

Discipline of teachers for behaviour below the standard expected of a teacher

Purpose and rationale

Purpose: To guide the Queensland College of Teachers (QCT) in taking appropriate disciplinary action against a relevant teacher whose behaviour, whether connected with the teaching profession or otherwise, does not satisfy the standard of behaviour generally expected of a teacher.

Rationale: The QCT has an obligation to ensure the safety and well-being of students in accordance with public expectation and to uphold public confidence in the teaching profession. The QCT has the power to take disciplinary action against a relevant teacher where the teacher's behaviour falls below the standard of behaviour generally expected of a teacher.

Scope

The policy applies to all 'relevant teachers' and when the QCT has received information to raise consideration of disciplinary action for the relevant teacher's behaviour not being to a standard generally expected of a teacher.

Policy statement

The QCT will take disciplinary action against a relevant teacher whose behaviour, whether connected with the teaching profession or otherwise, does not satisfy the standard of behaviour generally expected of a teacher, where the behaviour can be established and where the QCT considers disciplinary action by the QCT against the teacher is warranted.

In considering whether disciplinary action is warranted the QCT's considerations will include matters such as:

- the legality of the behaviour
- whether the behaviour has occurred in the work or private environment
- (in the case of an 'approved teacher') the potential impact of the behaviour on the teacher's ability to adequately perform the role of a teacher and on safety of children
- whether the behaviour is an isolated event
- the potential effect of the behaviour on the reputation of the teaching profession.

Where the QCT decides to take disciplinary action, the matter will be referred to a disciplinary committee for determination.

Definitions

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

'Relevant teacher' means an approved teacher or a former approved teacher (Sch 3, QCT Act)

'Approved teacher' means a person who is a registered teacher or who holds a permission to teach (Sch 3, QCT Act)

'Former approved teacher' means a former registered teacher or a former holder of a permission to teach (Sch 3, QCT Act)

'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 (Sch 3, QCT Act)

'Former holder of a 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 a permission to teach (Sch 3, QCT Act)

Related policies and delegations

The Director, Executive Manager Legal, General Counsel and Principal Legal Officer hold delegations for determining whether or not the QCT reasonably believes that a ground for disciplinary action exists against a relevant teacher and consequently whether or not the matter needs to be referred to a disciplinary body.

Legislation

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

Education and Other Legislation Amendment Act 2016 – section 51(2)