

Practice and Conduct Agreements

POLICY

Purpose and measures

Purpose

To guide the Queensland College of Teachers (QCT) in entering into practice and conduct agreements (P&C agreements) with teachers.

Rationale

The *Education (Queensland College of Teachers) Act 2005* (QCT Act) allows the QCT to enter into a voluntary P&C agreement with a teacher for a Professional Capacity and Teacher Conduct matter (a PC&TC matter) where minor disciplinary action may be required.

Scope

The policy applies to any 'relevant teacher' with whom the QCT considers it is appropriate to enter into a P&C agreement for minor disciplinary action in respect of the teacher's conduct or competence and who agrees to enter into a P&C agreement.

The policy does not apply to matters where impairment may have caused or contributed to the conduct or competence. The policy also does not apply to matters which have been the subject of an authorised investigation by the QCT or the PC&TCC and where the QCT or PC&TCC is satisfied that the investigation discloses a ground for disciplinary action against a relevant teacher. Those investigations must be referred to the PC&TCC and cannot be the subject of a P&C agreement.

Policy statement

The QCT will consider disciplinary information received and assess whether the information raises a ground for disciplinary action against the relevant teacher. When the QCT considers a ground for disciplinary action exists against a relevant teacher in respect of the teacher's conduct or competence, and the QCT considers that minor disciplinary action is warranted in the circumstances, the QCT may seek the teacher's agreement to enter into a P&C agreement.

In considering whether a P&C agreement is appropriate the QCT's considerations will include matters such as:

- primarily, the welfare and best interests of children
- where conduct relates to an offence, the circumstances of the offence and any prior offending and the court outcome
- whether the conduct or competence issue can be sufficiently addressed by the imposition of a condition
- the seriousness of the behaviour or incompetence
- whether an agreement is appropriate to mutually resolve issues without the necessity for more formal disciplinary action by the PC&TCC
- previous decisions of the Professional Practice and Conduct Committee, the PC&TCC and the Queensland Civil and Administrative Tribunal
- the objects of the QCT Act:
 - a) to uphold the standards of the teaching profession; and
 - b) to maintain public confidence in the teaching profession; and
 - c) to protect the public by ensuring education in schools is provided in a professional and competent way by approved teachers.

Definitions

'Relevant teacher' means an approved teacher or a former approved teacher

'Approved teacher' means a person who is a registered teacher or who holds a permission to teach

'Former approved teacher' means a former registered teacher or a former holder of a permission to teach

'Former registered teacher' means a person who was a registered teacher at the time when the conduct happened and is no longer a registered teacher

'Former holder of permission to teach' means a person who was the holder of a permission to teach at the time when the conduct happened and no longer holds permission to teach

All the above definitions are drawn from Schedule 3 of the *Education (Queensland College of Teachers) Act 2005*

'Minor disciplinary action' for the purposes of this policy means to do one or more of the following: not take further action against the teacher, issue a warning or reprimand to the teacher, impose conditions on the teacher's registration or permission to teach.

Legislation

Education (Queensland College of Teachers) Act 2005 – sections 92, 93, 95, 96, 97, 100, 101, Schedule 3

Supporting documents

Guidelines for Practice and Conduct Agreements



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