

Suitability to teach: assessment of behaviour below that expected of a teacher

Purpose

Purpose: To ensure approved teachers are suitable to teach and to maintain public confidence in the teaching profession.

Rationale: To be eligible for registration as a teacher in Queensland or to hold a permission to teach a person must be suitable to teach. Consideration of suitability to teach includes consideration of any behaviour of the person that does not satisfy a standard of behaviour generally expected of a teacher and shows the person is unfit to be granted registration or permission to teach.

Scope

The policy applies to applicants for provisional registration, full registration, permission to teach, renewal of full registration or permission to teach and restoration of full registration. The policy does not apply to 'excluded persons' as they are ineligible to apply for registration or permission to teach.

Policy statement

The Queensland College of Teachers (QCT) will determine that an applicant for registration or permission to teach is not suitable to teach, if the QCT has information on past behaviour by the applicant that shows the applicant is not suitable to be a teacher and therefore is not fit to be granted or hold registration or permission to teach.

In determining whether an applicant is suitable to teach the QCT's considerations will include matters such as:

- the legality of the behaviour
- the type and seriousness of the behaviour/conduct
- (if the behaviour has resulted in criminal action) the offence with which the applicant has been charged and convicted and the court outcome
- the time that has elapsed since the offence
- whether the behaviour is an isolated event.

Each application will be considered on its merits.

If an applicant has a conviction for a 'serious offence' the QCT must decide that the applicant is not suitable to teach, unless the QCT is satisfied that the application is an exceptional case in which the interests of children would not be harmed if the person was to teach.

If the applicant has previously held teacher registration in Australia or overseas or has taught in another country, the QCT will consider any information it believes relevant to the applicant's suitability to teach.

The QCT will provide clear and accurate reasons to the applicant if it determines they are not suitable to teach. Unsuccessful applicants have a right to apply for internal review of the decision and further external review by the Queensland Civil and Administrative Tribunal (QCAT).

This policy is to be read in conjunction with detailed legislation provisions concerning assessment of suitability to teach, particularly at sections 11 to 12A of the QCT Act.

Definitions

'Serious offence' – see the *Working with Children (Risk Management and Screening) Act 2000*, section 167

'Excluded person' – see definition in Sch 3, QCT Act

'QCT Act' means the *Education (Queensland College of Teachers) Act 2005*

Related policies and delegations

The Director, Executive Manager Legal, General Counsel, Principal Legal Officer and Senior Legal Officer hold delegations from the Board of the QCT to determine suitability to teach of applicants. Those delegations are subject to the QCT's *Guidelines for determining Suitability to Teach*. The Board of the QCT has also established the Suitability to Teach Committee which also holds a delegation to determine suitability to teach and which is authorised by the Board to act in accordance with the Terms of Reference for the Committee.

Legislation

Education (Queensland College of Teachers) Act 2005 – sections 8 - 12A, 29, 31, 37

Education and Other Legislation Amendment Act 2016 – section 19

Supporting documents

Guidelines for determining Suitability to Teach

Suitability to Teach Committee Terms of Reference