



# Teachers Registration Act Review

*Safe children, quality practice, modern regulation*

STEERING COMMITTEE REPORT

SEPTEMBER 2025

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## Acknowledgements

This Report addresses recommendations made by the Commission of Inquiry into the Tasmanian Government's Response to Child Sexual Abuse in Institutional Settings.

The Committee wishes to acknowledge the trauma that continues to affect people with lived experience of child abuse. We are committed to being sensitive to this trauma and using the lessons from past wrongs to protect current and future generations of children and young people. It is vital that teacher registration in Tasmania is set up to protect all Tasmanian children and young people and keep them safe from harm. It is also critical for children's education that teachers are high quality and meet professional standards.

In recognition of the deep history and culture of this island, we acknowledge and pay our respects to Tasmanian Aboriginal people as the traditional owners who have guided and taught their children and young people on this land since the beginning of time.

We recognise Tasmanian Aboriginal people's continuing connection to Land, Sea, Waterways, Sky and Culture and pay our respects to Elders, past and present.

# Letter to the Minister

22 September 2025

Hon Jo Palmer MLC  
Minister for Education

Dear Minister

I am pleased to provide you with the final report of the review of the *Teachers Registration Act 2000*.

Teachers have a profound impact in shaping the lives of children and young people. Regulation is an important way of recognising the role of the teaching profession and promoting community confidence that teachers have the necessary skills and character to educate and support children and young people.

You appointed the Steering Committee in October 2024 to provide recommendations to you to ensure:

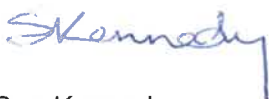
- children are safe while they learn,
- teachers, including those in Early Childhood Education and Care (ECEC), are high quality and meet professional standards, and
- the legislative framework reflects modern regulatory practice and is fit-for-purpose.

We heard from a range of stakeholders and thank those organisations and individuals for their contribution. We also thank the project team in the Department for Education, Children and Young People for its support for the Committee.

The Steering Committee has made 28 recommendations under the three objectives. In making these recommendations the Steering Committee has considered best-practice regulation including nationally agreed frameworks for teacher registration and teaching expertise, how other states and territories approach teacher registration, and consultation feedback.

On behalf of the Committee, I commend to you the *Teachers Registration Act Review Steering Committee Report (September 2025)*.

Yours sincerely,



Sue Kennedy  
Independent Chair  
Teachers Registration Act Review Steering Committee

## Executive summary

The Teachers Registration Act Review (the Review) was established through [Terms of Reference](#) by the Minister for Education in late 2024. The objective of the Review was to make recommendations to ensure:

1. children are safe while they learn
2. teachers, including those in ECEC, are high quality and meet professional standards
3. the legislative framework reflects modern regulatory practice and is fit-for-purpose.

The Review was undertaken by a Steering Committee appointed by the Minister with the following collective skills and experience:

- An independent chair with knowledge of the subject matter, skills and expertise in the preparation of legislation, government policy development, government risk appetite, and can run an effective meeting.
- A representative from each sector who can bring skills and expertise from their sector but will have an outcome-focused approach and the ability to collaborate with other Steering Committee members.
- A representative with skills and expertise in regulation including delivery of an outcomes-based approach to regulation.

The Report sets out the how the Steering Committee approached the Review, with each section detailing the issues for consideration, what consultation told the Committee about the issues and an analysis of each issue. The Committee has made recommendations that will deliver on the above three objectives.

In this context the Steering Committee has considered what best practice regulation would be for Tasmania, the powers the Teachers' Registration Board (TRB) needs to perform its functions, how to enhance the application of the Framework for Teacher Registration in Australia, including the application of the Australian Professional Standards for Teachers, the approaches in other jurisdictions, and how the teacher registration process can be streamlined but remain robust to ensure public confidence in the process.

Importantly the Steering Committee has considered how to best implement Commission of Inquiry into the Tasmanian Government's Response to Child Sexual Abuse in Institutional Settings' (Commission of Inquiry's) recommendations and the Tasmanian Government's commitment to the registration of early childhood teachers working in ECEC settings.

### Consultation

The Review released a Discussion Paper in March 2025, which sought feedback on each of the three objectives. The Steering Committee received 15 formal written submissions, as well as 85 responses to online surveys. Eighteen face-to-face sessions were held across the State with key stakeholders.

In recognition of the impact of regulating early childhood teachers for the first time, targeted consultation with the ECEC sector was undertaken during this period. A wide range of stakeholders were engaged with including Tasmanian peak bodies, ECEC employers, early childhood teachers at different career stages, and school teachers.

A 'What we Heard' Report can be found on the Review's website at:  
<https://www.decyp.tas.gov.au/about-us/policies-legislation-data/legislation/teachers-registration-act/>

## Recommendations

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The Steering Committee has made 28 recommendations to achieve the three objectives of the Review. Key recommendations to update the Teachers Registration Act include:

- Extending Commission of Inquiry Recommendation 6.10, which relates to information sharing to protect children from sexual abuse, to include child safety more broadly
  - Mandating the registration of all teachers working in both school and non-school settings (including ECEC settings), provided they meet the definition of a practising teacher
  - Updating the legislation to reflect the following teacher registration categories:
    - Practising teacher (including provisional and full registration)
    - Non-practising teacher
    - Vocational Education and Training Specialist Teacher
    - Alternative Authority to Teach
  - Requiring teachers in the *practising teacher* category to undertake 100 hours of professional learning (PL) over a five-year registration cycle
  - Legislating a five-year timeframe for provisionally registered teachers to make the transition to full registration
  - Streamlining the process for transitioning from provisional to full registration
  - Deeming current experienced teachers to be fully registered, provided they meet set criteria
  - Legislating to include objects and principles in a new Act and updating the functions of the TRB.
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# Teacher registration in Tasmania

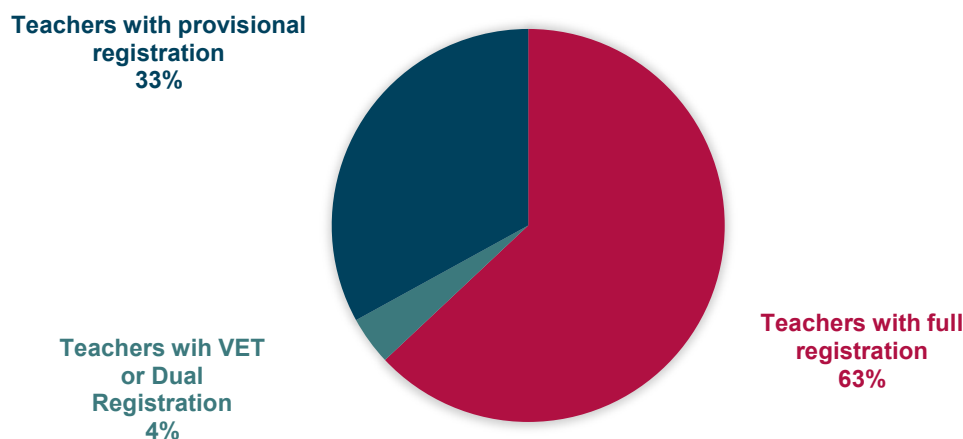
## What does the Act do?

The Act was introduced in 2000 to recognise the teaching profession, establish minimum professional standards for teachers, and protect children and young people in schools from potential abuse. Together with relevant policies (see [Attachment 1](#)), it provides a framework to support and regulate the teaching profession in Tasmania, including:

- Establishment of the Board as an independent statutory authority, with expectations set by the Minister for Education.
- Establishment of governance arrangements, functions and powers of the Board.
- Registration of teachers in schools and vocational education and training specialists.
- Disciplinary provisions (such as placing conditions on, suspending, or cancelling registration).
- Management of complaints, investigations, administration, reporting, and financial arrangements.

## Who are the teachers regulated under the Act?

According to the 2023-2024 Teachers Registration Board Annual Report, there are 11 713 registered teachers in Tasmania. These teachers are employed in both government and non-government schools. This number does not include early childhood teachers working in ECEC settings (such as long day care), as they are not currently required to register under the Act.



# What is best practice for teachers' registration?

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The Steering Committee used a range of resources to assess what best practice teachers' registration would look like in Tasmania including:

- The Commission of Inquiry Final Report
  - The Royal Commission into Institutional Responses to Child Sexual Abuse Report
  - Framework for Teacher Registration in Australia
  - Australian Professional Standards for Teachers
  - The Australian Government Regulator Performance Framework
  - Relevant Ministerial Instructions
  - Other jurisdictions' teacher registration regulatory framework
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## Framework for Teacher Registration in Australia

Teacher registration across Australia is managed by each state and territory's Teacher Registration Authority (TRA). There is a nationally agreed framework to support a consistent approach to teacher registration across Australia: the Framework for Teacher Registration in Australia (the Framework). This framework has operated since 2011 and was reviewed in 2023-2024. The revised framework was agreed by Education Ministers in August 2024.

The Framework has eight key principles that describe the benchmarks for entry and continuing membership of the teaching profession in Australia.

The Framework is used by teacher regulatory authorities to drive consistent and sound regulatory outcomes in the best interests of children and young people in education settings.

The Framework covers issues such as:

- the minimum qualifications for teachers,
- their suitability to work with children and young people,
- their entitlement to mutual recognition,
- the requirement for initial registration that allows them to undertake workplace learning and development that equips them to meet requirements for becoming fully registered,
- requirements for renewal of registration and sanctions or withdrawal of a teacher's registration if they fail to meet the required standards of personal and professional behaviour or professional performance.

An assessment of teacher registration in Tasmania against the Framework can be found in [Attachment 1](#).

## Australian Professional Standards for Teachers

The Australian Professional Standards for Teachers (APSTs) identify what is expected of teachers across the three domains of learning (professional knowledge, professional practice and professional engagement). The Standards were endorsed by all Australian State and Territory Education Ministers in December 2010 and provide a benchmark to recognise the professional growth of teachers through four career stages: graduate,

proficient, highly accomplished and lead teachers. The full Standards can be found online at <https://www.aitsl.edu.au/>.

## **Regulator Performance Framework**

The Australian Government established the Regulator Performance Framework to assess regulators' performance when interacting with business, the community and individuals while carrying out their functions. The Framework principally relates to regulatory burden arising from the administration of regulation.

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The Framework came into effect on 1 July 2015 and establishes six Key Performance Indicators (KPIs) including:

1. Regulators do not unnecessarily impede the efficient operation of regulated entities.
  2. Communication with regulated entities is clear, targeted and effective.
  3. Actions undertaken by regulators are proportionate to the regulatory risk being managed.
  4. Compliance and monitoring approaches are streamlined and coordinated.
  5. Regulators are open and transparent in their dealings with regulated entities.
  6. Regulators actively contribute to the continuous improvement of regulatory frameworks.
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These principles already apply to the TRB through Ministerial Instruction No. 16 under the *Education Act 2016*.

# Analysis and recommendations

## Objective 1 - Children are safe while they learn

Teacher registration helps support child safety in educational settings. In 2017 the Child Abuse Royal Commission identified gaps and risks to child safety in teacher registration across Australia. In 2021 an Independent Inquiry into the Tasmanian Department of Education's Responses to Child Sexual Abuse made 21 recommendations to improve child safety within the Department. In 2023 the Commission of Inquiry found that while the TRB plays an important role in protecting students, it does not operate as well as it could in Tasmania.

The Tasmanian Government has committed to implementing the Commission of Inquiry recommendations in full (see [Attachment 2](#) for a full list of relevant recommendations). In pursuit of this and noting the Commission of Inquiry was limited to allegations and incidents of child sexual abuse in government institutions, the Steering Committee considered how best to implement the recommendations in a holistic way across government and non-government schools and in a way did not limit safety to protection from child sexual abuse alone.

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Given the Government's commitment, the Committee has not re-prosecuted any Commission of Inquiry recommendations. The following recommendations are intended to supplement the Commission's recommendations related to the Act.

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### Information sharing

Institutions that are responsible for the safety of children and young people must be able to share information quickly to identify, prevent and respond to incidents and risks to children and young people.

#### Issues

While the Commission of Inquiry noted that Tasmania has seen improvements through the development of information-sharing agreements, improvements are still required to address information-sharing issues.

Under the Act, information that can be shared about teachers between the Board and employers is limited. The Board can disclose information on a teacher's qualifications or registration status to employers but cannot share this information with other relevant entities including, for example, the Registrar of the Registration to Work with Vulnerable People Scheme. The Commission of Inquiry highlighted these restrictions, particularly during investigations, and recommended improved information-sharing between the Board, employers, and other relevant entities.

#### What we heard

There was broad support for information-sharing measures to help ensure the safety of children and young people. Submissions reflected the complex nature of information-sharing and the need to ensure that where information-sharing occurs, privacy is also appropriately protected.

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In its submission, the TRB called for further powers to ensure it can obtain the information required to undertake its functions. It requested the power to compel the provision of information, the use of ‘authorised officers’ to undertake its statutory functions including compliance and investigation activities and for offence provisions to assist enforcement of these powers.

The TRB’s preference was for joint investigations to not be mandated in the Act. It noted that the different statutory regimes, tests and considerations of investigations will not necessarily align.

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Laurel House’s view was that legislation should include provisions that protect the identity and consent of victim-survivors where possible. The TRB called for protections for those who share information and exemptions from the *Right to Information Act 2009* (RTI Act) and *Personal Information Protection Act 2004* (PIP Act), similar to those found in the *Registration to Work with Vulnerable People Act 2013* (RWVP Act). Other submissions noted that information sharing should not compromise police investigations.

Laurel House submitted that ‘relevant entities’ should be clearly defined. Some submissions reflected the need to define and educate about abuse and trauma, not just child sexual abuse.

### **Analysis**

Legislation in Tasmania that deals with child safety generally encompasses a broader range of potential harm to children than sexual abuse alone. The *Child and Youth Safe Organisations Act 2023* (CYSO Act), for example, has powers in relation to ‘reportable conduct’ which extend beyond child sexual abuse to matters of emotional or psychological harm, neglect and physical violence.

Given the TRB’s broad role in ensuring teachers are of good character, and in line with consultation feedback, it is appropriate and desirable to extend information-sharing provisions beyond matters involving child sexual abuse.

Information-sharing is critical to ensuring compliance and monitoring approaches are streamlined and coordinated and that teachers are suitable to work with children and young people.

The current Act does not enable TRB to obtain the information it needs to undertake its responsibilities, which can include imposing sanctions or withdrawing a teacher’s registration if they fail to meet the required standards of personal and professional behaviour. This was reflected by both the Commission of Inquiry and the TRB in its submission to the Review. The Commission of Inquiry noted that ‘Part 6A of the *RWVP Act*, which allows the Registrar under that Act to compel provision of information or documents, provides a useful model for amendments to the *Teachers Registration Act*.’ This model also includes the setting of time limits by the TRB. While the model does not include ‘authorised officers’, it does allow the regulator to enter premises and search them in order to determine if the Act is being contravened.

The Commission of Inquiry provided a list of ‘relevant entities’ to be included when legislating for information-sharing under recommendation 6.10. Given early childhood teachers in the ECEC sector will now be required to register, it is important that information is also able to be shared between the TRB and the Regulatory Authority of the ECEC sector in Tasmania (the role undertaken by the Education and Care Unit, Department for Education, Children and Young People (DECYP)). It is also important that the legislation is flexible to adapt to changes in the regulatory landscape in future. Enabling additional ‘relevant entities’ to be prescribed in Regulations will provide flexibility for the future if information needs to be shared with such relevant entities.

Both regulators under *the* CYSO Act (s39) and the *RWVP Act* (s57) are exempt from the provisions of the RTI Act and *the* PIP Act as far as it relates to information in their possession for the purposes of their respective Acts, unless the information relates to the administration of a public authority. The Commission of Inquiry recommended that an exemption be sought from the PIP Act for the TRB as an interim measure while changes to legislation are progressed. The TRB and the Department for Education Children and Young People have obtained a Ministerial exemption from the PIP Act to enable them to share information with each other during investigations.

Adequate protections must also be in place to ensure the TRB is not obliged to share information that may impede an ongoing police investigation. The *RWVP Act* (s30(2A)) provides protections for these situations and includes an exemption from notifying a person of the reason for a decision where it may hinder, delay or prejudice an ongoing investigation into a contravention of a law. Further consultations have indicated that the *RWVP* model is well-equipped to protect ongoing investigations and should provide some level of comfort when information related to an ongoing police investigation is requested.

The Commission of Inquiry heard evidence about the way information-sharing is facilitated in Victoria, with a view to avoiding duplication of investigations. Under Victoria’s Reportable Conduct Scheme, ‘co-regulators’ can be requested to undertake reportable conduct investigations while investigating for another purpose. The Commission stated that in the Tasmanian context, this could allow DECYP or the TRB to investigate for the purposes of both an Employment Direction No. 5—Breach of Code of Conduct matter and an assessment under the Act of fitness to teach. The TRB submission raised concerns with how a joint investigation would operate in terms of different statutory regimes, tests and considerations of the investigations. At the time of the Commission of Inquiry, the joint investigation powers in Victoria had not been exercised. Given the complexity of the issues, it is recommended that provision is made to enable the Minister to provide guidance on this issue as and if appropriate.

### **Recommendation 1: Information Sharing - General**

- a) Legislate to give effect to Commission of Inquiry Recommendation 6.10 to support information-sharing in matters related to child sexual abuse and as well child safety more broadly.
- b) Legislate to provide that information-sharing provisions broadly mirror those in the *Registration to Work with Vulnerable People Act 2013*.

### **Recommendation 2: Information Sharing – Time limits**

- a) Legislate to provide that the Teachers Registration Board may set time limits for the provision of information similar to that in the *Registration to Work with Vulnerable People Act 2013*.
- b) Legislate to provide that notifications to the TRB under Commission of Inquiry Recommendation 6.10(b) must be made as soon as practicable, but no later than three days from the time the organisation becomes aware of the allegation or suspicion, similar to the *Registration to Work With Vulnerable People Act 2013*.

### **Recommendation 3: Information Sharing – Relevant Entities**

- a) Legislate to include the Regulatory Authority of the ECEC sector in Tasmania (the role undertaken by the Education and Care Unit, Department for Education, Children and Young People) as a ‘relevant entity’ under Commission of Inquiry recommendation 6.10.
- b) Legislate to enable new ‘relevant entities’ under Commission of Inquiry Recommendation 6.10 to be prescribed by Regulation.

### **Recommendation 4: Information Sharing - Protections**

- a) Legislate to exempt the Teachers Registration Board from the operation of the *Right to Information Act 2009* and *Personal Information Protection Act 2004* as far as they relate to information obtained for the purposes of the Act, unless the information relates to the administration of a public authority.
- b) Legislate to adopt *Registration to Work with Vulnerable People Act 2013* provisions (including but not limited to s52A, s52D, s30(2A)) in relation to protection for those providing information and exemption from disclosure of confidential information to avoid prejudicing a police or other inquiry.

### **Recommendation 5: Joint Investigations**

In line with Commission of Inquiry Recommendation 6.10(c), legislate to provide that the Minister administering the Act may issue a Ministerial Instruction in relation to how joint investigations should operate.

## **Information to be kept on register**

The Commission of Inquiry noted that most Australian jurisdictions require details about a teacher’s place of employment to be recorded on the Register of Teachers or notified to the relevant TRA. Most also require the relevant TRA to be notified when a teacher’s place of employment changes.

The Royal Commission into Child Sexual Abuse also noted that ‘including employers’ details on teacher registers may enable registration authorities to notify them of circumstances related to allegations or incidents of child sexual abuse by a teacher employee’.

### **Issues**

The Act does not currently require a teacher’s place of employment to be included on the register.

The Commission of Inquiry recommended that the Act be amended to require details of the prospective or current place of employment of a teacher (or a holder of Limited Authority to

Teach (LAT)) to be included on the Register of Teachers (Recommendation 6.11). It further recommended that employers make updates to a teacher's place of employment when a teacher (or holder of LAT) begins working at a school or is no longer working at a school.

### **What we heard**

Under the current Act, Principals complete an annual return confirming that teachers at their school are registered. The TRB supported more flexibility in the timing and method of providing the information. It also proposed that it should have the power to require an employer to confirm who is teaching at a school at any time and that employers must advise the TRB within seven days of the date of commencement of a teacher. It noted the new electronic registration system that is currently under development is intended to simplify this process.

The TRB recommended that an employer/teacher should also be required to provide the teacher's work status – full-time or part-time and hours worked as this would support the Australian Teacher Workforce Data initiative.

The Australian Institute for Teaching and School Leadership (AITSL) proposed that the TRB should collect information on the subjects and learning areas that teachers have undertaken as part of their Initial Teacher Education qualification.

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Independent Schools Tasmania submitted that teachers are best placed to advise TRB of their employment status and place of employment. It also proposed that TRB provide schools with summary details of all teachers on the register assigned to their school for confirmation.

The survey of teachers included several suggestions to reduce the administrative burden, including the use of other processes like the RWVP system and data exchanges between the TRB and large employers.

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There was widespread recognition that it will be challenging for employers to record the place of employment for relief teachers as they can be highly mobile, working across different schools and sectors on any given day. The TRB noted that this issue will require further consideration to minimise the administrative burden on employers.

### **Analysis**

The Commission of Inquiry noted that to allow the accurate and timely recording and exchange of information about teachers, the Register of Teachers should be improved. It recommended that the Tasmanian Government develop an electronic means of updating the Register of Teachers with details of the place of employment of a teacher (Recommendation 6.11(b)). This work is an important precursor to Recommendation 6.11(c), which will require employers to update that register.

The need to include teachers' place of employment on the register may be administratively burdensome, particularly in relation to relief staff.

This recommendation will need to be implemented in a way that enables the TRB to comply with the Education Regulator Principles (Ministerial Instruction 16). It must not unnecessarily impede the efficient operation of a regulated entity, act proportionately to the risk being managed and provide for streamlined and coordinated approaches.

Consequently, the TRB will need enough time to develop an electronic means of updating the Register of Teachers in line with Commission of Inquiry Recommendation 6.11(b), including in a way that minimises the administrative burden for employers.

The notion of a legislated timeframe within which the TRB is to be notified of the employment of a new teacher has merit. It is premature, however, to legislate such a timeframe before understanding the effect of the electronic system currently under development on issues such as administrative burden. It will be important for the timing of updates to be worked through during development of the system.

A second theme from consultation was that some additional data should be collected to support national agreements in respect of workforce planning. Collecting this type of data would also assist state-based workforce planning.

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While other states' legislative frameworks allow their TRAs to include details of qualifications upon which the registration was made, they do not provide for the collection of information as to whether an employee is part-time, full-time or casually employed. In Tasmania, the Board currently has the ability to collect and record a teacher's qualifications and 'any other particulars the board considers appropriate'. Other jurisdictions allow additions to the register to be made through Regulations. Given privacy implications, it is important that collection of future data by the Board balances proven need for the information with privacy considerations.

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#### **Recommendation 6: Information Kept on the Register**

- a) In line with Commission of Inquiry recommendations 6.11 (b) and (c), legislate to require employers to ensure updates are made to a teacher's place of employment, including when a teacher begins working at a school or is no longer working at a school.
- b) Include a transitional period for the above recommendation that allows for it to take effect as soon as practicable, noting recommendation 6(c), but no later than three years from the date of the new Act's first operation.
- c) The Teachers Registration Board should investigate and consult with employers as how to best implement recommendation 6(a) while ensuring any new processes are streamlined and minimise regulatory burden.
- d) Legislate to enable other information that may be kept on the register to be prescribed by Regulations, additional to that already required under the current Act (s25(2)) and the recommendations above.
  - i. The collection of other information under 6(d) should be limited to information relevant to the power and functions of the TRB, and
  - ii. Requests to make Regulations should be accompanied by information including:
    1. The purpose of the collection
    2. What the TRB intends to do with the data
    3. Why other methods of collection are insufficient
    4. The consultation that has occurred in developing the proposal.
- e) Legislate to enable information collected under Recommendation 6(d) to be shared with employers for workforce planning purposes.

## Enforcement measures

Effective enforcement provisions are part of ensuring an effective regulatory framework as they can act as a deterrent to non-compliance. The TRB's ability to enforce the Act is critical to ensuring high-quality teaching standards and that teachers are safe to teach in Tasmanian schools.

### Issues

The Act currently carries penalties for certain offences. The Commission of Inquiry heard that these are ineffective and time-consuming to enforce, requiring the TRB to take matters through the Magistrates Court.

The Commission of Inquiry noted that infringement schemes are an appropriate means to address non-compliant behaviour and that they can be a relatively quick and cost-effective way to deal with contraventions of legislative requirements. The Commission of Inquiry recommended that the Act be amended to allow administrative infringement notices to be issued (Recommendation 6.12).

### What we heard

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The TRB agreed that the Act should enable it to issue infringement notices. It viewed these as more effective than prosecution via the courts. The TRB noted this approach would also complement its educative process for minor non-compliance matters.

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### Analysis

The Commission of Inquiry noted that the *RWVP Act* (s55) provides for the issuance of infringement notices and carries the advantage of providing a relatively quick and efficient means of dealing with contraventions of legislative provisions. The *CYSO Act* has a similar provision.

The Commission recommended that the Act be amended to enable administrative infringement notices to be issued for non-compliance with the provisions of the Act that currently carry penalties in the form of fines.

It is important that procedural fairness is maintained, and appropriate appeal mechanisms are available for those who wish to appeal an infringement notice. The Act currently contains appeal mechanisms to the Tasmanian Civil and Administrative Tribunal when a person or body is given notice of a decision made under the Act. It is anticipated that this right to appeal would extend to those issued with infringement notices.

#### **Recommendation 7: Infringement Notices**

- a) Legislate to provide for the issuance of infringement notices by the TRB for provisions in the Act that currently carry penalties in the form of fines, similar to the provision in the *Registration to Work With Vulnerable People Act 2013*.
- b) Review the penalty units under the *Teachers Registration Act* to ensure they are set at the appropriate level to act as a deterrent to non-compliance with the Act.

## Immediate suspension of registration

The Framework for Teacher Registration in Australia (Principle 8) states that a TRA should be able to impose sanctions or withdraw a teacher's registration if they fail to meet the required standards of personal and professional behaviour or professional performance. It also states that teachers who have engaged in conduct that poses an unacceptable risk to child safety and wellbeing will have conditions or exclusions from registration imposed, commensurate with the risk posed.

The TRB currently has a suite of powers to deal with complaints and inquiries related to registered teachers and Limited Authority to Teach (LAT) holders. This includes the power to immediately suspend a teacher's registration if the Board believes that a teacher poses a risk of harm to students (section 24B). Following an immediate suspension, the TRB must conduct an inquiry into the matter giving rise to the suspension as soon as possible.

The power to immediately suspend a teacher was, until recently, limited to instances of an 'emergency', something the Commission of Inquiry reported as problematic. It recommended that the term 'emergency' be removed from the legislation. This change was made to the Act in 2024.

### Issues

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When considering immediate suspension, the Commission of Inquiry noted that other states and territories' corresponding provisions go further than the Tasmanian equivalent and allow TRAs to immediately suspend a registration if a person is charged with a serious offence (or similar terminology).

The Commission of Inquiry cited examples of Queensland and Victorian teacher registration legislation in relation to this recommendation which define 'serious offence' in different ways. For example, in Victoria serious offence is defined by a detailed list of offences, Western Australia, however, defines it as an indictable offence (i.e. one that is tried by a judge or jury).

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### What we heard

The TRB supported extension of its existing power in S24B to suspend or cancel registration where the teacher is charged with a serious offence. It proposed that categories of offence are not detailed in the Act but left to the TRB's judgement.

The Tasmanian Association of State School Organisations (TASSO) suggested that where a teacher is charged with a serious criminal offence, there must be mechanisms within the registration framework to impose immediate, proportionate conditions.

Several parties commented that serious offence should be linked to potential harm to children or young people. Some suggested that a risk assessment framework should be developed to assess the risk posed by the teacher to students and the school community.

Another suggestion was that categories of serious offence should align with Schedule 1 offences under the *RWVP Act (Risk Assessment for Child Related Activities) Order 2014* and that additional offences categorised as a serious or disqualifying offence should also be considered for inclusion with these Schedule 1 Offences.

AITSL recommended that mechanisms to suspend teachers for misconduct should include mechanisms to remove suspensions, suspension timeframes, processes for appeals; and capacity to adjust registration timeframes following a possible return to the teaching workforce.

The Peter Underwood Centre encouraged information-sharing with the University of Tasmania (UTAS) where the person whose LAT is suspended for a serious offence is also a student at the School of Education.

The Australian Education Union (AEU) commented on the suspension of registration while a workplace investigation is underway. Its view is that until any investigation by DECYP is completed, registration should not be suspended. The AEU pointed to adverse impacts on teacher morale and recruitment from the current process where the impact of suspending a teacher's registration is that (in most cases) the employer stops paying them before any investigation has occurred or been completed.

The Teacher Survey highlighted support for suspending a teacher charged with a serious offence, balanced with the need to ensure that natural justice was provided for (– i.e. the presumption of innocence until proved otherwise).

## Analysis

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Including a definition of 'serious offence' should ensure alignment with the Framework for Teacher Registration, particularly that those who pose an unacceptable risk to child safety and wellbeing will have conditions or exclusions from registration imposed.

Stakeholder feedback suggested that serious offence include some reference to or element of child safety. It is important to note that the Act already provides for the Board to immediately suspend a registration or LAT if it believes that a registered teacher or holder of a limited authority may pose a risk of harm to a student. By also including a category for immediate suspension where a person is charged with a serious offence, the Act will be brought in line with other jurisdictions and provide greater protection to children and young people.

While the Act currently does not define 'serious offence', it does define a 'prescribed offence' as one for which a sentence of imprisonment can be imposed. Where someone is charged with a 'prescribed offence' they must notify the TRB. The TRB may then investigate the circumstances of the offence, and undertake disciplinary action, including suspending or cancelling the registration if appropriate.

Given the seriousness of immediate suspension and that an investigation is undertaken following, not prior to, the suspension, it is important that the definition provides a higher bar than 'prescribed offence'.

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The WA TRA defines serious offence as an indictable offence. This provides flexibility, it means the legislation does not need to be updated regularly if new offences are introduced in line with community expectations.

In Tasmania, indictable offences are generally those heard in the Supreme Court of Tasmania. They are more serious offences and generally carry a maximum imprisonment term of 12 months or more. Some examples include murder, rape, child sexual abuse,

abduction, indecent assault, child sexual abuse by a person in a position of authority, persistent family violence etc. The term ‘indictable offence’ reflects the severity of ‘serious offence’, it provides flexibility for the definition and does not require the legislation to be updated as new offences are created.

While the AEU pointed to the adverse impacts of suspending a teacher’s registration, suspending registration is an important safety mechanism to ensure a teacher does not continue to practise in another setting while suspended. Industrial matters that cover the pay and conditions of teachers, including those who are suspended, sit outside the Terms of Reference for the Review.

It is important that individuals are afforded procedural fairness as flagged in line with AITSL’s submission. There are several mechanisms currently in the Act which support this, including the right to appeal to the Tasmanian Civil and Administrative Tribunal, the requirement for TRB to publicly publish review mechanisms on its website and the requirement that the Board must comply with the rules of natural justice in deciding to suspend or cancel a limited authority. Further, the TRB currently has the ability to set the registration period for any teacher. The TRB can also make the registration of a person subject to conditions the Board considers appropriate. These protections will remain in the new Act.

#### **Recommendation 8: Immediate Suspension of registration or limited authority for Serious Offence**

- a) Note the term ‘serious offence’, referred to in Commission of Inquiry Recommendation 6.13, should be defined as an indictable offence.
- b) Legislate to enable the Board to immediately suspend a teacher’s registration or a LAT if that person is charged with an indictable offence. Provide that the Board **MUST** suspend a teacher’s registration where the indictable offence also relates to the safety or wellbeing of a child or young person.
- c) Retain the discretionary power for the Board to immediately suspend a teacher’s registration or a LAT if it believes on reasonable grounds that a registered teacher or holder of a LAT may pose a risk of harm to a student.

### **Automatic Mutual Recognition Scheme**

National Automatic Mutual Recognition for teachers was introduced through the *Mutual Recognition Amendment Bill 2021* (Cth) in July 2021. The Act introduced a scheme referred to as Automatic Mutual Recognition or ‘AMR’. AMR allows workers registered in an eligible occupation in one state or territory to be considered registered to perform the same activities in another without further application processes such as assessment of their qualifications, or registration fees. Tasmania, along with all other states and territories, currently has an exemption for the AMR Scheme to not operate for teachers until 2027.

While the AMR Scheme for teachers is still under development, a Mutual Recognition Scheme is in place. This enables a registered teacher in another Australian jurisdiction to lodge a notice to become a registered teacher in Tasmania and vice versa. Once the application is lodged, the TRB provides the applicant with a notification of ‘deemed registration’ within seven days. Following this the teacher can start teaching in Tasmania, pending the ‘granting or refusal of substantive registration’ within 30 days.

During the 2023/2024 financial year, 275 teachers used this scheme to register in Tasmania. Teachers are still required to obtain a Tasmanian Working with Vulnerable People Check prior to commencement.

## Issues

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The Commission of Inquiry was concerned that under AMR, without a requirement for notification, the Board cannot assess whether the person is suitable to work as a teacher in Tasmania, even if registered in another jurisdiction. It went on to say the AMR scheme will also make it difficult for the Board to know who is working in this jurisdiction. Information-sharing provisions under AMR leave gaps in relation to pending or in-progress disciplinary action, meaning high-risk teachers could seek to evade disciplinary action by moving states.

In response to the Commission of Inquiry, the Tasmanian Government committed to continuing to advocate at a national level for an AMR scheme that takes into account the risks to child safety in allowing greater mobility without registration checks within the teaching profession.

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## What we heard

The TRB's view is that AMR is not necessary or appropriate for the teaching profession due to the risk to child safety. The TRB noted that the Mutual Recognition scheme, which is already in operation, is sufficient. The TRB further noted that notwithstanding this view, the TRB is working collaboratively as a member of Australian Teacher Regulatory Authorities (ATRA) to plan for the introduction of AMR by July 2027. The TRB has a firm view that those working as a teacher under AMR should be required to notify the TRB that they will begin working in Tasmania within a set timeframe, but prior to their commencement as a teacher in Tasmania.

Other stakeholders felt the safety and wellbeing of children is the paramount consideration in all registration decisions. Some highlighted that it was critical that AMR not preclude the need for all teachers to hold RWVP registration.

The Peter Underwood Centre noted that teacher registration categories across Australia are not consistent and may result in teacher quality issues under AMR. For example, a teacher in Western Australia can be provisionally registered and working towards completion of their teaching degree final semester, whereas a provisionally registered teacher in Tasmania must have completed their degree.

There was some support for AMR to help meet teacher shortages in Tasmania and that meeting the criteria in one state should be sufficient to meet the criteria in another State.

## Analysis

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There is benefit for individual teachers to be able to move and work around Australia with the minimum of administrative effort. This also, though, creates the risk identified by the Commission of Inquiry of not necessarily knowing who is teaching but not registered, in Tasmania.

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The Educator Regulator Principles (Ministerial Instruction No 16) require the actions undertaken by Tasmanian education regulators to be proportionate to the risk being managed. It is, therefore, important that any move to AMR considers the proportionality of the benefit gained – mobility of teachers – against the risk being managed – the safety of children and young people.

The Steering Committee understands that concerns about risks to children and young people as a result of AMR are currently being considered at the national level through the Education Ministers' Meeting.

Provision needs to be made in the Act to enable AMR to operate once national agreement to mitigate safety risks is reached. This can be done by way of regulation rather than through provisions in the Act itself.

In the meantime, the existing Mutual Recognition Scheme enables interstate teachers to move and teach in Tasmania.

#### **Recommendation 9: Automatic Mutual Recognition**

- a) The current exemption from Automatic Mutual Recognition should be extended until such time as child safety issues are resolved nationally.
- b) Legislate to provide for Regulations to be made in respect of Automatic Mutual Recognition.

## Objective 2 - Teachers, including those in ECEC, maintain high quality and meet professional standards

Quality teaching is crucial to the wellbeing and learning of children and young people. Teacher registration sets the standards teachers must meet to demonstrate they have the skills and knowledge required to teach students and support their learning. In Tasmania, where more students face disadvantage and developmental vulnerability than their national peers, quality teaching is even more critical.

### Ensuring quality teaching - Framework for Teacher Registration in Australia

The question of how to ensure high-quality teaching and how to uphold professional standards for teachers has received considerable attention, locally in Tasmania, nationally across Australia and internationally.

In response to this priority, in 2010 the Australian Government, along with all states and territories, set up the Australian Institute for Teaching and School Leadership (AITSL). AITSL plays a key role in leading national educational reform for the Commonwealth, state and territory governments to promote excellence in initial teacher education, and in teaching and school leadership to achieve maximum impact on student learning in all Australian schools.

A key part of AITSL's work was the establishment of the Australian Professional Standards for Teachers (APSTs), which serve as national benchmarks for teacher competence and ethical practice, structured around three domains: Professional Knowledge, Professional Practice, and Professional Engagement.

AITSL also led the development of the National Framework for Teacher Registration, which was revised in 2023–2024 to support a nationally consistent, principles-based approach to teacher registration that promotes high-quality professional standards.

### The professional career of a teacher in Australia

In Australia, the professional life of a degree-qualified teacher begins with the completion of a university teaching qualification and continues throughout their career through employment, mentoring, and ongoing professional learning.

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The **National Teacher Registration Framework** captures key career milestones through its guiding principles:

- **Alternative Authorisation to Teach:** Prior to graduation, teaching students may be permitted to teach in schools under specific conditions and for a limited period.
- **Initial and Full Registration:** Upon graduation, teachers obtain Provisional Registration, recognising they have not yet met the requirements for full registration. Full Registration is granted once a teacher demonstrates practice at the Proficient career stage of the APSTs. Teachers who reach full registration and demonstrate advanced practice may pursue Highly Accomplished and Lead Teacher (HALT) certification, supporting career progression and professional recognition.

- **Renewal of Registration:** Throughout their careers, teachers must meet renewal requirements, including mandatory professional learning and evidence of continued practice.

## The current teacher registration framework

The teacher registration framework in Tasmania is established through the Act, which sets out the regulatory requirements for who must be registered and under what conditions.

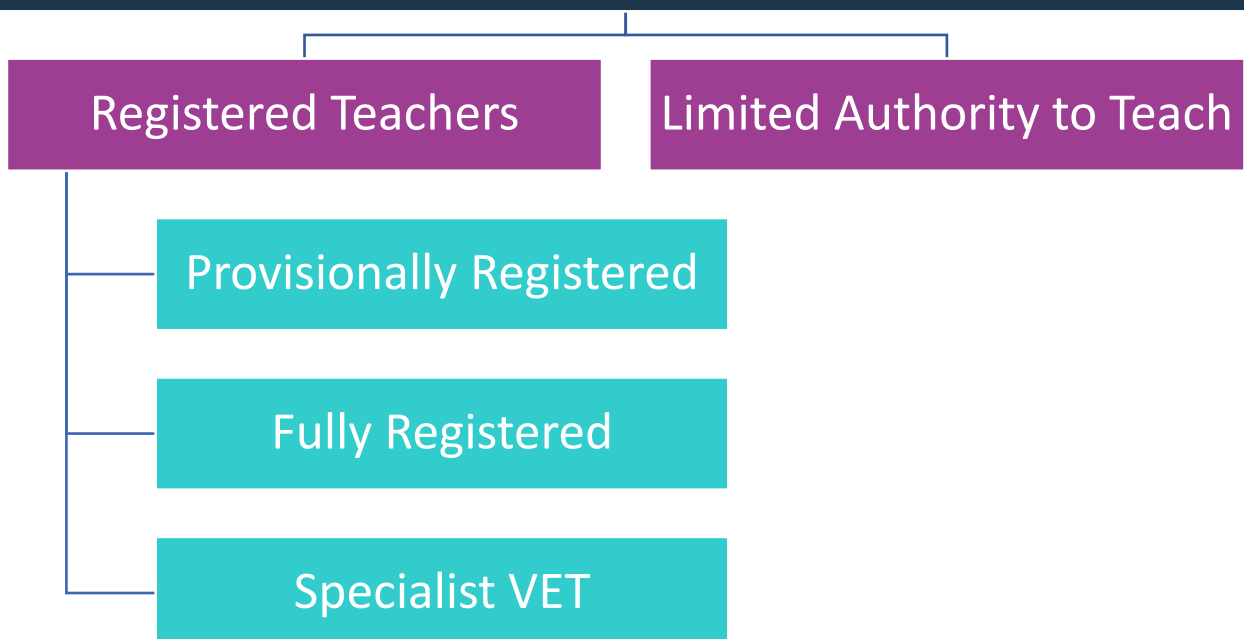
As illustrated in the visual below, current registration pathways and provisions include:

- **Registration for Teachers:** Individuals who hold an approved teaching degree and are teaching in schools.
- **Registration for Specialist VET Teachers:** Individuals with an approved VET qualification who deliver specialised vocational education and training programs. Specialist VET registration is mandatory for VET teachers working in Tasmanian schools and colleges, but voluntary for practitioners working in VET RTOs, such as TasTAFE.

Dual registration is possible for those who meet the qualification requirements for provisional or full registration as a teacher and a Specialist VET registration.

Registration pathways also include a provision for authorisation to teach, which is operationalised through the **Limited Authority to Teach (LAT)**. The TRB may grant this authorisation for up to two years, subject to specific conditions, to individuals with specialist skills and knowledge or to students completing a teacher education program.

## Current Teacher Registration Framework



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## Recognising teaching across diverse education settings

The current teacher registration framework in Tasmania requires the registration of teaching professionals working in schools, specifically degree-qualified teachers and non-degree-qualified VET specialists. It does not currently extend to non-school contexts, such as Early Childhood Education and Care (ECEC) settings or mandate the registration of degree-qualified Early Childhood Teachers (ECTs) working in these settings as they are outside the Act's scope.

Along with all other states and territories, the Tasmanian Government has committed to introducing registration for ECTs working in the ECEC sector. This commitment was first agreed in 2021 under the National ECEC Workforce Strategy (FA1.2) and reaffirmed in 2023 in response to the Review of Child Safety Arrangements under the National Quality Framework, led by the Australian Children's Education and Care Quality Authority (ACECQA). Most other states and territories have already acted on this national agreement. The current Review presents a timely opportunity for the Tasmanian Government to deliver on this commitment.

Facilitating the introduction of teacher registration for professionals working in non-school settings offers the opportunity to formally recognise that teaching occurs across diverse environments. Stakeholders have emphasised the need for flexibility in defining "teaching" and "education settings" to reflect the varied roles of teaching professionals - not only in ECEC settings but also in other non-school environments such as Child and Family Learning Centres (CFLCs).

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A review of legislation across jurisdictions, with a particular focus on those that have implemented mandatory ECT registration, revealed significant variation in the use of key terms such as "teacher," "setting," and "approved qualification."

In jurisdictions such as New South Wales, Western Australia, and Victoria, teaching is defined more functionally and across multiple settings, including ECEC contexts. These states focus more on the role of teaching rather than the setting in which it occurs. In contrast, Tasmania and South Australia adopt a more role-based definition, focusing primarily on teaching in schools rather than across broader educational institutions. In Tasmania this is because mandatory registration currently only applies to those teaching in schools.

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These differences in legislative framing have practical implications for who is required or eligible for registration and how teacher roles are recognised across different settings.

Broader, functionally framed definitions that focus on the role of teaching would modernise the Act and facilitate responsiveness to evolving models of educational delivery. Including such definitions and aligning them with national standards across both school and non-school settings presents an opportunity to:

- modernise Tasmania's teacher registration framework,

- establish consistent professional standards and child safety safeguards for teachers working across various educational settings, and
- formally include ECTs working in the ECEC sector under the Act.

This approach promotes consistent, high-quality teaching practice while preserving the flexibility needed for contemporary education contexts, helping to future-proof the Act to accommodate changes in education over the coming decade and beyond.

### **Recommendation 10: Definitions**

- a) Legislate to:
- Include a definition of ‘teaching’ that reflects the professional duties performed by degree-qualified teachers across both school and non-school settings. This should encompass the delivery, or support to the delivery, of educational programs and/or the assessment of learner progress, aligned with the Australian Professional Standards for Teachers (APSTs).
  - Adopt the best practice principles of the National Teacher Registration Framework to establish ‘minimum qualification requirements’ for degree-qualified teachers and determine ‘teacher education programs’ that qualify for registration.
  - Include a future-focused definition of ‘educational setting’ that encompasses both school and non-school learning environments (including but not limited to Early Childhood Education and Care services), while remaining broad enough to accommodate emerging models of education.
  - Include a definition of ‘employer’ that encompasses entities or individuals responsible for hiring teachers in both school and non-school contexts, recognising the diversity of employment arrangements across the education sector.
- b) Mandate the registration of all teachers who meet minimum qualification requirements and are teaching in educational settings according to the above definitions.

## **Registration of teachers in non-school educational settings**

The changes proposed in Recommendation 10 effectively extend the teacher registration framework to include teachers working in non-school contexts.

As a result, teachers performing duties aligned with the APSTs in non-school settings will be required to register, provided they work in an educational setting within the meaning of the Act and hold a qualification recognised under the National Teacher Registration Framework. Recognised qualifications include:

- At least four years of higher education (full-time or equivalent), including an initial teacher education program accredited in Australia under the *Accreditation of Initial Teacher Education Programs in Australia: Standards and Procedures*,
- A teacher education qualification approved by the Australian Children’s Education and Care Quality Authority (ACECQA), and/or
- An overseas or historical qualification assessed as equivalent.

This means that not only teachers, but also employers, will be required to comply with the new regulatory requirements and ensure their internal policies and procedures are updated accordingly.

The sections below provide an analysis of what this change will mean for ECTs in ECEC settings, followed by an examination of teaching professionals in other non-school contexts.

### **Early childhood teachers in the ECEC sector**

In Tasmania, most ECEC services are regulated under the National Quality Framework (NQF), a nationally agreed and jointly governed system that sets consistent standards for early childhood education and care across Australia. A small number of services continue to be regulated under Tasmania's *Child Care Act 2001*.

While the NQF provides the overarching framework, each state and territory is responsible for regulating providers within its jurisdiction, either under the NQF or relevant state legislation. In Tasmania, the Secretary of the Department for Education, Children and Young People (DECYP) is the regulator for the Tasmanian ECEC sector under the *Education and Care Services National Law (Application) Act 2011*. The Education and Care Unit (ECU) within DECYP is delegated this function by the Secretary and undertakes the duties of the Tasmanian Regulatory Authority. The ECU is responsible for implementing the NQF and administering the associated National Regulations in Tasmania. The ECU is also responsible for approving, licensing and regulating a number of childcare services under the Tasmanian *Child Care Act 2001* and State Licensing Standards.

The regulation of the ECEC sector does not currently cover the registration of ECTs, which is instead managed by state-based teacher registration authorities in most jurisdictions.

ECTs are legally required to be employed under the NQF in centre-based day care (CBDC) services, but not in other ECEC service types, such as Outside School Hours Care (OSHC) or Family Day Care (FDC), or in services regulated under state legislation. Not all ECTs working in CBDC settings perform direct teaching duties; many take on other roles within a service, including positions such as director or centre manager.

The exact number of ECTs working in the Tasmanian ECEC sector is currently unknown, as they are not required to register and, therefore, are not captured in TRB data. Estimates based on the National ECEC Workforce Census suggest that approximately 300 degree-qualified educators may be affected by the proposed legislative change. It is important to note that this figure includes all degree-qualified educators, some of whom would not be required to register as they are not undertaking the role of an ECT and only those performing the role of an ECT will be required to register as a teacher.

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Recent incidents and inquiries into child safety within ECEC settings in Australia have highlighted the urgent need for stronger safeguards across the sector. These events have revealed gaps in oversight and reinforced the importance of ensuring that all educators working with young children are fit for the critical role they hold. In response, governments are working collaboratively to improve child safety in ECEC settings through a range of enhanced safeguard measures, including the creation of a foundational educators' register.

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The implementation of teacher registration for ECTs in Tasmanian ECEC settings marks a pivotal step in strengthening protections and addressing safety concerns. Beyond safeguarding, registration has the potential to elevate professional practice by promoting consistent standards across all educational environments and providing a framework for accountability and ongoing professional development. Ultimately, it affirms the professional status of ECTs and recognises the key role they play in supporting children’s learning, wellbeing, and development during their most critical early years, contributing to a more trusted, transparent, and resilient early childhood education and care system.

## Issues

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The Act currently requires school teachers to undergo child safety pre-employment checks, fitness-to-teach processes, and to meet professional standards of practice linked to the Australian Professional Standards for Teachers. This is not, however, required for ECTs working in ECEC, although Registration to Work with Vulnerable People (RWVP) clearance is mandatory for employment in the sector.

This creates a regulatory gap for ECTs working in ECEC, which limits professional recognition, regulatory consistency, and may potentially affect child safety.

ECT registration varies across Australia. Most jurisdictions have introduced registration processes similar to those used for school teachers, including a contextual application of the APSTs. A summary of registration models for ECT registration across Australia is available in [Attachment 3](#).

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## What we heard

The majority of stakeholders strongly supported the introduction of ECT registration in the ECEC sector in Tasmania, emphasising the importance of aligning with national standards. Many noted that Tasmania’s current lack of registration signals a broader undervaluing of the ECEC sector.

There was widespread stakeholder support, including from the ECEC sector, ACECQA and TASSO, for implementing teacher registration processes in the ECEC sector that mirror those used in school settings, including the application of the APSTs to provide a shared professional language for teachers in Tasmania. This alignment was viewed as crucial for ensuring consistent, high-quality teaching practices across educational contexts. It was also considered as essential for enhancing child safety, supporting smoother transitions to school, and strengthening lifelong learning pathways.

Despite broad support for the introduction of ECT registration, some stakeholders raised concerns about its potential impact on recruitment and retention, particularly in regional areas, due to added regulatory requirements. Many agreed, however, that these challenges could be addressed through tailored, ECEC-specific registration pathways.

A small minority of stakeholders did not support the registration of ECTs under the Act. Often this appeared to be due to misunderstandings about ECT qualifications and roles; one common misconception being that ECTs in ECEC settings hold diplomas, not teaching degrees.

Importantly, stakeholders emphasised that registration should enhance professional practice rather than simply increase compliance. Ensuring that the process adds meaningful value to educators' work will be key to successful implementation.

Equity and inclusion were also critical considerations during consultation. Stakeholders have highlighted that registration must be accessible to educators from diverse backgrounds, including Aboriginal and Torres Strait Islander educators and those from culturally and linguistically diverse communities.

Stakeholders supported aligning terminology and definitions with the *Education and Care Services National Law Act 2010* and the *Education and Care Services National Regulations 2011* to ensure consistent regulatory practice. Stakeholders also recommended establishing a Memorandum of Understanding (MOU) between the Tasmanian ECEC regulator and the TRB to support shared oversight and reduce duplication.

The ECEC sector broadly supported voluntary registration for teachers working in settings where an ECT is not mandated under the NQF (OSHC, FDC and services regulated under the *Child Care Act 2001*). ACECQA's view was that every early childhood teacher should be registered, no matter the setting in which they are employed. Registration was identified as a strategy to promote professional recognition, increase visibility, and support consistency in professional practice across diverse service types. The TRB noted that voluntary registration presents regulatory challenges, as it cannot be effectively monitored or regulated.

## Analysis

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To enable the registration of ECTs working in ECEC settings, the Act will need to be amended to mandate registration in these environments. This requires careful consideration of which service types the requirement will apply to, and how an ECT is defined.

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Given that the ECEC sector is already regulated under the NQF and the Tasmanian *Child Care Act 2001*, it is essential that any new requirements introduced through this Review align with existing regulatory frameworks. At the same time, they must allow for a flexible approach that supports professional recognition, consistency of practice, and visibility of teachers working across diverse ECEC settings.

In its written submission, the TRB stated a preference for ECT registration to be considered separately from the Review of the Act. Due to national commitments to mandatory ECT registration and the legislative changes required to support it, the Terms of Reference included ECT registration in the review. This inclusion aligns with the review's objectives.

Taking into account TRB's concerns regarding voluntary registration for ECTs in settings where their employment is not required under the NQF, the Steering Committee proposes an approach that will help to future-proof the Act by relying on the function-based definitions of "teaching" discussed above. In line with these, the Steering Committee recommends mandating registration for ECTs across ECEC settings only when an individual is performing teaching duties as part of their employment. This aligns with the requirement for ECT attendance in centre-based long day care (CBDC) services under the NQF, while also enabling registration of teachers working outside CBDC settings, provided they can demonstrate they are undertaking teaching duties.

In practice this means that ECTs will continue to be required to have RWVP, as is mandated for all educators working in ECEC settings under the Education and Care Services National Law. In addition to this existing requirement, ECTs will also be required to be registered with the TRB, meaning that the TRB will assess whether they are of good character and fit to be a teacher, as is done now for teachers working in schools. By extending the teacher registration framework to ECTs working in the ECEC sector, the TRB will also be able to assess their teaching practice against the APSTs.

## ECT qualifications

### Issues

Under the NQF, ACECQA holds the legal responsibility for setting the minimum qualification requirements for all educators in the sector across Australia. For ECTs, this includes holding a teacher education qualification approved by ACECQA. This differs from the qualification requirements for school teachers, which in Tasmania are set by the TRB and include qualifications awarded by a higher education institution which equate to a minimum of four years of full-time tertiary study. ACECQA-approved university teaching qualifications vary and may include three-year teaching degrees, four-year degrees or their equivalent, as well as relevant master's qualifications.

### What we heard

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Stakeholders identified ACECQA-approved teaching degrees as the most appropriate qualifications for ECTs, as these programs are specifically designed to support teaching practices for children aged 0–5. ECEC stakeholders emphasised that recognising these qualifications is critical to the successful implementation of ECT registration, particularly given that all ECTs currently employed in the Tasmanian sector hold ACECQA-approved degrees to meet NQF requirements.

In its written submission, the TRB raised concerns about including ECTs in the same registration category as school teachers without aligning qualification criteria. AITSL clarified that ACECQA-approved qualifications are recognised under the National Teacher Registration Framework and are considered equivalent in quality and value to other accredited initial teacher education programs in Australia.

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### Analysis

As mentioned previously, the successful implementation of ECT registration in Tasmania requires alignment between the teacher registration framework and the qualification requirements already established under ECEC regulations. This includes ensuring consistency in the qualification standards for individuals employed as ECTs in the sector.

All jurisdictions that have implemented ECT registration have aligned qualification requirements for registration in ECEC settings with existing NQF standards to ensure regulatory consistency. Similarly, the National Framework for Teacher Registration recognises ACECQA-approved qualifications as meeting the minimum requirements for registration.

In line with this approach, the Steering Committee proposes aligning qualification requirements across regulatory frameworks that cover the same workforce to support consistency and reduce duplication.

## ECT registration modelling considerations

There are several possible options for the way ECTs are to be registered in Tasmania. The Steering Committee considered including ECTs as a separate registration type with a separate registration process. This was not desirable for several reasons:

- The *One Teaching Profession* report emphasised the importance of recognising teachers' professional expertise and skill sets across all educational settings, supporting a unified approach to registration.
- Stakeholder feedback highlighted the importance of having the same process for both school-based teachers and ECTs to ensure consistent, high-quality teaching practice across educational contexts
- A separate process would further entrench the perception that ECTs are “lesser” than school teachers, rather than equally qualified professionals contributing to children's learning and development.

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The interjurisdictional analysis and stakeholder consultation identified several benefits of including ECTs in the same register as school teachers, rather than creating a separate legislative category, including:

- **Enhanced child safety** through consistent standards for screening, monitoring, and safeguarding across the entire education spectrum.
- **Improved equity and professional recognition** across all education settings, affirming that any teacher holding a qualification recognised under the National Framework for Teacher Registration is a teacher, regardless of their employment setting.
- **High-quality professional practice** through the application of consistent professional standards to all teachers, regardless of the setting in which they work. This alignment helps ensure that all children benefit from teaching that meets nationally recognised standards.
- **Support for cross-sector mobility**, particularly in remote areas, for teachers qualified to work in both schools and ECEC settings.
- **Future-proofing the system** by avoiding rigid categorisation and allowing flexibility to respond to evolving education policies and workforce needs.
- **Greater national consistency** and reduced risks under Automatic Mutual Recognition (AMR).

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A small number of ECEC employers expressed concern that allowing ECTs to register under the same category as school teachers might inadvertently encourage movement into the school sector, potentially worsening workforce retention challenges in Tasmanian ECEC services.

In its submission, AITSL clarified that registration does not determine a teacher's employment setting.

To address these concerns, stakeholders recommended improving transparency in the teacher register by including whether a teaching qualification is ACECQA-approved and whether it is valid for ECEC settings only, particularly where the qualification focuses on birth-to-five teaching practices. This visibility is important, as some ACECQA-approved qualifications - such as those spanning birth to age 8 or birth to age 12 - are dual qualifications that enable teachers to work across both ECEC and school environments.

Providing this information would support employers to better understand the scope of each qualification and make informed decisions about recruitment and role suitability.

#### **Recommendation 11: Registration of Early Childhood Teachers in the ECEC sector**

- a) Mandate registration of Early Childhood Teachers (ECTs) working in Early Childhood Education and Care (ECEC) settings, provided they perform duties that meet the definition of “teaching” as outlined above and hold qualifications recognised under the National Teacher Registration Framework. TRB should recognise ACECQA-approved teaching degrees as a minimum qualification requirement for the registration of ECTs in ECEC settings, in line with the National Framework for Teacher Registration.
- b) Legislate to include ECTs working in ECEC services, in the same register and category as school teachers.
- c) Legislate to mandate that ECTs in ECEC services be subject to the registration requirements set for school teachers, including full registration and renewal processes, and the application of the Australian Professional Standards for Teachers (APSTs).
- d) Legislate to ensure the register includes sufficient information so that employers/teachers are able to easily determine the setting/s in which a teacher is eligible to teach.

### **Managing the transition to a new regulatory framework for early childhood teachers**

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The introduction of mandatory teacher registration for ECTs working in Tasmanian ECEC services will mean the sector must clearly understand the requirements that both ECTs and employers must meet. It will also require the TRB to develop and implement registration processes tailored to a cohort of teachers working in settings that differ significantly from schools, ensuring that the system is responsive to the unique characteristics of ECEC environments.

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#### **What we heard**

Stakeholders highlighted the importance of strong support for ECTs as they transition into a new regulatory framework. This includes access to professional learning opportunities and resources that focus on applying the APSTs in early childhood education contexts to build workforce confidence and consistency, particularly given the distinct nature of ECEC play-based teaching practices tailored to the learning needs of very young and young children.

Stakeholders also called for transparent timelines, accessible guidance for ECTs and employers, and direct engagement by TRB with ECEC Approved Providers to promote understanding and readiness across the sector.

To support a smooth transition, a phased approach with a suitable grace period was recommended, alongside a co-designed pilot program to test and refine the registration process with experienced ECTs. Stakeholders noted that kindergarten teachers, who are already registered under the school system and often engage with the NQF-approved Early Years Learning Framework (EYLF), could play a valuable role in the pilot. Their expertise and experience could be leveraged to support the transition and ensure the process is practical, inclusive, and aligned with existing professional standards.

A deeming clause was proposed to recognise experienced ECTs with relevant qualifications. The sector recommended, however, excluding from the deeming option teachers with little to no working experience in the sector, to ensure they have the opportunity to develop their professional practice by actively engaging with registration processes.

While the financial impact of professional registration for individuals working in the sector was acknowledged, it was also noted that registration is tax-deductible, making the cost more manageable.

## Analysis

Implementing registration for ECTs in Tasmania requires a thoughtful and well-supported approach to avoid placing additional pressure on an already stretched workforce. Stakeholders emphasised the importance of clear communication, sector recognition, and targeted support to allow both the sector and the Teachers Registration Board (TRB) adequate time to prepare.

### Recommendations 12: Transition Period for ECTs

- a) Legislate to require implementation of mandatory registration of ECTs in the ECEC sector as soon as practicable and within a maximum timeframe of three years after the commencement of the new Act, using a phased and context-sensitive approach.
- b) The TRB should leverage existing guidelines developed by Australian Institute for Teaching and School Leadership, Australian Children's Education and Care Quality Authority, and other teacher registration authorities to inform how the Australian Professional Standards for Teachers can be effectively applied to teaching practice in early childhood education and care settings.

## Teachers in non-school educational settings other than ECEC

### Issues

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As discussed above, teachers in non-school educational settings are currently not required to register as they are out of scope of the current Act.

The Act does not currently provide for evolving methods of educational delivery to be captured. This means that those teaching outside of traditional school settings are not currently required to meet relevant teaching standards.

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Extending the teacher registration framework to non-school settings would acknowledge the diversity of teaching roles. It would provide equal professional recognition, as well as consistent child safety scrutiny, for university-qualified teachers across different educational settings.

## What we heard

Several stakeholders raised concerns about potential inequities that may arise from registering ECTs in ECEC settings without considering teachers in other non-school settings such as Child and Family Learning Centres (CFLCs). Feedback on this issue was limited to some who work in CFLCs.

Targeted follow-up discussions with the CFLC leadership team confirmed that, in Tasmanian CFLCs, Education Officers include both degree-qualified and non-degree-qualified educators. Currently, teachers in these settings are unable to register, as eligibility is restricted to those working in schools. There are 18 CFLC centres across Tasmania, each with an Education Officer, some of whom hold qualifications included in the National Teacher Registration Framework.

The CFLC leadership team acknowledged that, although CFLC settings are not as structured as schools or ECEC services, the responsibilities of teachers working in these environments often align with the APSTs. These responsibilities include planning and assessing learning, engaging with families, and developing educational resources. Education Officers in CFLCs also refer to the Early Years Learning Framework, the approved learning framework under the NQF.

CFLC leadership emphasised that registration should not be a requirement for employment as an Education Officer, as this could significantly affect workforce participation and retention. Enabling teachers in CFLCs who perform teaching tasks aligned with the APST and hold qualifications recognised under the National Teacher Registration Framework to register would, however, support professional recognition and consistency of practice.

## Analysis

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As outlined in the Definitions section above, stakeholders emphasised the need for flexibility in defining “teaching” and “education settings” to reflect the varied roles of teaching professionals, not only in ECEC settings but also in other non-school environments. While the ECEC sector is a key example of a non-school setting, it is not the only one. In Tasmania, for example, teachers may work in non-school educational environments such as CFLCs, which differ from ECEC settings in both purpose and structure.

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CFLCs are inclusive spaces operated by DECYP that provide families with access to integrated services, fostering child-focused environments where children, families, and communities can learn, play, and grow together. Currently, teachers in these settings are unable to register as eligibility is restricted to those working in schools.

There is greater recognition of the value and importance of teaching being delivered in non-school environments. As the educational context shifts from classroom delivery to more varied spaces, including CFLCs, it is important that the legislation supports the TRB to ensure teachers are safe and the quality of teaching meets the appropriate standard. Recognising the significant impact teachers have on children and young people, even beyond traditional classroom roles, will help to ensure children are safe and being taught by people with the appropriate expertise. By including a flexible definition of teaching, we can help ensure future models of educational delivery are afforded the same high standard of teaching that is currently limited to school settings.

Registration in non-school settings would be limited to individuals who meet the definition of “teaching” in an “educational setting” outlined above. Staff in non-school settings who do not meet this definition would not be required to hold registration.

This approach ensures that, as educational delivery models evolve, individuals who meet the definition of teaching would be required to register without necessitating amendments to the Act. In effect, the legislation would already accommodate such developments, reducing the need for reactive changes by government.

### **Recommendation 13: Registration of Teachers in Non-school Settings other than ECEC**

- a) Mandate the registration of all teachers working non-school settings, provided they perform duties that meet the definition of “teaching” in an “educational setting” as set out in Recommendation 10 above.
- b) Legislate to include teachers in non-school settings in the same register and category as school teachers.
- c) Legislate to mandate that teachers in non-school settings be subject to the registration requirements set for school teachers, including full registration and renewal processes, and the application of the Australian Professional Standards for Teachers (APSTs).
- d) Legislate to require implementation of mandatory registration of teachers in non-school settings as soon as practicable and within a maximum timeframe of three years from the commencement of the new Act, using a phased and context-sensitive approach.
- e) The TRB should develop guidelines, in consultation with employers and teachers working in the non-school sector, to inform how the APSTs can be effectively applied in non-school settings. Existing guidelines developed for the ECEC sector should be leveraged where relevant.

## **A revised regulatory framework**

Based on consultation outcomes and interjurisdictional analysis, the Steering Committee proposes the revision of the current regulatory framework to enable the Act to better respond to the evolving needs of the education workforce.

### **Issues**

Teacher registration legislation across Australia typically includes multiple registration categories to address the evolving needs of teachers and educational settings. These categories operationalise the teacher registration framework by ensuring appropriate oversight, reflecting diverse teaching contexts, and supporting flexible workforce planning and retention. The existing Tasmanian Act does not enable the creation of new registration categories, which limits the system’s flexibility.

### **What we heard**

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Consultations revealed a strong consensus around the need for more flexibility in creating categories of registration. Key stakeholders, including regulatory bodies, education institutions, and teachers, called for:

- A clear mechanism within the Act to allow for the creation of registration categories, following consultation with relevant stakeholders.

- An approach to teacher categories that can better accommodate the roles of all teachers, including those working in non-traditional settings, such as community programs, short-term specialist roles, and casual relief positions, through new or refined registration categories.
- Teacher categories that reflect the diversity of professional practice, career progression, and different career stages.
- Consistency across jurisdictions and aligned with the APSTs, to support mobility and coherence.

The safety of children and young people was raised in many submissions. Laurel House, for example, submitted that every teacher seeking registration or renewal should be required to complete mandatory child protection training.

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## Analysis

While teacher registration is managed independently by each state and territory, most jurisdictions have adopted a core set of legislated registration categories to operationalise the principles and requirements set out in their respective Acts. These typically include:

- **Practising Teacher** - available to degree-qualified teachers actively working in school and non-school settings. This category usually begins with a provisional registration period, allowing teachers to gain experience and demonstrate proficiency before transitioning to full registration.
- **Non-Practising Teacher** – available to fully registered teachers not currently employed in educational settings but who wish to maintain registration for future employment. This supports workforce re-entry and professional continuity
- **Alternative Authorisation to Teach:** a provision for individuals who do not meet provisional registration requirements but are permitted to teach under regulated circumstances, often to address workforce shortages or specialist needs. In Tasmania, this is known as Limited Authority to Teach (LAT). While some jurisdictions use this category to regulate VET specialists in schools, Tasmania has a dedicated Specialist Vocational Education and Training (SpVET) registration category for VET educators.

The Steering Committee proposes updating the teacher registration framework to align with national standards and reflect Tasmania's unique context. Based on interjurisdictional analysis and stakeholder feedback, the proposed regulatory regime should be:

- **Responsive and flexible:** Capable of capturing the evolving nature of teaching roles and workforce demands.
- **Anchored:** Aligned with national standards and able to maintain core registration categories in legislation to ensure clarity, stability, and public confidence.
- **Safe and Compliant:** Able to ensure all categories uphold child safety standards in line with Commission of Inquiry recommendations.

#### **Recommendation 14: Creation of Registration Categories**

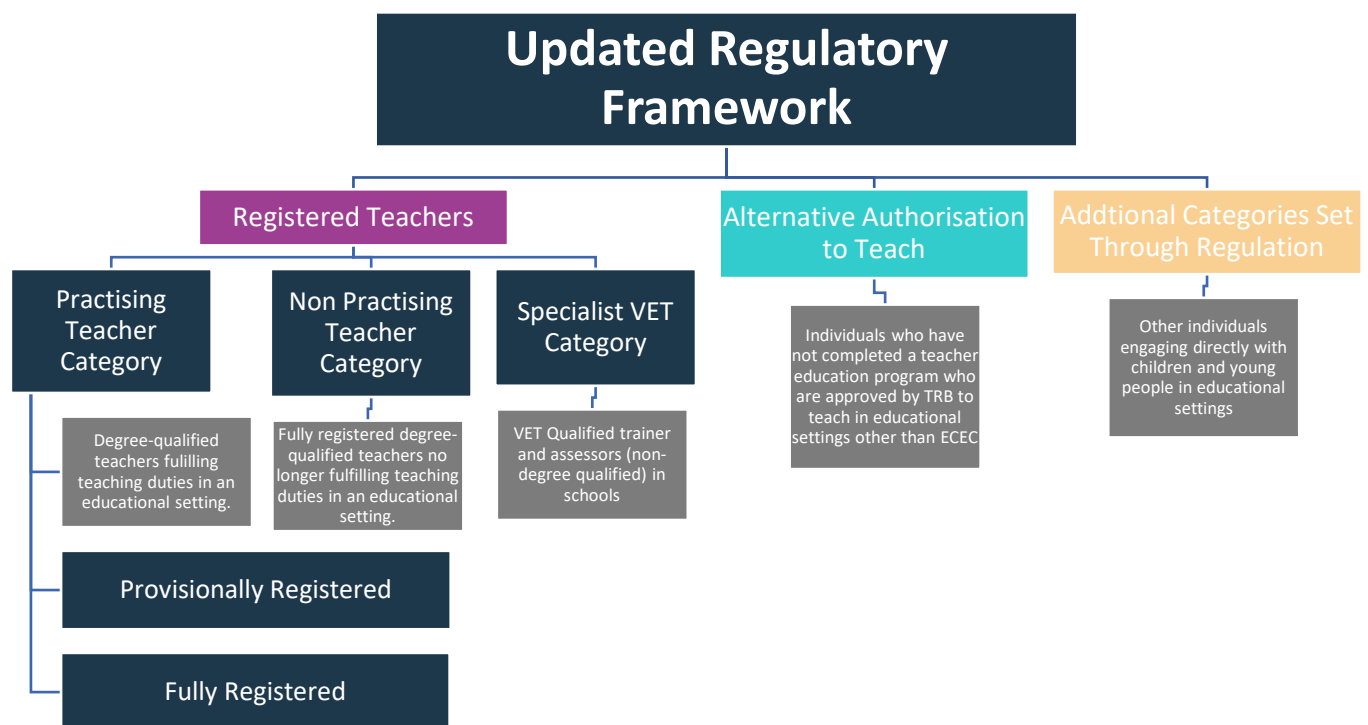
- a) Legislate to establish a Practising Teacher category that encompasses teachers working in educational settings who perform teaching duties and hold recognised qualifications under the National Teacher Registration Framework, as defined above.
- b) Legislate to establish a Non-Practising Teacher category, available to fully registered practising teachers who are not currently performing teaching duties in educational settings but wish to maintain their professional registration status.
- c) Legislate to enable the creation of new registration categories and associated requirements through Regulation, enabling the framework to remain responsive to emerging workforce needs.
- d) Legislate to provide that the creation of new categories under Recommendation 14(c) is to be the subject of consultation, including with employers.
- e) Legislate to require that any new categories established through Regulation include a requirement for mandatory child safety training in line with Commission of Inquiry Recommendation 6.15.

The Steering Committee proposes retaining the VET Specialist registration category, along with the Limited Authority to Teach provisions, with amendments to both outlined in the following sections.

## What will the updated regulatory framework look like?

The visual below summarises the proposed changes to the teacher registration regulatory framework.

To support this overview, the following sections of the report provide a detailed explanation of the requirements associated with each category and registration type.



Specialist VET registration would also remain available as a voluntary option for those outside of schools who wish to be registered.

### Practising teacher category

For the purposes of this paper, and in alignment with previous recommendations, the term 'practising teacher category' will be used to capture both school teachers and those working in non-school settings including ECTs working in ECEC settings who perform teaching duties. Teachers captured under this category must meet specific requirements related to the transition from provisional to full registration as well as registration renewal.

## Practising teacher requirement 1 - mandatory transition from provisional to full registration

The Framework for Teacher Registration in Australia provides that a teacher should have an initial period of registration before meeting the requirements for full registration. The initial period allows them to be employed as a teacher and undertake workplace learning that equips them to meet requirements to become fully registered.

The Framework sets the expectation that teachers move from the graduate to proficient career stage and attain full registration within five years of receiving provisional registration.

### Issues

Currently, teachers working in Tasmania can remain provisionally registered for their entire working lives. There is no requirement in the Act for provisionally registered teachers to make the transition to full registration within a set timeframe.

As of 30 June 2024, there were 3,904 provisionally registered teachers in Tasmania (33 per cent of all Tasmanian teachers).

### What we heard

Stakeholders broadly supported the five-year timeframe for transitioning from provisional to full registration but emphasised the need for flexibility in cases such as parental leave, health issues, or remote teaching. In its submission the TRB supported having discretion to extend the five-year period in exceptional circumstances. TASSO suggested a three-year timeframe for the transition.

In 2024, the TRB streamlined the provisional to full (P2F) registration process. Despite these improvements, many of those who provided feedback expressed concerns that the current process remains too rigid and demanding, contributing to workload pressures and broader workforce challenges.

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TASSO submitted that the high proportion of provisionally registered teachers signals the need for closer examination of support structures and progression pathways. It suggested that extended or indefinite provisional registration risks affecting educational quality and professional credibility.

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The AEU highlighted concerns that excessive workload pressures are discouraging teachers from completing full registration. This issue was also raised in responses in the Teacher Survey, which included strong themes that the process should be streamlined. The Teacher Survey also revealed support for reducing the administrative burden on teachers so they can focus on teaching.

To support mandatory P2F processes, AITSL recommended shifting the assessment into the workplace, enabling schools to make recommendations to the TRB for endorsement. It stressed that the process should be integrated into teaching practice and should not be treated as an assignment or require additional work on top of a teaching load.

AITSL also recommended that the implementation of quality assurance processes to support consistency of judgments across education contexts should not be burdensome. The focus

of the TRA should be educative and support teachers to understand what a Proficient teacher looks like rather than overturning individual decisions.

## Analysis

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The requirement for teachers to make the transition from provisional to full registration within five years is widely viewed as an important way to support professional growth and uphold accountability in the teaching profession. It helps to ensure that early career teachers are actively developing their practice in line with nationally recognised standards. Stakeholder feedback highlighted the need to ensure flexibility to accommodate special circumstances in the event a timeframe is set for teachers to move from provisional to full registration.

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The Committee recognises that in 2024 the TRB made changes to the process to simplify it. Notwithstanding this, feedback, particularly from teachers and unions, is that it is still too rigid and demanding. The regulator principles (Ministerial Instruction 16) include the need for regulation to be targeted and risk-based but also user-centred. This requires policy makers and regulators to understand the needs, behaviours and motivations of those affected by regulations. At the same time, the process of moving from provisional to full registration must be robust enough to ensure teaching is high quality, teachers meet professional standards, and that there is community confidence in the process.

At the moment, many of our teachers are choosing not to be fully registered due to the workload involved in the process and the lack of a requirement to do so. Ideally, meeting the P2F requirements would be embedded into practice with the TRB establishing an overarching quality assurance process to ensure the required standards are being met. This would support a cultural and behavioural change to the way P2F is viewed so that meeting the Proficient standard is recognition of a person's professional development as a teacher. A legislated time limit for P2F certification would set the expectation as to when this process is to be completed.

An interjurisdictional analysis shows that other Australian jurisdictions commonly use P2F processes involving a single reviewer, which are generally less resource-intensive than panel-based approaches.

This model is practical and accessible for smaller jurisdictions and education settings, including those in remote communities, where staffing and logistical challenges can make panel assessments difficult to implement. This model is also supported by the Framework for Teacher Registration which specifies that the process must involve an assessment to determine if the applicant has met the proficient teacher career stage. The standards specify that a principal or delegate (or appropriate equivalent in an educational setting) make the final recommendation to the TRA based on the assessment of evidence provided, with the TRA having a quality assurance or audit role. As outlined above, AITSL emphasised that "meeting the requirements for full registration should not take the form of an 'assignment' or require additional work on top of a teaching load." A single reviewer approach, similar to that in Queensland would strike the right balance between providing the necessary quality assurance and streamlining regulation.

A five-year timeframe to move from provisional to full registration is consistent with the Framework for Teacher Registration in Australia.

### **For ECTs in the ECEC sector and teachers in other non-school settings**

Stakeholders emphasised the need to consider the unique contextual implications of ECEC settings and strongly advocated for the establishment of tailored support mechanisms. Both ACECQA and AITSL highlighted the importance of flexibility in meeting registration requirements, particularly given the supervisory arrangements in ECEC environments. ACECQA supported the proposal to require teachers to obtain full registration within five years to help ensure the health, safety and wellbeing of all children.

In jurisdictions where ECT registration has been introduced, frameworks have been adapted to reflect the realities of ECEC settings, where ECTs often work within broader educational teams and may be the only degree-qualified teacher on site.

In response, TRAs in other jurisdictions have implemented various support initiatives, including mentoring and buddy programs developed in collaboration with the sector. Ongoing liaison between the TRB, ECEC providers operating across jurisdictions, and other regulatory authorities will be essential to ensure consistent and successful implementation of the mandatory transition from provisional to full registration for ECTs in ECEC settings.

Stakeholders acknowledged the distinct nature of non-school educational environments and emphasised the need to assess whether tailored support mechanisms may be required to ensure registration requirements are applied appropriately. To support implementation, the TRB should work closely with non-school stakeholders to develop context-sensitive guidance and professional support strategies, if needed.

### **Recommendation 15: Practising Teachers – Transition from Provisional to Full Registration**

- a) Legislate to provide a five-year timeframe for provisionally registered teachers to make the transition to full registration, with discretion given to the TRB to extend the five-year period where it deems it appropriate to do so.
- b) Legislate to mandate the completion of child safety training as a condition for progressing from provisional to full registration, in line with Commission of Inquiry Recommendation 6.15.
- c) Retain the existing eligibility requirement that teachers must complete at least one full-time equivalent (FTE) year of teaching to be eligible for full registration.
- d) The TRB should further streamline the process for transitioning from provisional to full registration. The new process should be:
  - i. A school-based assessment
  - ii. Reviewed by a single reviewer (either a Principal, their delegate or equivalent in non-school settings)
  - iii. Focused on providing evidence collected in the course of normal teaching duties, not through assignment-based processes,
  - iv. Monitored for quality control and audited by the TRB where required.
- e) The TRB should develop a policy that details how Early Childhood Teachers will be supported to transition from provisional to full registration, taking into account where supervision arrangements differ from those in school contexts.
- f) The TRB should develop a policy outlining how teachers in non-school educational settings will be supported to transition from provisional to full registration, taking into account supervisory arrangements that differ from those in school contexts.

## **Managing the transition of experienced teachers to full registration**

### **Issues**

As of 30 June 2024, Tasmania had 3,904 provisionally registered teachers out of a total of 11,713, representing 33 per cent of the teaching workforce. This represents a significant cohort of teachers who have not undertaken the provisional to full registration process.

In line with recommendation 15, these teachers will have to comply with the new requirement that provisionally registered teachers move to full registration within five years. Many teachers in this category have been provisionally registered for more than five years and some for many years. Given the number of teachers in this situation, there are workload and resourcing implications for teachers, employers and the TRB when considering how to move this cohort to full registration.

### **What we heard**

The TRB believes its revised process and the support it provides, along with a five-year timeframe to make the transition to full registration, should provide the time for teacher to do so without the need for any grandfathering, alternative pathways or exemptions.

During consultations, other stakeholders raised concerns about the impact of introducing mandatory provisional to full registration requirements for such a significant proportion of teachers, particularly in relation to workforce retention.

AITSL proposed a pragmatic approach to support the transition process and workforce stability. This would recognise skilled and experienced teachers through a 'deeming process' that would still require those who have taught for more than five years to meet certain criteria that would then deem them to meet the requirements for full registration.

## Analysis

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The TRB believes its revised process and a five-year timeframe is sufficient to support teachers to move from provisional to full registration. This was not, however, the feedback received during consultation. It also does not recognise the additional workload for regulated entities in supporting teachers through the process.

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While a streamlined single-reviewer process can support teachers in progressing from provisional to full registration, the new requirement to move from provisional to full registration within five years will affect nearly 4,000 provisionally registered teachers. At the same time, new career teachers will also be undertaking the process.

Guiding and supporting those making the transition from provisional to full registration will significantly increase the workload for regulated entities, including in schools where the process is undertaken for school teachers. The recent Independent Review of Education in Tasmania (2024) noted that expectations and workload for teachers more generally have grown over time, and that these issues are being experienced nationally. The transition process will also require significant work by the TRB even if the recommendation that it takes on a higher-level quality and audit role is accepted. In exploring options, the Steering Committee considered how best to support the transition of nearly 4,000 provisionally registered teachers to full registration, while carefully weighing the imperative to maintain teacher quality against the need to manage regulatory burden across the sector.

Part of that examination was to consider deeming processes, which may be used by governments when new regulatory requirements are implemented. As recently as 2018, NSW used 'deeming' processes to recognise the skills and experience of teachers who were not yet fully registered. It had a system of partial teacher registration until 2018. In 2018 the NSW TRA implemented a process to bring all existing or pre-2004 teachers into the registration scheme, deeming them fully registered if they met certain criteria. This was done in recognition of the knowledge and skills that pre-2004 teachers had already demonstrated.

On balance, a deeming process provides a pragmatic solution. Under this approach, teachers who meet clearly defined eligibility criteria can be deemed fully registered without undergoing the full P2F process. Those who do not meet the criteria would proceed through the streamlined, single-reviewer P2F pathway. This solution seeks to strike a balance between managing regulatory burden, while ensuring teachers are meeting expected standards.

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In order to ensure confidence in the quality of teaching and professional standards of those who would be eligible for this pathway, they would require at least five years of teaching in Tasmanian educational settings, employer endorsement confirming alignment with the APSTs at the Proficient level accompanied by relevant evidence, no ongoing investigations, compliance with previous registration directives, and have paid the required fees for full registration. Newly graduated teachers and those who do not meet the deeming criteria would be required to complete the standard P2F registration process discussed above.

The five-year minimum teaching timeframe to be eligible for deeming is based on the Framework for Teacher Registration in Australia. The Framework specifies that the maximum period for meeting the requirements for full registration is five years by which time a teacher is expected to have developed the necessary skills and experience to move to full registration.

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Registration and associated fees help ensure the TRB is funded to undertake its regulatory role. The deeming process will still require the TRB to commit resources to support the transition of teachers from provisional to full registration. Without a deeming process, those teachers would have to undertake the P2F process and pay the fees. Provisionally registered teachers who fall outside of the deeming process will complete the P2F process and pay the associated fees. For reasons of equity and to ensure the TRB receives the necessary funding, it is recommended that those who are deemed to be fully registered pay the required fees.

### **For ECTs in the ECEC sector and teachers in non-school settings**

ECEC stakeholders advocated for a deeming approach for experienced ECTs in the ECEC sector, recognising the expertise of those who have worked in the sector for many years. This approach would support a smooth transition to the new regulatory framework while valuing existing professional experience.

The same process should apply to other experienced teachers in non-school settings.

#### **Recommendation 16: Managing the Transition of Experienced Teachers to Full Registration**

Experienced school teachers currently holding provisional registration, or current experienced teachers in non-school settings, including ECTs working in the ECEC sector, should be deemed to have met the requirements for full registration, provided they satisfy the following criteria:

1. Are not under investigation for any reason, including incompetence;
2. Have been teaching in Tasmanian educational settings for five or more years; OR have engaged in roles supporting the teaching profession for five or more years;
3. Receive endorsement from their current employer confirming that their teaching practice aligns with the Australian Professional Standards for Teachers (APSTs) at the Proficient level accompanied by relevant evidence;
4. Have not refused to comply with former directives to meet their full registration requirements (if applicable); and
5. Have paid the required fees for full registration.

### **Practising teacher requirement 2 - mandatory continuous professional learning for registration renewal**

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Ongoing professional learning plays a critical role in maintaining high professional standards by teachers, is essential for maintaining the quality of teaching and contributes to safeguarding children and young people. The Framework for Teacher Registration details the requirements for renewal of teacher registration, and lists the following as minimum requirements:

- Suitability to teach has been maintained
  - Recency of professional practice requirements has been met (100 days of professional practice in previous five years)
  - Proficiency against the Teacher Standards has been maintained, and
  - 100 hours of professional learning activities have been undertaken in the past five years.
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The Commission of Inquiry recommended that the Act be amended to empower the TRB to set minimum requirements for training and professional development, including mandatory child safety training for all registered teachers (Recommendation 6.15).

### Issues

All Australian jurisdictions, with the exception of Tasmania, have legislated minimum requirements for continuous professional learning (PL) as part of teacher registration renewal. These requirements typically include 100 days of professional practice and 100 hours of professional learning over a five-year period, consistent with the principles outlined in the National Framework for Teacher Registration outlined above. Some jurisdictions scale professional learning requirements based on a teacher's employment status (e.g., full- or part-time) but most do not.

In Tasmania, the TRB requires through policy, that teachers renewing their registration have completed 120 days of professional practice within the previous five years. Unlike other jurisdictions, however, neither the Act nor TRB policy mandates a minimum of 100 hours of professional learning, unless an applicant does not meet the required professional practice standards. This is a significant gap in alignment with national expectations about the role of ongoing professional learning in maintaining teaching quality and child safety.

### What we heard

There was moderate support for implementing a mandatory requirement of 100 hours of professional learning over five years, with flexibility for those on approved leave or in specific roles. Additionally, stakeholders noted that employer-mandated professional learning in the school sector is already in place, often meeting the threshold of 20 hours of professional learning per year and should be recognised as fulfilling the requirements for registration renewal.

Consultation participants emphasised the importance of ensuring that the mandatory professional learning requirement remains flexible and encompasses a broad range of activities, including professional reading, mentoring, workshops, and conferences. In alignment with the Commission of Inquiry recommendations, stakeholders also noted that mandatory professional learning content must include a child safety component, including the requirement for child safeguarding training prior to registration.

Some teachers raised concerns about limited access to professional learning, particularly due to inadequate resourcing, lack of relief teacher availability, and the challenges faced by casual and relief teachers in accessing professional learning opportunities across multiple settings.

Stakeholders highlighted the challenges faced by certain cohorts, such as relief teachers, in meeting this requirement, and noted that a broad and flexible definition of mandatory professional learning would help make it easier for all teachers to comply.

Stakeholders noted that the TRB already conducts random audits of registration renewals, requiring evidence of teaching and professional learning, an approach consistent with other jurisdictions, where teachers record professional learning and provide documentation upon request.

While an auditing approach to mandatory professional learning requirements was broadly encouraged, there was limited support for expanding the TRB's role to accredit professional learning programs, with both the TRB and AITSL advising against it.

### **For ECTs in the ECEC sector and teachers in non-school settings**

Currently, ECTs working in ECEC settings are not required to complete any mandatory professional learning related to the APSTs or specifically targeted to the teaching profession.

Mandatory professional learning for registration renewal received strong stakeholder support, including from ACECQA, as a mechanism for maintaining high-quality teaching practices across the ECEC sector. Stakeholders emphasised that PL content must be relevant to teaching practice and contextualised to the realities of ECEC settings.

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There was strong consensus that clear and consistent guidelines should define what constitutes valid professional learning for registration purposes. At the same time, stakeholders noted that professional learning requirements should remain flexible, allowing educators to pursue learning that is meaningful and responsive to their individual contexts and professional needs.

ECTs also reported that access to professional learning currently depends heavily on their employer, leading to significant variability in both availability and quality. As a result, many teachers independently source their own professional learning opportunities to meet their professional learning needs. To respond to this challenge, stakeholders supported the idea of cross-sectoral access to professional learning, where a networking system between schools and ECEC services could help make resources and professional learning programs more widely available. They believed that such collaboration would increase access, promote consistency, and strengthen professional connections across the broader education sector.

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Currently, teachers working in non-school educational settings are not required to complete mandatory professional learning aligned with the APSTs or specifically targeted to the teaching profession. Stakeholders noted that, as registration is extended to these settings, professional learning requirements should be relevant to teaching practice and responsive to the unique contexts in which non-school educators work. Clear guidelines and equitable access to high-quality professional learning will be essential to support consistency and uphold professional standards across the broader education sector.

### **Analysis**

Stakeholders supported the development of a TRB-led professional learning framework grounded in AITSL standards and enforced through audit-based processes, expanding on the TRB's current approach.

While mandatory professional learning was broadly supported by stakeholders, consultation highlighted the need for a broad definition of what qualifies as professional learning. This definition should include not only formal learning activities, such as attending workshops and

conferences, but also professional reading, mentoring, study, research, employer-led professional learning programs, and other similar activities. Such flexibility will help address accessibility challenges, recognise the different contexts in which teachers work and support groups such as relief teachers.

Ongoing child safety training was also viewed as an essential component of the professional learning requirement.

To ensure that all registered teachers maintain a consistent level of professional knowledge, and in alignment with the approach taken by most jurisdictions, scaling professional learning requirements is not considered an appropriate option. Exceptions to this requirement may, however, be granted by the TRB in exceptional circumstances, such as parental leave and or absence due to health issues.

### **Recommendation 17: Registration Renewal Requirements**

- a. Retain the existing requirement for teachers to meet professional practice standards demonstrating ongoing teaching competence as a condition for registration renewal.
- b. Legislate to require teachers in the practising teacher category to undertake 100 hours of professional learning over a five-year registration cycle, in alignment with the National Framework for Teacher Registration and Recommendation 6.15 of the Commission of Inquiry Report. This requirement can be applied pro rata where the Board registers a person for fewer than five years. A broad definition of what qualifies as professional learning should be agreed by the TRB, informed by the outcomes of the Review's consultation process.
- c. Legislate to require the completion of child safety training as a condition for registration renewal, in line with Commission of Inquiry Recommendation 6.15.
- d. Legislate to provide discretion to the TRB to grant exemptions from the mandatory professional learning requirement in exceptional circumstances.

## **Professional certifications**

The APSTs describe what teachers are expected to know and be able to do at four career stages: graduate, proficient, highly accomplished and lead.

Across Australia the graduate level is broadly accepted as corresponding with 'provisionally registered', and proficient as 'fully registered'. In some jurisdictions, teacher registration legislation includes provisions for Highly Accomplished and Lead Teacher (HALT) certifications. These certifications formally recognise expert and highly skilled teachers who demonstrate advanced practice and leadership in their profession. HALT status supports career progression, promotes excellence in teaching, and contributes to the broader development of teaching standards.

In 2020, the TRB piloted a revised HALT certification process aligned with the AITSL Framework. This process requires teachers to demonstrate advanced practice against the APSTs through a rigorous, evidence-based assessment.

### **Issues**

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Currently, Tasmania's legislation does not explicitly provide for HALT or other certifications. The TRB pilot was undertaken as a policy initiative.

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## What we heard

Stakeholders strongly supported HALT certifications as a valuable mechanism for recognising teaching expertise, promoting career progression, and retaining experienced educators. The TRB's 2020 pilot was viewed positively, with calls to expand the program to the broader teaching workforce once it becomes stable and scalable.

Stakeholders also noted that extending teacher registration processes currently available to school teachers to ECTs in the ECEC sector would enable this cohort to access HALT certification. This would support career progression and enhance professional recognition.

There was clear consensus that for HALT certifications to have system-wide impact, it must be both achievable and accessible.

Some stakeholders raised the issue of registration or accreditation for staff other than teachers, such as teacher assistants.

## Analysis

While HALT certification is not currently included in Tasmania's legislation, stakeholders viewed its inclusion as a meaningful way to formally recognise the expertise of highly accomplished teachers. This view aligns with the national approach, where several other jurisdictions have incorporated HALT certification into their legislative frameworks, thereby acknowledging the contribution of expert teachers across both school and non-school settings.

There may, over time, be other groups where certification would be valuable to recognise their role, skills and expertise in helping to educate children and young people. Extension of recognition to those in roles other than teaching is outside the scope of the Review. There is, though, merit in including a mechanism in the Act to allow for new certifications. The Act should, therefore, include provision for additional certification categories to be prescribed by Regulation. This would also help to future-proof the Act.

### **Recommendation 18: Highly Accomplished and Lead Teacher Certification**

- a. Legislate to empower the TRB to assess and certify Highly Accomplished and Lead Teachers (HALT) in alignment with the Australian Professional Standards for Teachers.
- b. Legislate to enable the creation of new certifications through Regulation.
- c. Legislate to require the completion of child safety training as a condition of certification, in line with Commission of Inquiry Recommendation 6.15.

## Non-Practising teacher category

In most jurisdictions, the teacher registration framework allows teachers who hold full registration but are no longer actively engaged in teaching to retain their full registration status. This enables them to return to the workforce without needing to requalify for the registration status they previously held. This arrangement is generally operationalised through the inclusion of a Non-Practising Teacher category in the legislative framework.

## Issues

The current legislative framework in Tasmania does not provide for non-practising teachers who wish to retain their registration.

## What we heard

Stakeholders view the introduction of a Non-Practising Teacher category as a positive step to support professional continuity and make it easier for teachers to return to the workforce.

They also highlighted the importance of ensuring that non-practising teachers, particularly those who have been out of the classroom for an extended period, are fully aware of their child safety responsibilities before re-entering the profession.

## Analysis

The introduction of a Non-Practising Teacher category is viewed positively for supporting professional continuity and easing workforce re-entry.

Building on recommendation 14, the category will provide flexibility for teaching professionals who are temporarily out of teaching. This could, for example, include those who are out of the workforce for a period of time as well as those undertaking longer term non-teaching roles within their organisation. Establishing a non-practising teacher category will also necessitate the inclusion of legislative requirements to ensure returning teachers are adequately prepared in terms of child safety and contemporary teaching practice, before re-entering the classroom.

As with any staff member, employers would be responsible for ensuring the effective onboarding of those returning to the teaching workforce, in accordance with their established induction policies and procedures.

### **Recommendation 19: Non-practising Category**

- a. Legislate to create a Non-Practising Teacher category to enable fully registered teachers who are not currently teaching in an educational setting to maintain their registration, without being required to meet professional learning and practice requirements, provided they pay an annual fee.
- b. Require non-practising teachers wishing to return to practising teacher status to meet requirements set for practising teachers, including completing mandatory child safety training prior to resuming teaching duties.

## Limited Authority to Teach

The National Teacher Registration Framework identifies 'Alternative Authorisation to Teach' as one of its eight key elements. This provision enables jurisdictions to authorise individuals who do not meet the full qualification requirements for teacher registration to teach in specific, limited circumstances under strict conditions.

In Tasmania, this provision is known as a Limited Authority to Teach (LAT). LATs may be granted for up to two years and are subject to conditions set by the TRB. They are available to:

- Individuals with specialist skills and knowledge (e.g. in languages or STEM) who have not completed a teacher education program.
- Students enrolled in a teacher education program who have either completed at least 50 per cent of their studies (eligible for a School LAT with an allocated supervisor) or are in their final year of their university degree qualification (eligible for a General LAT).

## Issues

Limited Authority to Teach is not currently included in the definition of registration under the Act though the Act specifies the requirements for these authorities. The TRB is required to keep a register of holders of LATs. This is separate to the register it is required to keep of registered teachers. The register of teachers is publicly available but the register of those holding LATs is not.

Most Australian jurisdictions have incorporated LATs or equivalent categories within their teacher registers, in line with the National Teacher Registration Framework. This ensures that individuals teaching under these arrangements are visible within the regulatory system, subject to oversight, and accountable to standards of conduct and safety.

## What we heard

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Stakeholders acknowledged the important role that LAT arrangements play in addressing workforce shortages, particularly in hard-to-staff schools. Feedback also highlighted the need for clearer parameters to ensure LATs are used appropriately and effectively.

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The AEU recommended strengthening the legislative framework by introducing more defined eligibility criteria, clearer supervision requirements, and workload limits. It also proposed establishing a distinct LAT category for pre-service teachers to support practicum integrity and reduce potential conflicts of interest.

Feedback from the ECEC sector indicated that the LAT provisions were seen as unnecessary for the ECEC sector given that the NQF currently includes workforce provisions that allow ECTs in training to work in ECEC services when certain requirements are met. Feedback indicated that introducing LAT provisions in ECEC settings would, therefore, create unnecessary regulatory duplication.

## Analysis

LAT arrangements play a critical role in supporting workforce flexibility, particularly in hard-to-staff schools and specialist settings. Under the Act (s.17D), the TRB has broad discretion to grant LATs and impose any reasonable conditions it considers appropriate. This flexibility is central to the intent of the LAT category, enabling schools to respond quickly to staffing challenges when qualified teachers are unavailable.

While stakeholders suggested introducing clearer eligibility criteria and oversight mechanisms, it is important to recognise that embedding specific legislative parameters may limit the flexibility that makes LATs effective. Targeted enhancements, such as mandatory child safety training for LAT holders and requiring LAT details to be listed publicly on the register, could, however, strengthen safeguards without compromising responsiveness.

### LATs in ECEC settings

Under Regulation 242 of the *Education and Care Services National Regulations*, a person studying to become an ECT may be “taken to be an ECT” under the NQF if they are actively working towards an approved qualification and have either completed at least 50 per cent of the course or hold an approved diploma-level qualification. This provision allows services to count such individuals as ECTs for staffing purposes. This provision is, however, time-limited

and at the moment applies in Tasmania until 31 December 2026. It does not apply in Victoria and has limited application in New South Wales.

Under the National Workforce Strategy, jurisdictions are undertaking further policy work to determine how the transitional workforce provision for ECTs in training will be managed from 2027 onwards. Currently, Regulation 242 allows ECTs in training to be counted as qualified teachers if they have completed at least 50 per cent of their teaching qualification or hold a Diploma in Early Childhood Education and Care. In contrast, LATs arrangements are based solely on the percentage of course completion and do not require a diploma. Introducing LATs in this context could create regulatory duplication or misalignment, particularly while national work is underway to clarify future arrangements. Allowing the National Law to continue regulating ECTs in training would help avoid inconsistencies and support a more streamlined and nationally consistent approach.

#### **Recommendation 20: Limited Authority to Teach**

- a. Legislate to rename the current Limited Authority to Teach (LAT) to “Alternative Authorisation to Teach” (AAT) to align with the National Framework for Teacher Registration.
- b. Legislate to mandate child safety training as a condition for both the granting and renewal of AATs, in line with Commission of Inquiry recommendation 6.15.
- c. Retain the current initial two-year LAT time limit for AAT.
- d. Amend the Act to require the TRB to include those holding limited authorities on the publicly available register.
- e. Exclude Early Childhood Education and Care settings from the AAT provisions to avoid duplication and inconsistency with the Education and Care Services National Law.

### **Specialist VET (SpVET) registration**

In Tasmania, Specialist VET registration is available to individuals delivering vocational education programs (VET) programs. Specialist VET registration is mandatory for VET teachers working in Tasmanian schools and colleges, but voluntary for practitioners working in VET registered training organisations, such as TasTAFE.

To be eligible, applicants must hold:

- Certificate IV in Training and Assessment,
- Relevant vocational competency, and
- Current industry skills and professional development.

Since VET specialists do not hold a teaching degree, they are not required to make the transition from provisional to full registration. VET teachers who have completed an approved teacher education program can, however, apply for dual registration and become fully dual registered upon meeting the full registration requirements.

#### **Issues**

Registration is not required for VET trainers and assessors working in schools in other states and territories. In most jurisdictions, alternative authorisation mechanisms allow non-teacher-qualified VET trainers to operate within schools under limited conditions. These authorisations are often time-limited, site-specific, and require school or system-level discretion.

## What we heard

The current SpVET category supports the professional recognition of VET specialists teaching vocational programs in schools, providing Tasmanian young people with a high-quality alternative to traditional academic pathways.

In its written submission, the TRB proposed replacing the current SpVET registration category with alternative authorisation to teach (AAT) arrangements. It also noted that under the current Act, SpVET registration is not limited by subject area or age group, potentially allowing individuals holding this registration to teach outside the scope of their expertise.

## Analysis

AATs (currently Limited Authority to Teach (LAT)) play an important role in helping to manage short-term issues: they are designed to address workforce shortages and provide a sustainable pathway towards teacher registration. Under the current Act, LATs may be granted for a period not exceeding two years as determined by the Board. Current Board policy is that school-specific LATs may be approved for up to twelve months, although it is acknowledged the TRB could review this policy.

Vocational education and training programs in schools are ongoing and require teachers to have industry expertise. They are an essential component of educational offerings and having teachers with specialist VET qualifications is an integral part of the system. VET pathways are critical to supporting Tasmanian students: for individual students and the Tasmanian community more broadly, training young people who then contribute to Tasmanian society and the economy.

TRB's suggestion to replace SpVET registration with LAT arrangements would downgrade the status of this group of teachers. Many of the teachers who hold this registration are long-standing employees and the TRB's proposal would create uncertainty for them as they would be required to reapply for registration every two years to maintain their employment because of the time-limited nature of LATs.

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LATs and SpVET registration are designed for different purposes and, therefore, the Steering Committee recommends retaining SpVET registration in its current form. This ensures continued recognition of VET specialists' professional standing and expertise within Tasmania's education system.

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In regard to the potential for VET teachers to deliver content outside of VET programs, employers are responsible for ensuring that teachers have the necessary skills and experience to teach a particular course. This issue does, however, warrant further consideration and it is recommended that further policy work is undertaken by DECYP with advice provided to the Minister.

Consistent with the Commission of Inquiry's recommendations, specialist VET teachers should be required to undertake mandatory professional learning.

### **Recommendation 21: Specialist VET Registration**

- a. Retain the Specialist VET category within the Act.
- b. Mandate child safety training as a condition for Specialist VET registration and renewal.
- c. Legislate to require Specialist VET teachers to undertake 100 hours of professional learning over a five-year registration cycle (or pro rata if registration is for less than five years), including mandatory child safety training in line with Commission of Inquiry recommendation 6.15. The TRB should provide guidance on what constitutes professional learning for Specialist VET teachers, recognising the industry training requirements that already apply to them.
- d. Retain the existing requirement for SpVET to meet professional practice standards, demonstrating ongoing teaching competence as a condition for registration renewal.
- e. Further policy work is done to examine and provide recommendations to the Minister on the issue of VET specialist teachers teaching outside their VET authorisation.

## Objective 3 - The legislative framework reflects modern regulatory practices and is fit-for-purpose

It is important to keep regulatory frameworks up-to-date to ensure they are fit-for-purpose. Frameworks must:

- remain relevant
- be responsive to evolving needs and developments
- foster accountability
- protect the public interest,
- be proportionate to the level of risk to be managed,
- minimise regulatory burden, and
- support continuous improvement.

In addition to the Regulator Principles, the Commonwealth Department of Finance [Regulatory Policy, Practice & Performance Framework](#) provides a good definition of the broad purpose of regulation across many different regulators. This Framework defines fit-for-purpose regulation as:

*Regulation that drives competition, productivity, and investment, and protects Australia and its people from harm now and into the future, creating certainty, building trust, and facilitating growth*

*This means that regulations meet their objectives and equip regulators with the powers, functions, resources, and enablers to regulate effectively. Fit-for-purpose regulation keeps pace with changes in technology, industry practices, and community expectations, and adapts accordingly.*

Similar TRA legislation in other jurisdictions has been reviewed to better understand how the Act could be improved. The issues identified are outlined below.

### Absence of an objects section

#### Issues

When laws are made, they often include a section at the beginning called an 'objects or purpose' section. This section outlines the purpose of the legislation and can be used to resolve uncertainty and ambiguity in the interpretation of the legislation.

The current Act does not include such a section. A comparison of the objects, functions and powers that other Australian TRAs hold was included in the Discussion Paper.

#### What we heard

The TRB was not opposed to the inclusion of an overarching Objects section. The Board considered the objectives of teacher regulation should broadly reflect its current functions under the Act: ensuring the safety and wellbeing of students, maintaining the competence, ethics, and professionalism of teachers, and promoting accountability and public trust in the teaching profession.

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There was support from other stakeholders for the inclusion of objects or principles in the Act to guide how the functions and powers in the Act are exercised. Inclusion of a reference to safeguarding children and young people was well supported.

Other suggestions for objects included the promotion of high-quality teaching and professional standards.

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Responses from the teacher survey included:

- The need for the Act to clarify the definition of ‘teaching’, specifically that teaching is not counselling, social work, psychological support, nor health work
- The need for the Act to reflect that children are safe while they are learning
- That the Act should follow the CYSO standards.

### Analysis

The inclusion of an Object section in legislation assists regulators to regulate in accordance with the Act, it creates clarity about the purpose of the Act and assists in interpreting provisions where there is uncertainty or ambiguity.

The *Acts Interpretation Act 1931 (Tas)* states that

‘In the interpretation of a provision of an Act, an interpretation that promotes the purpose or object of the Act is to be preferred to an interpretation that does not promote the purpose or object’

Across Australia, many other jurisdictions’ teacher registration legislation includes an object section. In Queensland, Section 3 of the *Education (Queensland College of Teachers) Act 2005* lists the main objects of the Act as:

- 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.

This is a useful model for Tasmania as it provides clarity of purpose and aligns with feedback from stakeholders. It is also consistent with the Regulator Principles, particularly the requirement to consider the best interests of students.

Objects can also include a factual statement as to the purpose of the legislation to help ensure there is a clear understanding of the legislation’s parameters.

### **Recommendation 22: Objects of the Teachers Registration Act**

Legislate to provide that the objects of the Act include the following themes:

- a. to provide for the registration and monitoring of teachers in Tasmania
- b. to uphold the standards of the teaching profession; and
- c. to maintain public confidence in the teaching profession; and
- d. to protect the children and young people by ensuring education in educational settings is provided in a safe, professional and competent way by registered teachers.

## Principles

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Like an object section, legislation often includes principles on which the Act is based. Principles also set expectations as to how functions or powers under legislation will be exercised. Principles have been included in many modern pieces of Tasmanian legislation, including in the *Disability Rights, Inclusion and Safeguarding Act 2024*, the *Commissioner for Children and Young People Act 2016* and the *Education Act 2016*.

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## Issues

While the Act does not currently have a dedicated 'principles' section, it has two sections that operate as such. These are section 7A, which states that 'in performing its functions and powers, the Board must consider the welfare and best interests of students to be of paramount importance', and section 4A, which requires the TRB to have regard to the principles in the *Education Act 2016* (s 4). Some of the Education Act principles are relevant to the functions of the TRB but others are not.

In addition to the above legislated principles, the Board is also required to comply with the regulator principles in Ministerial Instruction 16, details of which are available online at <https://www.decyp.tas.gov.au/about-us/policies-legislation-data/policies/ministerial-instructions/>.

## What we heard

The TRB expressed a strong view that the principle captured in s7A must be retained. It also recommended that no additional principles be introduced.

The Peter Underwood Centre supported the inclusion of legislative principles to guide the exercise of powers and responsibilities under the Act. The Centre's view is that clear principles support transparent decision-making and align with contemporary regulatory practice. The Centre believes that principles should reflect commitments to child safety, professional integrity, continuous improvement, cultural responsiveness, and collaboration with other parts of the education system.

Similar to the TRB, the Peter Underwood Centre believes the principles should reflect that the safety and wellbeing of children should be the paramount consideration in decisions taken under the Act.

Responses from the teacher survey indicated support for principles such as equity, transparency, quality assurance, safety, professionalism and consistency.

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Children and young people had the opportunity to provide feedback through an anonymous survey. The Commissioner for Children and Young People (CCYP) was also consulted and provided information from a state-wide event held for CCYP Ambassadors in 2022. While not specific to teacher registration, children and young people advocated for things such as:

- Better teacher training and more experienced, passionate educators to improve engagement – this was also supported in the responses to the TRA Review Survey for Children and Young People,
- Teachers who understand their students' personal circumstances and home lives,

- A shift away from an unchallenged, “teacher is always right” dynamic, towards open and respectful communication,
  - Teachers with strong interpersonal skills and personally connected with each student,
  - More even, respectful and two-way communication between teachers and students.
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## **Responses to the TRA review anonymous survey for children and young people**

Key themes emerging from the responses to the survey included the need for teachers to engage more with children and young people, for schools to be safe and supportive, for students to be at the centre of practice, for teachers to undertake ongoing learning and for clear and practical instructions.

### **Analysis**

The principles on which the teacher registration regulatory framework is based are currently split across two Acts, with only some of those principles being relevant to the regulation of teacher registration. Including a principles section in the Act focused solely on the beliefs on which the teacher registration regulatory framework is based will provide clarity and ensure the principles are fit-for-purpose.

Currently, the TRB along with other education regulators must comply with the education regulator principles set out in Ministerial Instruction 16. These principles set expectations as to how the three regulators will operate and provide consistency in the way they must work in undertaking their functions.

The new section in the Act should focus on the overarching principles for the teacher registration system with the Ministerial Instruction continuing to set more operational expectations as to how the regulators will undertake their functions.

Given one of the primary purposes of registration of teachers is the safety and wellbeing of children and young people, it is important to hear their views when considering the principles underpinning the operation of the Act.

The 2023 Report ‘Take Notice, Believe Us and Act’ emphasised the importance of understanding children and young people’s views on safety and how services and systems can be improved to better respond when they have been hurt or harmed. This report was prepared for the Commission of Inquiry. This is consistent with the United Nations Convention on the Rights of the Child, which provides that ‘children have the right to give their opinions freely on issues that affect them. Adults should listen and take children seriously’.

Key principles should broadly cover the two key functions of teacher registration at a system level: children are safe while they learn, and teachers maintain high quality and meet professional standards.

### **Recommendation 23: Principles of the Teachers Registration Act**

- a) Legislate to replace the Teachers Registration Act principles in sections 4A and 7A with a new principles section that broadly covers the following:
  - i. The safety, welfare and best interests of children and young people are paramount
  - ii. Children have the right to participate in decisions that affect them having regard to the age and understanding of the child
  - iii. The importance of teachers upholding high standards of ethical conduct, competence and undertaking continuous learning.
  - iv. Registration of teachers promotes public confidence in the teaching profession.
  - v. The importance of the regulator, employers, teachers, educational and other institutions working collaboratively to achieve the best educational outcomes for children and young people
- b) Children and young people should be consulted to inform development of the final set of principles for inclusion in the Act.

## **Function definitions for the Board**

Under the current Act, the Board has functions for matters such as registering individuals under the Act, promoting the teaching profession, investigating, holding inquiries and hearings under the Act, and approving teacher education courses.

### **Issues**

While most of the current functions are fit-for-purpose, an examination of other states and territories' legislation, along with feedback received through consultation, reveals that some functions should be amended to ensure best practice regulation.

#### *Promotion of teaching profession*

The Act currently includes the function 'to promote the teaching profession'. Other states and territories exclude advocacy and representation from the functions of their TRA with some viewing this as outside the scope of a regulator and others believing that the function is in direct conflict with the role of regulation.

#### *Development and improvement of teaching standards*

The Act currently includes the general function 'to develop and improve teaching standards. The Act was introduced in 2000 and, therefore, it does not include reference to the APSTs, which were endorsed by Education Ministers in 2010. In NSW, the regulator's corresponding function is 'To ensure professional teaching standards are applied fairly and consistently.' The NSW legislation provides for the Minister to approve professional teaching standards. A similar provision applies in Western Australia and Victoria where the Minister may approve professional standards developed by the Board.

#### *Approval of education courses*

The Act currently equips the Board with the function 'to approve education courses the successful completion of which satisfies a criterion for registration'. In practice this means that the Board approves courses that are physically delivered in Tasmania, the only provider currently being the University of Tasmania. Other jurisdictions across Australia have a broader corresponding function which allows them to work collaboratively with education providers. For example, in NSW, the regulator's corresponding functions are: 'to monitor, evaluate and report on the quality of initial and continuing teacher education courses and

programs approved under the professional teaching standards;’ and ‘to decide whether or not to approve a teacher education course or program for the purposes of the Teacher Accreditation Act.’

## What we heard

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### *Promotion of teaching profession*

In its submission, the TRB supported removal of the function *the promotion of the teaching profession* as it believes this function conflicts with its role as a regulator. It noted that it does support the teaching profession by regulating it. Conversely, in its submission, AITSL proposed retention of this function as registration is a critical tool in promoting the profession of teaching. Similarly, the Teacher Survey revealed a mix of opinions, with some advocating for removal, noting the Board is not active in this space, and others advocating for its retention noting there is a need to raise the profile and esteem of the profession.

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### *Develop and improve teaching standards*

The TRB recommended the retention of its function to develop and improve teaching standards as this provides flexibility for the TRB to develop and adopt additional standards. It

Both AITSL and the Peter Underwood Centre supported the inclusion of reference to the APSTs, with AITSL noting these are one of the two major pillars of the Registration Framework, the other being the accreditation of Initial Teacher Education programs. Responses from the Teacher Survey also supported reference to the APSTs.

### *Approval of education courses*

In its submission, the TRB supported clarifying its function in respect of approval of education courses. It proposed similar provisions to those for the Victorian TRA which includes a power for conditional accreditation of ITE programs. In its submission the Peter Underwood Centre proposed an expanded role for the TRB in monitoring the effectiveness of the support provided for early career teachers as they transition into the workplace and professional practice. It recommended TRB take an integrated approach to quality assurance across the continuum from teacher preparation through to induction and early career support. Some submissions noted that UTAS does not deliver a three-year ECT Program and its existing early childhood specialisation within ITE programs is seen as lacking sufficient focus on ECEC and play-based pedagogies. This gap is driving prospective ECTs to transfer to mainland universities to obtain relevant and rigorous early years qualifications.

## Analysis

### *Promotion of teaching profession*

There is inherent value in the work that the TRB does to ensure the quality of teaching in Tasmania. This work, by extension promotes the teaching profession. Given the perceived conflict of interest for the TRB, the function may better be reflected as a principle for the Board to uphold. This removes any requirement for the Board to actively promote the teaching profession, while reflecting that regulation of itself promotes confidence in the teaching profession.

### *Develop and improve teaching standards*

The function ‘to develop and improve teaching standards’ does not accurately reflect the TRB’s current role in applying the APSTs in Tasmania. The APSTs were endorsed by all Australian Education Ministers at the Ministerial Council for Education, Early Childhood Development and Youth Affairs in December 2010. They provide a nationally consistent standard for teachers and were updated in 2018. Some jurisdictions provide greater flexibility in the application of the APSTs, with New South Wales, Victoria and Western Australia being able to add or vary the national standards. Given Tasmania’s relatively small size and the benefits of nationally agreed standards Tasmania should continue to adopt the APSTs as agreed to by Ministers. Consultation reflected support for referencing these standards in legislation. As is the case in some other jurisdictions, flexibility could be provided by enabling the TRB to recommend additional standards to the Minister for approval, should the need arise.

### *Approval of education courses*

The current function regarding approval of education courses only allows approval or rejection and is more restrictive than corresponding powers in other states. It does not explicitly allow for the Board to work in a collaborative way with education providers to improve education courses. The 2023 Strong Beginnings: Report of the Teacher Education Expert Panel (TEEP Report) made 12 recommendations to improve the quality of ITE outcomes. One of these recommendations (recommendation 8) was that the respective roles and responsibilities for the development of beginning teachers across all parties – higher education providers, teacher regulatory authorities and teacher employers – be clarified by agreements such as MOUs between all parties. Providing a more detailed provision in the Act in relation to approval of education courses will give the TRB more flexibility to work collaboratively with teacher education providers.

#### **Recommendation 24: Functions of the Teachers Registration Act**

- a) Legislate to remove the function ‘Promote the teaching profession’ from the Act, noting this theme is included in Recommendation 23.
- b) Legislate to replace the function ‘to develop and improve teaching standards’ with a function to ensure that teaching standards are applied fairly and consistently
- c) Include a definition of teaching standards that covers APSTs or successors
- d) Legislate to enable the TRB to recommend additional standards to the Minister for decision.
- e) Legislate to extend the current function ‘to approve teacher education courses the successful completion of which satisfies a criterion for registration’ to include:
  - i. to approve or reject a teacher education course or program, the successful completion of which satisfies a criterion for registration
  - ii. to monitor, evaluate, audit and report on the quality (including child safety aspects) of the above-mentioned courses; and
  - iii. to issue conditional accreditation of the above-mentioned courses where appropriate.

## Conflicts in board powers

### Issues

The Board is assisted by staff employed under the *State Service Act 2000*. One of the Board's powers is to direct and control individuals appointed to assist it. This conflicts with accountability arrangements under the State Service Act.

Fit-for-purpose regulation should equip regulators with the powers to regulate effectively. This conflict of powers in relation to the direction of staff causes role ambiguity and hinders effective regulation.

### What we heard

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The TRB supported removal of this power. Staff who hold roles to assist the Board to perform its functions are employed by DECYP and not the Board. As such these staff report through the Director Education Regulation, who is a State servant, not to Board members. The provision has the potential to create blurred operating and reporting lines for the Board and staff.

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### Analysis

Section 7(c) of the Act provides the Board with power to direct and control staff. These staff are State servants and employed by DECYP. There is a conflict in this provision of the Act with the State Service Act. This provision does not appear in the legislation for the other education regulators – Tasmanian Assessment, Standards and Certification and Non-Government Schools Registration Board.

Section 7D 4(a) of the Act requires that the Registrar must perform any functions or the exercise of powers delegated to it by the Board. Similar provisions exist in the legislation for Tasmanian education regulators. The removal of 7(c) will not affect the Registrar's accountability to the Board in this regard.

#### **Recommendation 25: Powers of the Teachers Registration Board**

Legislate to remove the Board's power to direct and control individuals appointed to assist it.

## Application for re-registration

The Act provides for the cancellation of a teacher's registration in a number of circumstances. This includes an option for the TRB to cancel a registration following an inquiry (s24) or to cancel a registration without inquiry if the teacher does not hold vulnerable person registration or that registration has been suspended (s17BA). The Act also provides the Board with a range of options if a teacher or Limited Authority to Teach holder is found guilty of a prescribed offence (s18A). These include:

- suspension for any period and subject to any conditions it thinks fit,
- cancellation of the person's registration or limited authority.

## Issues

While the Act provides for cancellation of a teacher's registration, there is nothing in the Act to prevent a teacher whose registration has been cancelled from immediately reapplying.

## What we heard

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In its submission, the TRB recommended the Act be amended to provide for the TRB to preclude a person from reapplying for a period determined by the TRB when that person's registration is cancelled or refused.

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## Analysis

Enabling applicants to reapply for registration immediately following a determination by the TRB to refuse or cancel a registration, undermines child safety, teaching quality, does not reflect modern regulatory practice, and adds to the administrative workload of the TRB.

Given the purpose of teacher registration is to protect children and young people and maintain quality teaching standards, the inclusion of a time limit or other conditions is consistent with Regulator Principle 4 above – actions undertaken by education regulators are to be proportionate to the risk being managed.

### **Recommendation 26: Reapplication for Registration**

Legislate to provide that where a person's registration or limited authority is cancelled or refused, the Board may determine the conditions under which that person may apply for re-registration or limited authority in the future. These conditions may include, but are not limited to, minimum time periods, evidence of rehabilitation, and additional assessment requirements.

## Teacher registration – timing

The Teachers Registration Act includes provisions relating to the timing of initial registration and renewal of registration.

## Issues

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The Act requires all registration renewals, including LATs, to be submitted by December for the following year. This creates a heavy workload for Board staff during the renewal period. This also means a teacher who begins their registration towards the end of the year must pay the full fee twice in a few months.

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## What we heard

TRB supported additional flexibility in respect of registration renewal timing.

## Analysis

Better practice would provide for more flexibility in the timing of renewals and fee payments.

This is consistent with the Regulator Performance Framework KPIs that require regulators to not unnecessarily impede the efficient operation of a regulated entity and to ensure compliance and monitoring approaches undertaken by the education regulators are streamlined and coordinated.

### **Recommendation 27: Flexibility in the Timing of Registration**

Legislate to provide for more flexibility in the timing of registration renewals and fee payments.

## **Miscellaneous amendments to ensure efficient regulations**

Fit-for-purpose regulation, as defined above, is to equip a regulator with the enablers to regulate efficiently.

### **Issues**

The Steering Committee has recommended significant changes to the regulatory framework for teacher registration that, if accepted, will essentially result in replacement of the existing framework with a new one. Consequently, the Act would need to be significantly amended.

Further to the Steering Committee's substantive recommendations, the TRB has identified areas where the legislation could be improved to better support its effective operation.

### **What we heard**

Through its submission the TRB raised a number of minor issues with the Act that would improve its operation.

### **Analysis**

The TRB has provided advice on where operational improvements can be made based on its experience of administering the Act. Many of the proposals from TRB are consistent with best practice regulation, particularly the requirement that the TRB is to actively contribute to the continuous improvement of the regulatory framework.

The Committee considered that, given the substantive changes proposed for the regulatory framework, development of a new Act would be simpler and cleaner than amending the existing Act. The Committee also noted that it was important that the legislation reflects modern expectations, especially following the Commission of Inquiry. A new Act would, therefore, be most appropriate to accommodate the changes and provide a clean, up-to-date regulatory framework.

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The Act currently does not include a mechanism to pause a person's registration. This can cause adverse outcomes in a number of circumstances, particularly when an individual is suspended pending an investigation by their employer or police. When this occurs and the registration cycle ends while an individual is suspended, the registration automatically lapses. In circumstances where a person is then cleared of wrongdoing, or allegations are unproven, the person is required to apply for a new registration. Enabling the TRB to pause a person's registration for up to 12 months would provide it with flexibility to respond to such situations. It would also enable the TRB to pause registration in other situations such as where a teacher is on parental leave or extended sick leave.

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Findings from the Woolcott Review were not available to the Steering Committee at the time of drafting the Final Report. It was, therefore, unable to consider any opportunities for synthesis between the two reviews.

In its submission the Teachers Registration Board flagged the issue of Student Good Character Determinations. The TRB asked if Student Good Character Determinations should be mandatory for Initial Teacher Education students undertaking placements in Tasmanian schools and if it should be the responsibility of the Initial Teacher Education (ITE) provider. While the Act does not cover student good character tests, beyond provisions for LAT, it is an important issue for the safety and wellbeing of children and young people. This issue is currently under discussion between DECYP and the University of Tasmania.

### **Recommendation 28: Miscellaneous Amendments**

- a) The Teachers Registration Act 2000 should be repealed and replaced with a new Teachers Registration Act that incorporates those recommendations made in the Steering Committee's Final Report and accepted by the Government.
- b) Amend the legislation to address minor issues to improve the Act's operation, including but not limited to amendments that:
  - i. Enable the voluntary relinquishment of a person's registration.
  - ii. Enable the TRB to pause a teacher's registration for up to one year.
  - iii. Include the explicit provision of internal review for persons affected by a decision under the Act.
  - iv. Change the terminology from LAT to AAT in line with National Framework.
  - v. Amend sections of the Act that refer to 'appear before the Board' to allow for representations to be made to the Board, this would allow written submissions etc.
  - vi. Amend current section 20 to substitute 'and' to 'or' to clarify that inquiries can be held for each individual situation listed,
  - vii. Allow immediate cancellation of registration if it has been obtained fraudulently,
  - viii. Clarify that the Board may hold an inquiry under current section 20, if it reasonably believes a person has demonstrated serious incompetence or significantly breached the teaching standards,
  - ix. Allow for electronic documentation, including for certificates of registration and notice of AATs,
  - x. Allow for the Minister to make Ministerial Instructions relevant to the Act.
  - xi. Update Regulations to ensure consistency with the Act, including fees payable in respect to the new regulatory framework,

## Glossary

ACECQA	The Australian Children's Education and Care Quality Authority is an independent national authority that assists state and territory governments in implementing the National Quality Framework for early childhood education and care. ACECQA is mandated to approve the appropriate qualifications under the NQF legislation.
AITSL	The Australian Institute for Teaching and School Leadership is responsible for developing national standards and policies for the teaching profession in Australia, including the Australian Professional Standards for Teachers (APST).
ECEC	The Tasmanian Early Childhood Education and Care (ECEC) sector includes various settings, such as long day care, family day care, in-home care, mobile services, occasional care, and outside school hours care. In Tasmania, these services operate under either the National Quality Framework (NQF) or the <i>Child Care Act 2001</i> .
ECT	An Early Childhood Teacher is a degree-qualified professional who specialises in teaching young children from birth to five years old in early childhood education and care settings. ECTs are responsible for designing and delivering educational programs that support young children's development and learning across various domains, including cognitive, social, emotional, and physical skills.
HALT	Highly Accomplished and Lead Teacher certification recognises experienced teachers who demonstrate advanced skills and knowledge. HALT status is awarded to teachers who meet rigorous standards set by the Australian Institute for Teaching and School Leadership (AITSL), reflecting their significant contribution to their schools and the wider educational community.
ITE	Initial Teacher Education refers to the programs and courses that individuals undertake to become qualified school teachers.
LAT	Limited Authority to Teach is a status granted to individuals who do not hold formal teaching qualifications but have specific skills or expertise needed in particular teaching situations. LAT permits these individuals to teach within certain constraints, typically in specialised subjects or areas affected by severe workforce shortages.
NQF	The National Quality Framework sets a high national benchmark for early childhood education and care and outside school hours care services in Australia. It includes the National Quality Standard, regulations, and learning frameworks to ensure consistent, high-quality care and education for children.
TRA	Teacher Regulatory Authority is a term used to refer to regulatory bodies operating within specific jurisdictions responsible for overseeing teacher registration and certification. They ensure that teachers meet professional standards and requirements.
TRB	The Teachers Registration Board (the Board) is a regulatory body responsible for overseeing the registration and licensing of teachers in Tasmania.

# Attachments

## Attachment 1 - Elements of the National Framework for Teacher Registration in Tasmania

Table 1: Elements of the National Framework for Teacher Registration in Tasmania

Element of registration	Compliance with the national framework	Section in the Act	TRB Policy	TRB guidelines & procedures
<p><b>1 – Qualifications:</b> There is a minimum qualification, including a teacher education qualification, for registration.</p>	<p>The Act does not fully comply with Element 1 of the National Teacher Registration Framework. The Board accepts higher education qualifications from Australian institutions, including ITE programs, but does not recognise teacher education qualifications approved by the Australian Children’s Education and Care Quality Authority (ACECQA).</p>	<ul style="list-style-type: none"> <li>• S.3 - Interpretation (Definition of practicing teacher, registered teacher, and registration)</li> <li>• S.6A(g) - Function of Board</li> <li>• S.13 - Determination of application for registration</li> </ul>	<ul style="list-style-type: none"> <li>• Specialist Vocational Education and Training registration policy (under Review)</li> </ul>	<ul style="list-style-type: none"> <li>• Qualification evidence requirements</li> <li>• Accreditation of ITE programs (in accordance with AITSL <i>Accreditation of ITE programs in Australia: Standards and Procedures</i>)</li> </ul>
<p><b>2 - English language proficiency</b> Registration requires achievement of a level of professional proficiency in English suitable for a teacher working in Australian education settings.</p>	<p>The Act partially complies with Element 2 of the National Teacher Registration Framework. The TRB only accepts the International English Language Testing System (IELTS) Academic assessment for English language requirements but does not recognise the International Second Language Proficiency Ratings (ISLPR) assessment or any other nationally agreed English Language Test (ELT).</p>	<ul style="list-style-type: none"> <li>• S.6A(a) - Function of Board</li> <li>• S.13 - Determination of application for registration</li> </ul>	<ul style="list-style-type: none"> <li>• English language proficiency policy*</li> </ul> <p>* The recent update to the policy removed the ISPPP following independent research that found the test unsatisfactory.</p>	

Element of registration	Compliance with the national framework	Section in the Act	TRB Policy	TRB guidelines & procedures
<p><b>3 - Suitability</b> Registration requires applicants to be suitable to work with children and young people and be a teacher, based on an assessment of their character, conduct and criminal history. Registered teachers must continue to meet suitability requirements to maintain their registration.</p>	<p>The Act complies with Element 3 of the National Teacher Registration Framework. It mandates assessments of good character and fitness to be a teacher. Ongoing monitoring provisions also allow the Board to obtain reports from the Commissioner of Police, who investigates and reports on relevant matters for application, renewal, inquiry, or other administrative purposes under the Act.</p>	<ul style="list-style-type: none"> <li>• Part 3 Division 4</li> <li>• Section 7A - Board to consider best interest of students Section 12 – Application for registration</li> <li>• Section 13 - Determination of application for registration</li> <li>• Section 13A - Actions during assessment of application and following determination of application</li> <li>• Section 14 - Grant of full registration following period of provisional registration</li> <li>• Section 17A - Renewal of full registration and specialist vocational education and training registration</li> <li>• Section 17C - Application for limited authority</li> <li>• Section 17D - Determination of application</li> <li>• Section 17H - Extension of limited authority</li> <li>• Section 17J - Determining whether person of good character</li> <li>• Section 17K - Determining whether person fit to be teacher</li> <li>• Section 17L - Police report</li> <li>• Section 28 - Notification of decision</li> <li>• Section 29 - Applications for review</li> </ul>	<ul style="list-style-type: none"> <li>• Determining good character and fitness to teach policy</li> <li>• Consideration of criminal history policy</li> <li>• Consideration of medical history policy</li> <li>• Automatic suspension of registration for expired RWVP policy</li> </ul>	<ul style="list-style-type: none"> <li>• RWVP guidelines</li> <li>• Student good character determination</li> </ul>

Element of registration	Compliance with the national framework	Section in the Act	TRB Policy	TRB guidelines & procedures
<p><b>4 - Mutual recognition</b> A person holding a specified registration, in the profession of teaching or for an activity covered by that occupation, is entitled to hold registration in a second jurisdiction for an equivalent activity, subject to the requirements of mutual recognition legislation.</p>	<p>Tasmania complies with element 4 of the National Framework and registers teachers under MR where a like-for-like category of registration exists. This does not currently include ECTs. Tasmania is currently exempt from the Automatic Mutual Recognition Scheme until 30 June 2027.</p>	<ul style="list-style-type: none"> <li>• S. 6A(a) &amp; (k) - Functions of Board</li> <li>• S.13 - Determination of application for registration</li> </ul> <p><b>Related Legislation</b></p> <ul style="list-style-type: none"> <li>• <i>Mutual Recognition Act 1992 (Cth)</i></li> <li>• <i>Trans-Tasman Mutual Recognition Act 1997 (Cth)</i></li> </ul>	<ul style="list-style-type: none"> <li>• Mutual recognition policy</li> </ul>	
<p><b>5 - Alternative authorisation to teach</b> There is provision, in clearly defined circumstances and under specified conditions, for persons who are not eligible for provisional or full teacher registration to be entitled to teach.</p>	<p>The Act aligns with Element 5 of the National Teacher Registration Framework, as it includes Limited Authority to Teach (LAT) provisions. These provisions allow the Board to enable individuals who are not registered to teach in schools to do so, under strict limitations and for a specified period. A Permission to Teach (PTT) provides for a person to teach under direct supervision of a registered teacher.</p>	<ul style="list-style-type: none"> <li>• S.6A(b) - Function of the Board</li> <li>• S.11(1) - Offences relating to LAT</li> <li>• S.17C-I - Division 3 Limited Authorities to Teach</li> <li>• S19 - Complaints</li> <li>• S25 – Registers</li> <li>• S27 – Employing unregistered teachers</li> </ul>	<ul style="list-style-type: none"> <li>• Limited Authority to Teach Policy</li> <li>• Permission to Teach Policy (not public)</li> </ul>	<p>LAT Guidelines PTT Guidelines</p>
<p><b>6 - Initial and full registration –</b> A teacher has an initial period of registration before meeting the requirements for full registration. The initial period allows them to be employed as a teacher and undertake workplace learning and development that equips them to meet requirements for becoming fully registered. Full registration under the Framework is achieved by demonstrating performance at the proficient teacher career</p>	<p>The Act partly complies with Element 6, as it requires a minimum period of teaching before a teacher is eligible to apply for Full Registration (s14.4(a)).  However, the Act does not fully align with Element 6 of the National Registration Framework, as it does not specify a time limit for achieving full registration. Unlike other Australian jurisdictions, the Tasmanian Act lacks a provision requiring teachers to transition from provisional to full registration within a set timeframe. This allows teachers to reapply for provisional registration</p>	<ul style="list-style-type: none"> <li>• S.6A(a) &amp; (h) - Functions of the Board</li> <li>• S.13 (2) - Full registration</li> <li>• S.13 (3) - Provisional registration</li> <li>• S.13 (3A) - Specialist VET registration</li> <li>• S.14 - Transition from provisional to full registration</li> </ul>	<ul style="list-style-type: none"> <li>• Applying for teacher registration policy</li> <li>• Determining category of teacher registration policy</li> <li>• Progressing to full registration policy</li> </ul>	<p>Registration Guidelines</p>

Element of registration	Compliance with the national framework	Section in the Act	TRB Policy	TRB guidelines & procedures
stage of the Australian Professional Standards for Teachers (the Teacher Standards), with a maximum period of five years to meet the requirements, and extensions granted only on a case-by-case basis.	indefinitely. In contrast, the National Framework permits extensions of provisional registration only on a case-by-case basis, rather than as a general option for the entire workforce			
<p><b>7 - Renewal of Registration</b></p> <p>Fully registered teachers are required to renew their registration by demonstrating ongoing proficiency against the Teacher Standards, recency of practice, continued professional learning, ongoing suitability to teach and any other requirements set by teacher regulatory authorities.</p>	<p>The Act does not fully comply with Element 7 of the National Teacher Registration Framework. Unlike other Australian jurisdictions, Tasmania's renewal requirements are established in policy rather than in the Act, specifying that 120 days of professional practice or evidence of professional learning (with no minimum hours specified) is sufficient to demonstrate ongoing competence, without mandating compulsory professional learning.</p> <p>Current TRB requirements are inconsistent with the National Framework, which stipulates a minimum of 100 days of practice and 100 hours of professional learning over a teaching cycle. In Tasmania, evidence of professional development is only required if the practice requirements are not met.</p>	<ul style="list-style-type: none"> <li>• S.6A(a) - Function of the Board</li> <li>• S.16 - Period of registration</li> <li>• S.17A - Renewal of registration</li> <li>• S.17J - Good character</li> <li>• S.17K - Fit to be teacher</li> <li>• S.17L - Police report</li> <li>• S.28 - Notification of decision</li> <li>• S.29 - Application for review</li> </ul>	<ul style="list-style-type: none"> <li>• Registration renewal policy</li> <li>• Managing the annual registration process</li> </ul>	Registration renewal guidelines
<p><b>8 - Sanctions or withdrawal of registration</b></p> <p>Teacher Registration Authorities (TRAs) can impose sanctions or withdraw a teacher's registration if they do not meet required standards of personal and</p>	<p>The Act aligns with Element 8 of the National Teacher Registration Framework, granting the Board authority to impose sanctions or withdraw a teacher's registration if they fail to meet the required standards of personal and professional behaviour or performance. Sanctions are proportionate to the level of</p>	<ul style="list-style-type: none"> <li>• S.6A(d), (e), (f), (k) &amp;(l) - Functions of the Board</li> <li>• S.13 Determination of applications</li> <li>• S.17B, D, I &amp; BA - Registration</li> <li>• S.18 – Notifying Board if person found guilty of or charged with prescribed offence</li> </ul>	<ul style="list-style-type: none"> <li>• Automatic suspension, cancellation and expiry of WWVP policies</li> </ul>	

Element of registration	Compliance with the national framework	Section in the Act	TRB Policy	TRB guidelines & procedures
professional behaviour or performance.	<p>risk posed, and the Board may suspend registration under section 24B if a teacher is charged with a prescribed offence. Additionally, under section 18A, the Board can act if the individual is found guilty of such an offence.</p> <p>The Act's alignment with Element 8 was strengthened with the amendment of section 24B, replacing "emergency" with "immediate," in line with Recommendation 6.13(a) of the Commission of Inquiry. However, part (b) of the recommendation, which would enable the Board to suspend a teacher's registration upon being charged with a serious offence, has not yet been implemented.</p>	<ul style="list-style-type: none"> <li>• S.18A - Disciplinary action if guilty of a prescribed offence</li> <li>• S.24 – Decisions</li> <li>• S.24B - Immediate suspension</li> <li>• S.27A – Notification of charge or finding of guilt, &amp;c.</li> <li>• S.29 - Magistrates court appeal</li> </ul>	<ul style="list-style-type: none"> <li>• Consideration of criminal history policy</li> <li>• Complaints against teachers and LAT holders' policy</li> </ul>	

## Attachment 2 – Commission of Inquiry recommendations on teacher registration

Table 2: Commission of Inquiry recommendations on teacher registration

### Recommendation 6.10

The Tasmanian Government should introduce legislation to:

- a) allow the Teachers Registration Board to compel relevant entities—including the Department for Education, Children and Young People, other employers of teachers, the Registrar of the Registration to Work with Vulnerable People Scheme, police, and Child Safety Services—to give the Board information or documentation that is relevant to child sexual abuse matters involving a registered teacher or a holder of a Limited Authority to Teach.
- b) compel these relevant entities to notify the Teachers Registration Board when they become aware of allegations or suspicions of child sexual abuse by a teacher. Such entities should also be required to notify the Board if they begin any formal investigation that involves allegations or suspicions of child sexual abuse by a teacher or a holder of a Limited Authority to Teach, and the outcome of any investigation
- c) allow entities, when investigating matters involving child sexual abuse by a registered teacher or holder of a Limited Authority to Teach, to jointly appoint investigators to investigate the matter, considering the different criteria required for investigations by the Department and the Board.

### Recommendation 6.11

The Tasmanian Government should:

- a) introduce legislation to amend the Teachers Registration Act 2000 (or regulations) to require details of the prospective or current place of employment of a teacher (or a holder of Limited Authority to Teach) to be included on the Register of Teachers
- b) develop an electronic means of updating the Register of Teachers with details of the place of employment of a teacher (or a holder of Limited Authority to Teach)
- c) require employers to make updates to a teacher's place of employment—including when a teacher (or a holder of Limited Authority to Teach) begins working at the school or is no longer working at the school
- d) fund the Teachers Registration Board to develop an upgraded, fit-for-purpose Customer Records Management System to enable the Board to maintain a Register of Teachers which can support information exchange in real time with other bodies working with children, and other jurisdictions.

### Recommendation 6.12

The Tasmanian Government should introduce legislation to amend the *Teachers Registration Act 2000* to allow administrative infringement notices to be issued for noncompliance with the provisions of the Act that currently carry penalties in the form of fines.

#### **Recommendation 6.13**

The Tasmanian Government should introduce legislation to amend section 24B of the *Teachers Registration Act 2000* to:

- a) allow for the immediate rather than emergency suspension of registration or a Limited Authority to Teach when the Teachers Registration Board considers there is an unacceptable risk of harm to children
- b) allow the Board to suspend a person's registration or a Limited Authority to Teach where that person has been charged with a serious offence.

#### **Recommendation 6.14**

The Tasmanian Government, Department for Education, Children and Young People and the Teachers Registration Board should continue to advocate at the national level for an automatic mutual recognition scheme that takes into account risks to child safety and imposes measures to address these risks.

#### **Recommendation 6.15**

- a) The Tasmanian Government should introduce legislation to amend the *Teachers Registration Act 2000* to allow the Teachers Registration Board to set requirements for minimum training and ongoing professional development.
- b) The Teachers Registration Board should make child safeguarding training (Recommendation 6.5) a mandatory requirement for the granting of teacher registration and as part of ongoing registration requirements.

#### **Recommendation 6.16**

The Tasmanian Government should ensure the Teachers Registration Board is funded to perform its core function of regulating the professional conduct of teachers.

## Attachment 3 - ECT registration in Australia

Table 3: ECT registration in Australia

Jurisdiction	Registration type	Minimum qualification	APST/ PL requirements	Model	Notes
NSW	Mandatory for all ECTs in NQF settings.	ACECQA-approved ECT level qualifications.	✓ 100 hours PL per registration cycle	Single Register	ECTs are included in the existing register and fully recognised as teachers, they can apply for provisional registration and provide evidence against the APSTs to transition to full registration.
SA	Mandatory for all ECTs in NQF settings and a small number of settings approved by South Australia.	AITSL Accredited 4 years ITE Qualifications, and 3-year, Birth – 5 early childhood qualification approved by ACECQA.	✓ 100 hours of PL AND 100 hours of professional practice per cycle	Single Register	Separate division for 0-5 ECT to other registered teachers. ECTs in ECEC are recognised as teachers and can apply for registration if they meet qualification requirements.
VIC	Mandatory for all ECTs in NQF settings.	ACECQA-approved ECT level Qualification for the ECT Register.	✓ 20 hours of PL AND 20 hours of professional practice per cycle	Dual- Register	ECTs can apply for provisional registration and provide evidence against the APSTs to transition to full registration. The dual register model presents challenges for teachers with dual qualifications, mandating them to register twice.
WA	Mandatory for all ECTs in NQF settings.	ACECQA-approved ECT level qualifications are accepted for Limited Registration. AITSL Accredited 4 years ITE Qualifications are required for provisional and full registration.	✓ 60 hours of PL AND 60 hours of professional practice per cycle	Single register	ECTs in ECEC are mandated to register under the Limited Authority to Teach category. Three-year trained teachers are restricted to working in NQF services.
ACT	Voluntary registration of ECTs in NQF settings.	ACECQA-approved ECT level qualifications are accepted for the category “Early Childhood (birth-to-five) Registration.”	✓ 100 hours of PL AND 100 hours of professional practice per cycle	Single register	AITSL Accredited 4 years ITE Qualifications are required for provisional and full registration

**ECT Registration is not available but under review in QLD, NT and TAS, in line with the National ECEC Workforce Strategy**

## Attachment 4 – Updated Public Facing Teachers Register

Current Register					
TRB #	Last Name	First Name	Middle Name	Registration Type*	Registered until
PUBLIC	PUBLIC	PUBLIC	PUBLIC	PUBLIC	PUBLIC
000023	Surname	Name	Name	Provisional Registration Full Registration Specialist VET Registration	dd/mm/yyyy

Proposed Changes									
TRB #	Last Name	First Name	Middle Name	Registration Category*	Conditions	Qualification Approval	Setting Approval	Place of Employment	Registered until
PUBLIC	PUBLIC	PUBLIC	PUBLIC	PUBLIC	PUBLIC	PUBLIC	PUBLIC	NOT PUBLIC	PUBLIC
0023	Surname	Name	Name	Practising Teacher (Provisional/Full)  SpVET Registration  AAT  Non-practising Teacher	Any condition set by the board	AITSL  OR/AND ACECQA  OR/AND ASQA	School settings  OR/AND ECEC  OR Other Educational Setting	Name of school  OR ECEC service  OR Other Educational Setting	dd/mm/yyyy

**\*Note:** Multiple options can be added on depending on teachers' qualifications