration expiry of up to two years – by completing the online new starter application for Full registration.
- After a registration expiry greater than two years but less than five years –by having provided an appropriate TQI Professional Practice report from a principal or delegate that TQI is satisfied is equivalent which confirms they met the proficient level of the *Australian Professional Standards for Teachers* when at their school.

In these circumstances, the teacher will need to meet the obligations for mandatory professional learning and for mandatory professional practice in the same way as a newly registered teacher. They must also provide any documentary evidence that TQI considers appropriate to enable it to determine eligibility or ongoing eligibility for Full registration.

SUSPENSION OR CANCELLATION OF TEACHER REGISTRATION OR PERMIT TO TEACH

Teachers who contravene a condition of their registration or who become mentally or physically incapable of fulfilling their professional responsibilities as a teacher may have their registration or permit to teach suspended or cancelled by TQI.

TQI will give the teacher notice in writing of the intention to suspend or cancel the registration or permit setting out the grounds for such action. The teacher then has 14 days to make a response to be taken into account by TQI before final determination of the teacher's registration status. If TQI decides to proceed with suspension or cancellation of a registration or permit to teach, the teacher will be notified in writing and advised of the relevant appeal rights.

TQI is required to inform the employer and the other registration/accreditation authorities in Australia and New Zealand of any suspension or cancellation and is also required to provide the registration/accreditation authorities with the grounds for suspension or cancellation.

A teacher whose registration or permit to teach has been suspended or cancelled must return the registration certificate and registration card to TQI.

RIGHT OF APPEAL

Under the *ACT Teacher Quality Institute Act 2010* a person affected may request review of the following categories of decisions made by TQI:

- refusal to grant extensions of time
- refusal to register or grant a permit to teach
- granting of provisional registration or a permit to teach when Full registration was sought
- conditions being affixed to a registration.
- suspension or cancellation of a teacher's registration or permit to teach.

In the first instance, a teacher who is dissatisfied with a decision by TQI should seek reconsideration by TQI. If still unsatisfied, and the decision is identified as a reviewable decision under the Act, the teacher may appeal to the ACT Civil and Administrative Tribunal for a review of the decision. TQI will give notice to the teacher concerned whenever it makes a reviewable decision.

REGISTER OF TEACHERS

TQI is required to keep a register of teachers which is updated and kept electronically.

TQI will make information available to a teacher's employer or prospective employer on the teacher's registration or permit to teach status, any conditions applying to the registration or permit to teach, and whether the registration or permit to teach is suspended or cancelled on request.

TQI may also provide information on whether a teacher holds Full or Provisional registration or a permit to teach to anyone else on request.

Teachers may request a copy of the information held in the register about them and may request amendment of incorrect information.

RECORD KEEPING

TQI record keeping is regulated by the *Territory Records Act 2002* and is managed in accordance with policies and guidelines issued by the ACT Territory Records Office and the TQI Records Management Program 2023.

PRIVACY

TQI has issued a Territory Privacy Principle 5 (TPP 5) notice for the collection of personal information, in accordance with the Information Privacy Act 2014.

The notice is available online and outlines:

- when personal information is collected and how it is used
- when personal information may be disclosed and the legislative authority for that disclosure
- the impact if you do not consent to supplying TQI with the information requested
- what to do if you believe that TQI has not handled your personal information correctly.

To request a copy of the TPP 5 notice in another format, please contact TQI.

POLICY INFORMATION

Approved by

The ACT Teacher Quality Institute Board.

Approval date

Current policy as approved by the TQI Board on 28 February 2023.

Publication of policy

This policy is published on the TQI Portal and website and made available in printed format on request. The version of the policy on the Portal can be regarded as the policy in force at any time.

Review and changes to policy

This policy will be reviewed one year from the commencement of changes to the policy granting eligibility for Permit to Teach to initial teacher education students commencing their fourth year. The policy will be reviewed every two years after that, or earlier if required. All changes to the policy are approved by the TQI Board.



ACT
Government



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