

This Charter outlines the procedures and guidelines for QCT committees established in accordance with the *Education (Queensland College of Teachers) Act 2005* ('the Act').

### Authority

The Professional Capacity and Teacher Conduct Committee (PC&TC) is established under section 113 of the Act. The Internal Review Committee is established under section 210A.

The Board established the following committees, in accordance with sections 211 and 259 of the Act, at its February 2012 meeting:

- Audit and Risk Committee
- Eligibility Declarations Committee
- Professional Standards Committee
- Registration Committee
- Suitability to Teach Committee

At its June 2016 meeting, the Board established a Strategic Futures Committee.

### Purpose of Committees

The purpose of the Professional Capacity and Teacher Conduct Committee is to consider relevant practice and conduct matters as set out in the Act (section 115). The purpose of the Internal Review Committee is to deal with applications for internal review under the Act (sections 210 and 211).

The other committees listed above have been established to assist the Board in effectively and efficiently performing the QCT's functions. The functions of a committee established by the Board are to:

- advise and make recommendations to the Board about matters relevant to the Board's functions that have been referred by the Board to the committee; and
- exercise powers delegated to it by the Board.

### Delegation of powers to Committees

Under section 264 of the Act, the Board may delegate its powers to a member of the Board, a committee of the Board, the Director or an appropriately qualified member of the Office's staff.

The specific delegations (if any) to each committee are set out in the Appendix.

### Terms of Reference

The terms of reference of each of the committees are as determined by the Board and in accordance with sections 115, 210-211 and 259 of the Act.

The terms of reference of each committee are set out in the Appendix.

Except for those expressly delegated to it by the Board, a committee has no executive powers.

Each committee is directly responsible and accountable to the Board. In carrying out its responsibilities, each committee must at all times recognise that primary responsibility for the management of the QCT rests with the Director.

### Membership

The membership of the Professional Capacity and Teacher Conduct Committee and Internal Review Committee are to some extent prescribed in the Act (sections 114 and 210A). With these limitations in mind, the membership of each of the committees is determined by the Board in accordance with section 259 of the Act.

The membership for each committee is set out in the Appendix.

In order to keep members' workloads within reasonable limits, a Board member should normally not serve concurrently on more than one QCT committee.

Attendees who are not constituted members of a committee may be invited by the committee chair to attend meetings as appropriate.

Any QCT staff members who are members of committees in an *ex officio* capacity may participate in the committees' discussions but may not vote on decisions/resolutions before the committees.

### Chairperson

All committees are to be chaired by a Board member and (except for the PC&TC, STT and Eligibility Declarations Committees, where a deputy is unnecessary) are to have a deputy chair who is also a Board member. In each case, the Committee chairperson and deputy chairperson are appointed by the Board from among the Board members on the Committee.

### Secretariat

Staff of the QCT Office will provide secretarial support to the committees. The secretary of each committee will be appointed by the Director, in consultation with the relevant senior managers.

### Term of appointment

While members are generally appointed for the term of the current Board (i.e. normally for three years), appointments to committees are subject to annual review.

Periodic rotation of Board members' appointments to committees is to be encouraged so that members gain a broader understanding of the range of QCT business. Board members should not serve more than two terms on any one committee.

### Induction

All new committee members will be provided with an induction pack containing key information and will be inducted in a timely manner.

### Number and Frequency of Meetings

Committees must meet as required to ensure compliance with any applicable timelines set down in the Act, and to ensure its duties are fulfilled and that business is handled expeditiously.

The expected meeting frequency for each committee is set out in the Appendix.

### Notice of Meeting

A notice of meeting including an agenda stating the business to be conducted and the associated meeting papers, shall be distributed by the committee secretary to all members of the committee not less

than five days prior to the scheduled meeting date.

Tabled papers may be provided at the meeting.

### **Quorum**

The quorum for a meeting of a committee is one-half of the total number of members of the committee, or if one-half is not a whole number, the next highest whole number applies.

### **Chair to Preside**

The Chair of the committee shall preside at every meeting of the committee at which he or she is present.

Should the Chair of the committee be absent from a meeting, the Deputy Chair (where one exists) shall preside at the meeting, or if there is no Deputy Chair or the Deputy Chair is also absent, a member of the committee elected from among the members who are present shall preside at the meeting.

### **Attendance at Meetings**

Committee members are appointed as experts, not as representatives of an organisation, and therefore cannot appoint proxies.

An exception is made in the case of the Professional Standards Committee, where members may attend by proxy at up to two meetings per calendar year.

A committee member who fails to attend three consecutive meetings without leave of absence from the Board chair will cease to be a member of the committee.

### **Conflict of Interest**

Every committee meeting will include and minute an agenda item allowing members to declare any potential perceived or actual conflicts of interest. Where members have a real or perceived conflict of interest, they will be excused from committee deliberations on the issue where the conflict arises.

### **Leave of Absence**

The Chair of the Board may approve leave of absence for a member of a committee.

The Chair of the Board may seek to appoint another appropriate person to the relevant committee for the period the committee member will be absent.

### **Vacation of Position**

The position of a committee member becomes vacant if the member, or the organisation by which the member was nominated, advises the Chair of the Board in writing that they will not be continuing on the committee, or if the member is absent for three or more consecutive meetings without seeking leave.

### **Reporting**

Where appropriate, committees should annually schedule their work, informed by overall QCT priorities.

Under section 259(4) of the Act, a committee must keep a record of the decisions it makes when exercising a power delegated to it by the Board.

The committee secretary must keep minutes of each committee meeting and send these to committee members (once approved by the committee chair) within fifteen working days of the committee meeting. Reports of committee meetings and decisions must be presented to the Board at the earliest opportunity for noting, endorsing or action.

The Chair of each committee will report to the Board on all matters that should be brought to the attention of the Board and any recommendations requiring Board approval and/or action.

In addition, each committee will provide an annual written report to the Board on all matters relevant to the committee's role and responsibilities, including its charter, operation and membership.

The PSC is to provide for each Board meeting an update on the accreditation of ITE programs offered in Queensland.

### **Performance evaluation**

In addition to conducting regular evaluations of its meetings, each committee will undertake an annual review of its performance and will provide this to the Board. The Board will also evaluate the performance of the committees as appropriate to ensure that an overall picture has been properly considered.

### **Member role and responsibilities**

Committee members are expected to act in the best interests of the QCT and not to represent the views of the organisation nominating them.

All committee members are required to adhere to the Code of Conduct for the Queensland Public Service, adopted by the Board as the code of conduct for members of the Board and members of committees and working parties established by the QCT.

The code of conduct provides a framework to support the ethics principles of the *Public Sector Ethics Act 1994* and provides a standard of conduct to apply to members in the performance of their duties as members of the Board, a committee or a working party.

### **Review of committee Terms of Reference**

Each committee will annually review the continuing relevance of its Terms of Reference. Any proposed changes will be submitted to the Board for consideration and, if thought fit, endorsement.

### **Amendments to the Committee Charter**

This Charter may be amended by the Board of the Queensland College of Teachers.

## Appendix

**TERMS OF REFERENCE AND MEMBERSHIP FOR QCT COMMITTEES****AUDIT AND RISK COMMITTEE****Terms of Reference**

The Audit and Risk committee will advise the Board of the QCT about:

**Risk Management**

- the identification and management of strategic corporate risks and critical regulatory operational risks

**Information Communication & Technology**

- the strategic and operational ICT workplan
- the budget to facilitate the workplan

**Compliance**

- the QCT's compliance with government legislation and other standards and policies to ensure conformity with its statutory responsibilities in the areas of governance and finance

**External and Internal Audit**

- the QCT's internal and external audit relationships, including the charter, authority and effectiveness of the internal audit function
- the QCT's corporate governance including systems of internal control, internal audit activities (including fraud control) and any reports issued by internal and external auditors

**Finance**

- the QCT's investment policy and the performance of its investment funds
- management of major contracts (over \$250k) entered into by the QCT
- QCT's Annual Budget
- QCT's Annual Financial Statements prior to their submission to the Board for approval
- significant transactions which are not part of the QCT's normal business

**Delegations**

None

**Membership**

- Two Board members with specific skills or interest in governance and risk
- An external nominee with high-level ICT expertise
- An external nominee with high-level expertise in the area of finance and/or accounting
- The Director of the Office of the QCT, or his/her nominee (*ex officio*) (as an observer)

The QCT Director and the Business Manager are authorised to appoint substitute members in the event of unavailability or conflict of interest of the usual members.

The Committee may, in consultation with the Director, request any officer or employee of the QCT or the QCT's legal counsel, investment advisor or external auditor to attend a meeting of the Committee or to meet with any members of, or consultants to, the Committee.

All Committee members will be financially literate or become financially literate within a reasonable period of appointment.

The Office of the Director will provide secretariat support for the Committee, and appropriate staff members will attend to lead discussion, provide background information, and/or take minutes.

### Meeting Frequency

Four to six meetings per year

## ELIGIBILITY DECLARATIONS COMMITTEE

### Terms of Reference

- To determine eligibility declaration applications.

### Delegations

Section	Description of Power	Delegation	Conditions/Comments
12F(1) – (5)	Decision on eligibility declaration	Eligibility Declarations Committee	Unconditional
12G(1) – (3)	Grant or refusal to grant eligibility application	Director Eligibility Declarations Committee Chair	Unconditional
12L	Revocation of decision to refuse eligibility declaration	Eligibility Declarations Committee	Unconditional

### Membership

The Director QCT, the Executive Manager (Legal) and the General Counsel are authorised to appoint members to constitute the committee as required, with membership to consist of two appropriate members of the QCT Office and a Board member who is a practising teacher and is not a member of the Suitability to Teach Committee.

### Meeting Frequency

As needed (expected to be rarely)

## INTERNAL REVIEW COMMITTEE

### Terms of Reference

- To deal with applications for internal review under section 210 of the Act
- To conduct the reviews and make recommendations in accordance with the requirements of section 211 of the Act

### Delegations

None

### Membership

- Three Board members, including one who is appointed as chair, one who is a practising teacher and one who is a representative of an employing authority for a school
- A member of the registered health practitioner panel, if the application relates to a PC&TCC decision about a practice and conduct matter involving an impairment of a teacher
- Any other person, whether a Board member or not

The Director QCT, the Executive Manager (Legal) and the Executive Manager (Registration) are delegated/ authorised to appoint members in the event of unavailability or conflict of interest of the usual members.

Staff of the Registration unit or the Legal unit of the QCT Office will provide secretariat support for the Committee, and appropriate staff members will attend to provide background information and/or take minutes.

### Meeting Frequency

Six-weekly (or as required)

## **PROFESSIONAL CAPACITY AND TEACHER CONDUCT COMMITTEE**

### Terms of Reference

The functions of the PC&TC Committee relate to minor practice and conduct matters and are set out in section 115 of the Act. The role of the Committee is to:

- receive reports about investigations authorised by the QCT
- conduct practice and conduct proceedings to hear and decide practice and conduct matters referred to it by the QCT where minor disciplinary action is likely to be appropriate
- authorise an investigation if it believes that further information is required before it can hold a hearing and decide on a practice and conduct matter
- refer a matter to the Queensland Civil and Administrative Tribunal if it believes that serious disciplinary action should be taken against the teacher
- to make an order for a relevant teacher to undergo a health assessment

### Delegations

None

### Membership

Three Board members of whom two are to be registered teachers and one is to be not a registered teacher. However, for the hearing of a practice and conduct matter involving an impairment of a relevant teacher, the PC&TCC must include an additional member from the registered health practitioner panel.

The Director QCT, the General Counsel and Executive Manager (Legal) are delegated/authorised to appoint members in the event of unavailability or conflict of interest of the usual members. In the interests of operational efficiency, the Board may appoint a panel of Board members (from the appropriate categories) to the Committee rather than the minimum of three specified above.

Staff of the Legal section of the QCT Office will provide secretariat support for the Committee, and appropriate staff members will attend to provide background information, and/or take minutes.

### Meeting Frequency

Monthly (or as required)

## **PROFESSIONAL STANDARDS COMMITTEE**

### Terms of Reference

- To oversee the application of the Australian Professional Standards for Teachers to the range of QCT functions
- To accredit and monitor initial teacher education programs offered in Queensland
- To oversee the application, monitoring and review of the CPD framework
- To oversee the application, monitoring and review of policies and guidelines for Returning to Teaching programs

- To monitor national initiatives in the areas of professional standards, teacher registration, teacher education including professional experience, program accreditation and professional development
- To provide advice to the Board of the QCT on policy issues relating to professional standards and their application to the range of QCT functions, including implications of national initiatives in these areas for QCT policies and processes

### Delegations

Section	Description of Power	Delegation
235	College must develop or adopt professional standards	Professional Standards Committee
236(2),(3)	Approval of pre-service teacher education program	Professional Standards Committee

### Membership

- Two members of the Board of the QCT who must be practising teachers, at least one of whom must be an elected teacher member
- One additional Board member
- Three nominees of the Queensland Deans of Education Forum (to include a range of types of institutions providing teacher education programs)
- A nominee of the Department of Education and Training
- A nominee of Education Queensland who must be a practising teacher
- A nominee of Queensland Catholic Education Commission
- A nominee of Independent Schools Queensland
- A nominee of the Early Childhood Teachers' Association
- A nominee of the Director of the Queensland Curriculum and Assessment Authority
- Two practising teachers who are not Board members of whom:
  - One is identified by the Queensland Teachers' Union
  - One is identified by the Queensland Independent Education Union
- A nominee of the Queensland Indigenous Education Consultative Committee
- The Executive Manager (Professional Standards) in the Office of the QCT (ex officio) (as an observer)

All members should have expertise relevant to the Committee's terms of reference.

The Professional Standards unit of the QCT Office will provide secretariat support for the Committee, and appropriate staff members will attend to lead discussion, provide background information, and/or take minutes.

### Meeting Frequency

Six-weekly

## REGISTRATION COMMITTEE

### Terms of Reference

- To make decisions about matters referred by the Director of the Office of the QCT; these will be contentious matters or matters in which the Director considers that s/he has a conflict of interest, including those regarding:
  - applications for teacher registration (e.g. where it is not clear that applicants meet the *professional practice requirements* for registration)



- applications for full registration (e.g. where a Principal's Report assesses that some or all of the Professional Standards have not been met and the applicant disagrees with that assessment)
- applications for renewal of full registration
- applications from approved teachers for review of conditions imposed on registration or permission to teach
- failure by a teacher holding provisional registration or a person holding permission to teach to comply with a condition imposed on their registration or permission to teach
- failure by a teacher holding full registration to comply with a 'returning to teaching' condition

### Delegations

Section	Description of Power	Delegation	Conditions/Comments
20(1)(a)	Grant full or provisional registration or PTT – with or without conditions	Registration Committee* Director	
20(1)(b)	Refuse to grant registration or PTT	Registration Committee* Director	
21(2)	Information Notice to applicant for full registration where provisional registration granted	Chair of Registration Committee* Director	In accordance with Registration Committee Terms of Reference
21(3)	Information Notice when decision is to not grant registration or PTT	Chair of Registration Committee* Director	In accordance with Registration Committee Terms of Reference
24(1)(b)	Refuse applications for full registration by holders of provisional registration	Registration Committee Director	In accordance with Registration Committee Terms of Reference
25(1)(b)	Information notice to be given if application for full registration by holders of provisional registration is not granted	Chair of Registration Committee Director	In accordance with Registration Committee Terms of Reference
32(1)(b)	Decide to refuse to renew application for renewal of full registration or PTT	Registration Committee* Director	In accordance with Registration Committee Terms of Reference
32(2)	Decide to impose any condition on renewal of full registration or PTT to meet the requirements of 29(2)(a), (c) or (d) or 31(2)(a)	Registration Committee* Director	In accordance with Registration Committee Terms of Reference
33	Give Approval or Information Notices on applications for renewal of registration or PTT	Chair of Registration Committee* Director	In accordance with Registration Committee Terms of Reference
41(2)	Decide to impose a new condition, amend or refuse to amend the reviewed condition	Registration Committee Director Executive Manager, Registration	In accordance with Registration Committee Terms of Reference EMR – excluding refusal to amend under section 41(2)(c)
41(3)	Information notice to be given of decision under s41(2)	Chair of Registration Committee Director	In accordance with Registration Committee Terms of Reference

43(5)	<b>Information notice</b> to be given where decision made to not cancel; condition	Chair of Registration Committee Director	In accordance with Registration Committee Terms of Reference
46	<b>Show cause</b> for failure to comply with condition(s)	Chair of Registration Committee Director Executive Manager, Registration Executive Manager, Legal General Counsel	In accordance with Registration Committee Terms of Reference
47(1)	<b>Failure to comply with condition - suspension or cancellation of registration or PTT</b> – consider response to show cause and determine non-compliance	Registration Committee Director Executive Manager, Registration Executive Manager, Legal General Counsel	In accordance with Registration Committee Terms of Reference
47(2)	<b>Failure to comply with condition - suspension or cancellation of registration or PTT</b> – order suspension or cancellation after show cause response considered	Registration Committee Director	In accordance with Registration Committee Terms of Reference
47(3)	<b>Failure to comply with condition - suspension or cancellation of registration or PTT:</b> (a) issue information notice if suspension or cancellation is ordered; (b) issue notice if decided not to make order	Chair of Registration Committee Director	In accordance with Registration Committee Terms of Reference

\* The STT Committee or its Chair has a similar delegation with respect to suitability matters.

### Membership

- A member of the Board of the QCT
- A nominee of the Deans of Education Forum
- A nominee of the Department of Education and Training
- A joint nominee of Queensland Catholic Education Commission and Independent Schools Queensland who is a Board member
- Two practising registered teachers who are not Board members of whom:
  - One is identified by the Queensland Teachers' Union
  - One is identified by the Queensland Independent Education Union
- A nominee of the Director of the Office of the QCT (*ex officio*)

All members should have expertise relevant to the Committee's terms of reference.

The Director QCT and the Executive Manager (Registration) are delegated/authorised to appoint substitute members in the event of unavailability or conflict of interest of usual members. Substitute members must be from the categories of members listed above.

Staff of the Registration section of the QCT Office will provide secretariat support for the Committee, and appropriate staff members will attend to provide background information, and/or take minutes.

## Meeting Frequency

As needed

## SUITABILITY TO TEACH COMMITTEE

### Terms of Reference

- To determine the suitability to teach of applicants for registration or permission to teach who have criminal history or other 'suitability' matters not clearly within the delegated authority of the QCT Office to determine
- To determine the suitability to teach of applicants for registration or permission to teach who have previously received a prohibition order from a practice and conduct body
- To determine the suitability to teach of applicants with eligibility declarations

### Delegations

Section	Description of Power	Delegation	Conditions/ Comments
11	Suitability to Teach – consideration of criminal history	Suitability to Teach Committee Director General Counsel Executive Manager, Legal Principal Legal Officer Senior Legal Officer	STTC – in accordance with terms of reference Director, EML, GC, PLO SLO – subject to <i>Guidelines for determining Suitability to Teach</i>
12	Suitability to Teach – other considerations – including employment history	Suitability to Teach Committee Director General Counsel Executive Manager, Legal Principal Legal Officer	STTC – in accordance with terms of reference Director, EML, GC, PLO, SLO – subject to <i>Guidelines for determining Suitability to Teach</i>
20(1)(a)	Grant full or provisional registration or PTT – with or without conditions	Suitability to Teach Committee* Director	
20(1)(b)	Refuse to grant registration or PTT	Suitability to Teach Committee* Director	
21(2)	Information Notice to applicant for full registration where provisional registration granted	Suitability to Teach Committee Chair* Director	
21(3)	Information Notice when decision is to not grant registration or PTT	Suitability to Teach Committee Chair* Director	
32(1)(b)	Decide to refuse to renew application for renewal of full registration or PTT	Suitability to Teach Committee* Director	

32(2)	Decide to impose any condition on renewal of full registration or PTT to meet the requirements of 29(2)(a), (c) or (d) or 31(2)(a)	Suitability to Teach Committee* Director	
33	Give Approval or Information Notices on applications for renewal of registration or PTT	Suitability to Teach Committee Chair* Director	STTC – in accordance with Terms of Reference

\* The Registration Committee or its Chair exercises a similar delegation with respect to registration matters.

### Membership

- Three members of the Board including at least one of the members who constitute the PC&TC Committee. Of the three committee members, two must be registered practising teachers. The third member must not be a registered teacher and must be one of the community/parent nominees (QCPCA nominee, Minister's community nominee or joint nominee of Catholic P&F and Independent Parents).

The Director QCT and the Executive Manager, Legal are delegated/authorised to appoint a chair and replace members in the event of unavailability or conflict of interest of usual members. In the interests of operational efficiency, the Board may appoint a panel of Board members (from the appropriate categories) to the Committee rather than the minimum of three specified above.

Staff of the Legal section of the QCT Office will provide secretariat support for the Committee, and appropriate staff members will attend to provide background information and/or take minutes.

### Meeting Frequency

Monthly (or as needed)

## STRATEGIC FUTURES COMMITTEE

### Role

To provide wide-ranging strategic advice to the Board of the QCT. This advice would be based on the strategic objectives and functions of the QCT.

### Terms of Reference

To provide advice to the Board of the QCT on

- environmental scans/reports identified by the staff of the QCT or Committee members relating to education and/or regulation
- drivers that will significantly influence education and/or regulation in the future
- QCT's Strategic Plan and its development
- QCT's research plan
- QCT's data plan
- sustainability of the QCT (including workforce and succession planning, ICT and facilities)

### Delegations

None

### Membership

- Two Board members with specific interest and skills related to some or all of the terms of reference
- An external member with skills and interest in education/regulation and futures planning
- A nominee, external to the Board, from a Queensland teacher employer organisation with skills and knowledge in strategic planning
- The Director of the QCT (ex officio, as an observer)
- A QCT staff member with an interest in futures planning, to be nominated by the Director (ex officio, as an observer)
- Other staff members of the QCT may be co-opted depending on the issue being discussed

### Secretariat

To be provided by the Office of the Director.

### Frequency of Meeting

The Committee will meet at least two times a year. Additional meetings may be called by the Board as issues arise.

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