

National Review of Teacher Registration Consultation Paper

Submission by

The Independent Schools Council of Australia (ISCA)

Introduction: About ISCA

ISCA is the national peak body representing the Independent schooling sector. It comprises the eight state and territory Associations of Independent Schools (AISs). Through these Associations, ISCA represents a sector with 1,123 schools and 604,436 students, accounting for approximately 16 per cent of Australian school enrolments. ISCA's major role is to bring the unique needs of Independent schools to the attention of the Australian Government and to represent the sector on national issues.

Independent schools are a diverse group of non-government schools serving a range of different communities. Many Independent schools provide a religious or values-based education. Others promote a particular educational philosophy or interpretation of mainstream education. Independent schools include:

- Schools affiliated with Christian denominations for example, Anglican, Catholic, Greek Orthodox, Lutheran, Uniting Church, Seventh Day Adventist and Presbyterian schools
- Non-denominational Christian schools
- Islamic schools
- Jewish schools
- Montessori schools
- Rudolf Steiner schools
- Schools constituted under specific Acts of Parliament, such as grammar schools in some states
- Community schools
- Indigenous community schools
- Schools that specialise in meeting the needs of students with disabilities
- Schools that cater for students at severe educational risk due to a range of social/emotional/behavioural and other risk factors.

Many Independent schools have been established by community groups seeking to meet particular needs. Examples include the Independent community schools for Indigenous students in remote areas, special schools for students with disabilities and boarding schools to educate children from rural and remote areas. There are also schools that seek to reflect the religious values of a particular community or that seek to practise an internationally recognised educational philosophy such as Rudolf Steiner or Montessori schools. Independent Catholic schools are a significant part of the sector, accounting for eight per cent of the Independent sector's enrolments.

Most Independent schools are set up and governed independently on an individual school basis. However, some Independent schools with common aims and educational philosophies are governed and administered as systems, for example Lutheran systems. Systemic schools account for 18 per cent of schools in the Independent sector. However, four out of five schools in the sector are autonomous non-systemic schools.

Overview

ISCA welcomes the opportunity to make this submission in response to the *National Review of Teacher Registration Consultation Paper*.

ISCA supports the work being undertaken by the Australian Institute for Teaching and School Leadership (AITSL) including in the areas of Teacher Standards and certification, and Initial Teacher Education Standards and accreditation. These initiatives work towards supporting improved systems, practice, and outcomes for teachers and most importantly, for student outcomes.

This submission outlines the role of ISCA and the state and territory AISs, provides an overview of teachers employed in Independent schools and the context in which these teachers are registered and work, and addresses issues raised in the Consultation Paper particularly with regard to how the national teacher registration framework is working across Australia and how to ensure that registered teachers meet the fit and proper person requirement.

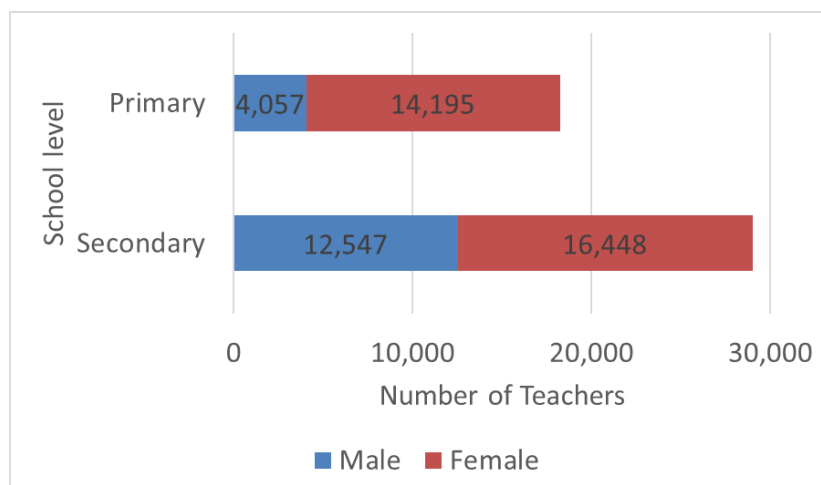
Staffing in Independent Schools

Independent schools in Australia employ over 91,600 staff, of whom 54,200 are part-time or full-time teachers. This equates to approximately 47,300 full-time equivalent teachers.

Independent schools employ the full-time equivalent of over 18,200 teachers at the primary school level and almost 29,000 teachers at the secondary school level. Teachers working at the primary school level represent 39 per cent of teachers employed in the Independent sector. Sixty-one per cent of teachers in the Independent sector work at the secondary school level.

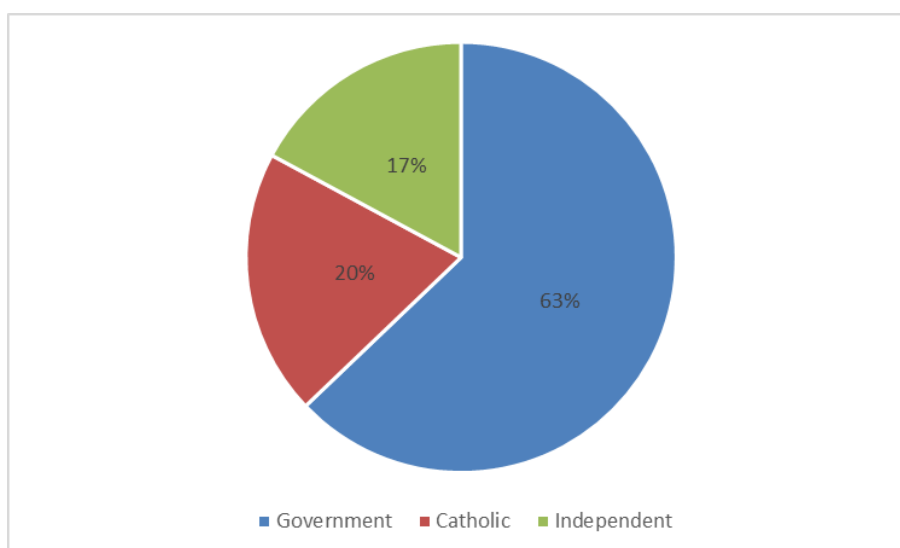
The majority of teachers employed in the Independent school sector are female, especially at the primary school level. The proportion of male teachers is higher at the secondary school level with 43.3 per cent of Independent school teachers being male.

Chart 1: FTE teachers in the Independent sector by gender and level (2017)



In all, 17 per cent of teachers working in Australian schools are employed in Independent schools.

Chart 2: Teachers by school sector (2017)



Unlike other school sectors, the majority of Independent schools are governed and operated autonomously. These schools do not rely on large central bureaucracies or bodies and are separately accountable to their parent and school communities. The autonomy of Independent schools enables them to directly select and employ the teachers who work in the school. Teachers are employed directly by individual schools, or in some cases by the system that owns and operates the school.

Neither ISCA nor the state and territory Associations of Independent Schools (AISs) are employing bodies for the teachers who work in Independent schools.

Research undertaken by ISCA has shown that 'good teachers' are resoundingly the most important factor influencing parents' decision-making in choosing an Independent school education for their

child. The research confirmed that parents see teachers as pivotal to the development of their children's academic and broader life skills.

Therefore, ensuring that Australia has a work force of high-calibre teachers who are well prepared, highly skilled and trusted to keep learners safe is of fundamental importance to Independent schools.

The context of registration for teachers practising in Independent schools

As noted in the *National Review of Teacher Registration Consultation Paper*, "all teachers practising in Australian schools must be registered. Registration is the responsibility of teacher regulatory authorities in each jurisdiction, which operate under the relevant State or Territory legislation."

Teachers who are employed and work in Independent schools must meet the same requirements for teacher registration and registration renewal as teachers who work in the government or Catholic sectors.

These requirements have been shaped by the framework for national teacher registration as endorsed by Education Ministers in 2011 and are implemented by the teacher regulatory authority in each state or territory.

Given teacher registration processes as implemented by the regulatory authority vary to some degree between states and territories, the requirements for registration that are applied to teachers working in Independent schools will differ according to the state or territory in which that teacher is practising. The registration requirements for a teacher employed in an Independent school will have more in common with a teacher employed in the government or Catholic sector in the same state or territory than may be the case with a teacher employed in an Independent school in a different state or territory.

On this basis, it is difficult to provide a comprehensive national perspective regarding how the current registration framework is operating across the Independent sector, the extent to which the Teacher Standards are used within regulatory arrangements to drive teaching quality and how this can be further strengthened. Challenges within the current registration practices and barriers to their successful implementation will be evident at a state or territory level rather than on a school sector basis.

Independent schools which directly employ teachers, and the state and territory AIs which provide support and educational services to Independent schools, have practical day to day experience of the challenges of current registration arrangements and barriers to implementation of these arrangements in their state or territory.

As such, individual Independent schools and AIs are best placed to provide input about how registration processes are operating to drive ongoing improvement and professional development for teachers, focus on quality teaching, ensure consistency of decision making when teachers move from provisional to full registration, how effective current mutual recognition processes are working, and how teacher registration may support or create barriers for those entering the teaching profession, within the context of their state or territory.

Individual Independent schools and AISs are also in the best position to address questions regarding current arrangements and any proposed future role that teacher registration may play for early childhood teachers and VET teachers in schools, according to the context of their state or territory.

However, ISCA wishes to highlight a number of general observations based on a national understanding of the teacher workforce in Independent schools across Australia.

How is the national teacher registration framework working across Australia?

Similar to schools in the government and Catholic sectors, Independent schools receive applications for employment from teachers moving from interstate. While mutual recognition processes are now in place across all jurisdictions, in some cases issues still remain in terms of consistency in the mutual recognition of skills and experience. These may particularly relate to the acknowledgement and recognition of prior learning for professional learning demonstrated in previous settings. Some concerns have also been raised regarding the waiting times potentially involved and the possible costs incurred by teachers for this recognition and registration process.

Part-time teachers and teachers working on a casual basis, particularly those working in more than one school also face a number of difficulties in meeting some requirements for registration. Such difficulties may relate particularly to the cost and ability to meet professional learning requirements. Any discussion about reforms to current registration arrangements, such as to strengthen quality teaching, should also take into consideration the position of teaching staff not employed on a full-time basis.

Additionally, teachers who live and work close to jurisdictional borders may face a range of issues for registration in multiple jurisdictions. These may include additional financial costs, in addition to differing professional learning requirements and to fit and proper person regulations.

Independent schools may engage experts from specific learning areas, but without a school education qualification, to support quality teaching programs. Academic staff, experts from specialised areas and in some hard to staff areas, are sought to provide expertise in support of teacher and students. This may also include international candidates who have expertise and fluency in particular languages. Processes and requirements to allow staff without a school education background to teach in school settings should promote and not be a barrier for the use of experts within schools.

Should early childhood teachers be part of a national approach to teacher registration?

Sixty-six per cent of all Independent schools are combined primary and secondary schools. As a consequence, many Independent schools operate early childhood programs either on a separate site or in connection with the primary school. Early childhood teachers in many instances are required to meet registration requirements similar to teachers working in primary or secondary school settings in that jurisdiction.

Given the focus on nationally consistent approaches to the registration of teachers, ISCA would support similar consideration being given to nationally consistent approaches also being applied to the registration of teachers employed at the early childhood level, particularly those working within a broader primary or K – 12 school setting.

Ensuring registered teachers meet the fit and proper person requirement

As recognised by the Consultation Paper, principal responsibility for regulation of school education sits with state and territory governments. This is the case both for registration of teachers, whether they practise in government or non-government schools, and for the registration of non-government schools. As part of their regulatory responsibility for school education, each state and territory currently has an existing legislative framework for all registered schools to implement and follow with regard to child safety, student welfare, and child protection.

As the Consultation Paper also notes, in the response to the extensive Recommendations of the *Royal Commission into Institutional Responses to Child Sexual Abuse* it is likely that the current legislative frameworks and requirements will be reviewed and revised. Reforms may be implemented, not only in relation to the fit and proper person requirement for teacher registration, but also to the requirements under which non-government schools are registered.

In submissions to the *Royal Commission into Institutional Responses to Child Sexual Abuse* (2015) and in response to the Productivity Commission's *Draft Report into Childcare and Early Childhood Learning* (2014), ISCA highlighted the current lack of consistency between the states and territories regarding legislation to prevent, identify and appropriately respond to child sexual abuse.

In recognition that the existing regulatory responsibility for school education and child protection rests with the states and territories, ISCA sees that the focus should be on working to align the level of child protection across jurisdictions. There is scope for the development of nationally consistent 'principles' or 'benchmarks' which could be utilised by state and territory governments to achieve broadly consistent regulation while retaining the flexibility and accountability that is required for implementation at the local state and territory level.

One such example is the approach for aligning state, territory and Australian Government schemes to introduce consistent national standards for Working With Children Checks (WWCC) and to establish a centralised WWCC database to facilitate cross-border information sharing as suggested in the Commission's *Working With Children Checks* Report (2015) and reiterated in the Commission's Final Report (2017). ISCA would support such a nationally consistent approach being implemented and then integrated into teacher registration processes.

Conclusion

ISCA acknowledges and supports the ongoing work of AITSL with regards to the *Australian Professional Standards for Education* and the national framework for teacher registration.

In the Independent sector teachers are generally employed directly by the individual school in which they practise. Neither ISCA nor the state and territory AISs employ the teachers who work in Independent schools.

Regulations and requirements for teacher registration are the responsibility of state and territory teacher regulatory authorities and apply to teachers employed and working in Independent schools on the same basis as they do to teachers practising in the government and Catholic sectors.

As such, challenges within the current registration practices will be evident at a state or territory level rather than on a school sector basis. Comments and suggestions for improvements to the current

registration processes are best addressed at the Independent school or Association of Independent Schools level in the context of their state or territory arrangements.

While a national teacher registration framework now applies across Australia, a number of issues remain as to how the framework applies and is being implemented. These issues relate, in the main, to the registration and mutual recognition of teachers moving between jurisdictions, part-time teachers and teachers working on a casual basis, particularly those working in more than one school, and to teachers who live and work close to jurisdictional borders and must be registered in multiple jurisdictions.

ISCA supports teacher registration processes which ensure a nationally consistent approach to satisfying the fit and proper person requirement of registered teachers. The *Royal Commission into Institutional Responses to Child Sexual Abuse* has made recommendations related to Working With Children Checks which provide an example of processes which could be integrated into teacher registration arrangements in support of this requirement.

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