



National Review of Teacher Accreditation

Submission on behalf of IEUA NSW/ACT Branch

Introduction & Summary

The Independent Education Union of Australia NSW/ACT Branch represents more than 32,000 members, the overwhelming majority of whom are teachers. With few exceptions, our teacher members are registered or accredited. Our membership spans both NESA and TQI jurisdictions, school and early childhood settings and the Catholic and Independent sectors. We welcome the opportunity to contribute to this review.

NSW is unique in the number of borders it shares with other registration/accreditation bodies (ACT, Queensland, Victoria and South Australia) and that it is common for teachers in most of these border areas to cross those boundaries repeatedly in a single school term. This creates issues regarding double registration, double professional maintenance requirements and understanding the different requirements between states.

The IEU notes that the Australian Professional Standards for Teachers (APST) are an instructive description of the work of teachers and provide a common language for the profession. There is growing evidence that the introduction of the APST has and continues to have an impact on the induction of early career teachers into the profession.

This impact is positive however only in so far as the APST is not relegated to a performance measure based on the collection of data and evidence.

Accrediting and registering teachers should logically be a function of jurisdictions which operate schools and early childhood services and where teachers are employed. The Union does not support any proposals to introduce a National Teacher Registration Scheme. There exist significant inconsistencies in the application and judgement of teacher performance against the APST. Nevertheless, these are more likely addressed and rectified by local rather than national oversight.

We express our ongoing disappointment that unlike most other professions, practicing teachers do not own or regulate their own profession and that the relevant legislation in NSW and the ACT is quite deliberate in minimising or excluding practicing teachers from participation in the decision making regarding accreditation/registration policy and policy implementation. High functioning education systems recognise the autonomy of teachers and respect their right to administer their profession.

The review panel should be mindful of the maxim "Nihil de nobis, sine nobis" (Nothing about us, without us) in any recommendations it ultimately makes. The majority of existing weaknesses in legislation and policy are due to not engaging with end users (teachers) at all stages of development. While this unwillingness to acknowledge the professional judgement of teachers continues, legislation and policy will remain inept and ineffective.

1. How is the national teacher registration framework working across Australia?

Elements of registration

How well are the implementation and content of the eight elements of the Framework working?

In general terms, the initial registration/accreditation at provisional level works well. The transition to Proficient can involve processes applied inconsistently, misapplied (additional Standards included eg religious based descriptors) or punitively.

In the absence of legislative requirements, employers will determine if support (mentor, time release, reduced teaching load etc) is provided, the type and nature of any support and the timing of progression to proficient teacher. In most school sectors, salary progression is related to accreditation at Proficient teacher

We are aware of employers who use accreditation to manage salary expenditure, or to intimidate early career teachers to remaining with the school with the promise of accreditation some five years later (which sometimes isn't ever granted).

Registration authorities have not demonstrated either a willingness or capacity to rigorously exercise any power of oversight or regulate the consistency of how the APST are applied.

Our experience is that in some schools and sectors, the process of accreditation has caused employers to be more serious about supporting early career teachers, however others have made processes difficult by giving conflicting advice, not knowing the requirements (rules) themselves or withholding information from early career teachers vital to the achievement of the Proficient Standards.

NSW recognises the need for a differentiation between full time teachers and those working part time and casually during both the initial period of registration and for renewal. We consider this differentiation best practice. The up to three years (full time) and five years (part time and casual) initially followed by five or seven years as maintenance periods has worked well in most cases. The capacity for granting extensions under certain circumstances is a positive feature absent in some other jurisdictions.

Our experience is that setting an artificial and arbitrary minimum number of teaching days per year to maintain registration/accreditation during the "fixed period" of registration/accreditation is counterproductive, shows a lack of trust in teachers' professional judgement and discriminates against casual teachers in particular.

The requirements to maintain accreditation in NSW are sensible and honour the professional judgement of teachers to choose which professional development is appropriate at which time during their maintenance period. Such professional courtesy is not extended to ACT teachers where annual maintenance requirements are strictly defined in such a way that prevents long term professional development goals being established by the teacher and confines accredited professional learning to presenter led, non-collaborative and solely focussed on student outcomes experiences. Annual professional learning requirements should be abandoned in favour of a five year period for full time teachers and seven years for part time and casual teachers.

Casual teachers, although essential to the operation of schools and school systems, frequently find it difficult (in NSW) to convince a TAA to take responsibility for their initial accreditation particularly in respect of mentoring or supervision when working towards accreditation at proficient teacher.

Relevant legislation and policy defines “teach” and “teacher” sufficiently, minimum degree qualifications are adequately addressed and, in both NSW and the ACT there exist provisions which allow those completing recognised teacher qualifications to “teach” in schools as “conditionally” accredited or with a “permit to teach”. There are differing views within the profession as to the wisdom of these provisions with supporters arguing the value of experience and opponents suggesting that while still undertaking formal study the individual cannot devote full concentration on developing teaching practice skills.

Both jurisdictions allow individuals without full qualifications to be employed as “teachers” in hard to staff subjects or courses although the frequency of this practice is not readily available. There is an expectation that these situations are “supervised” by a qualified and experienced teacher.

There is fortunately little evidence of “accelerated” teacher training through faddish programs such as Teach for Australia among our membership. The Union believes that such short cuts to teaching are demeaning to the profession and does not support such processes.

The process of de-registration of teachers has undergone significant change in NSW recently with the transfer of that power from individual schools to NESAs. While this might ultimately lead to greater consistency, there is already evidence that registration/accreditation authorities are premature in threatening action.

Legislators have been quick to impose a higher standard of personal and professional behaviour on teachers than they do on themselves. The wording of S 24 (1) (e) of the Teacher Accreditation Act (2004) in NSW and S 63 (b) of the ACT Teacher Quality Institute Act are incredibly broad in their capture of conditions for sanctions. Where Codes of Practice have been adopted these have not been subject to any wide consultation with practising teachers nor any democratic process. They have little legitimacy.

We are not aware of cases where registration/accreditation conditions involving skill development (in regard to the APST) have been imposed as sanctions in either NSW or the ACT as there are or can be in some jurisdictions. In fact, in almost every case of a threat to deregistration, there has been either a loss of a child protection clearance or what we describe as an employment issue rather than an issue related to the APST.

The selection process for those who are required to undertake the English language proficiency test is discriminatory and somewhat racist. The test itself is extremely expensive and offered in such restricted locations and times as to make it prohibitive for many.

Mutual recognition of registration has been problematic particularly between Queensland and NSW. However, the accreditation of those previously exempt from accreditation in NSW has been resolved and the impediments hopefully removed.

Beyond mutual recognition a process of dual registration/accreditation if implemented would ensure ease of movement in border areas. It should be possible for a teacher (particularly a casual teacher) accredited in NSW to be registered by TQI in the ACT without payment of fees to both authorities and without completing the administrative requirements of each simultaneously.

Teacher Quality

As previously indicated, the APST describe teachers’ work and provide a common language. In NSW, the accreditation of almost 50% of the teaching force has occurred only since January this year and has been administratively chaotic. Some time is needed to assess the impact of the APST and subsequent employer behaviour in supporting further improvement in the existing quality teaching in the state.

The assessment of individuals against those Standards in NSW continues to be inconsistent and at times abused. There is little cross-sectoral feedback about performance against the Standards which has created a difference in the levels at which the Standards are evidenced and assessed between DET, Catholic and independent schools. There continues to be unpredictable and unreliable support for teachers during maintenance periods and professional development opportunities at school level are seldom provided on the basis of needs identified by teachers themselves.

Improvements

Support and the nature of the support for early career teachers and their mentors should be legislated to avoid a race to the bottom. This should include the assignment of a mentor and less face to face teaching for both mentor and early career teacher.

Practicing teachers must be at the forefront of driving policy and teaching practice. While the teaching profession is owned by politicians, employers, academics and bureaucrats, it will have little “buy in” from teachers.

Authorities should look more closely at the reality of registration/accreditation practices as they occur at school level. A “risk” assessment basis is reactive, retrospective and insufficient.

Final decisions should be made by the State or Territory Authority based on recommendations from employers or other agencies such as TAAs in NSW. In NSW, NESA needs to have emergency programs in place for teachers where the school or TAA has failed them.

Registration/accreditation authorities should provide approved training for mentors, those involved in peer observations and responsible for feedback against the APST and for those making recommendations or decisions regarding registration/accreditation.

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

Teachers are teachers regardless of the setting. Early childhood (EC) teachers should be registered/accredited and respected alongside their colleagues teaching stages 1-6. While the increasing overlap and interaction with children in stages 1 and 2 due to EC centres being located in schools is acknowledged, it is the gross disparity in salary, conditions and public respect that is the key driver in movement between EC and school employment.

Many of our members have degrees covering 0-12 year old education hence recognition as equal professionals through registration/accreditation further facilitates easy movement between early childhood and the primary years.

The Early Years Learning Framework (EYLF) is entirely compatible with the APST and deals with similar domains (professional knowledge, practice and engagement). A working party of EC teachers in NSW have made enormous progress mapping play-based education against the APST and developing an evidence guide. The work is available for all other States and Territories to imitate where they value EC education and teachers as professionally equal.

It would be encouraging to think that national consistency might pressure governments to recognise early childhood teaching as education, not child care. Genuine resourcing and education policy might then be applied evenly to all three sectors. The *Through Growth to Achievement Report* (March 2018) highlights the need for all parts of a 0-18 years education to be considered as equally important and as such all teaching professionals in early childhood settings should have equal teacher accreditation/registration as primary or high school teachers.

3. What role does teacher registration play for VET teachers in school settings?

Unfortunately, the NSW Teacher Accreditation Act provides for untrained teachers to enter schools as trainers. The Union is not opposed to the delivery of VET by individuals originally trade trained. However, it is somewhat of a paradox for governments to publicly insist upon four/five years of teacher education but to simultaneously provide avenues for employment in VET that do not require teacher qualifications.

The overarching complexity for teacher registration are the additional and complex demands of the Australian Skills Quality Authority (ASQA). ASQA has uneven application across educational jurisdictions. The IEU understands it has no coverage in Victoria or Western Australia.

NESA should be given carriage in NSW of VET education and its intersection with teacher registration. NESA has strong consultative processes and has the expertise to take control of VET. The disparity of expectations between NESA and ASQA are unproductive and unnecessary. To suggest NESA cannot generate, manage and assess VET subjects is disingenuous.

Seeking Proficient Teacher status in NSW for VET teachers is both complex and not reflective of the majority of subjects overseen by NESA. In particular, the differential demands linked to assessment, record keeping and maintaining currency in particular VET subjects impact considerably on teacher registration.

4. How does teacher registration support entry into the teaching profession?

How do current teacher registration processes support graduates?

The process for teachers seeking provisional registration/accreditation is fairly seamless for Australian graduates. However this is not always the case for overseas qualified teachers. There is little evidence available to inform judgement regarding the level of understanding of those at provisional accreditation who have of the journey ahead.

A very high proportion of early career teachers will be employed in part time, temporary and casual work where they easily miss out on crucial advice and information regarding the requirements for full registration/accreditation; they are frequently denied mentoring either deliberately or through oversight and they will be the last to be considered for any available practical resource or support from school authorities.

Decisions by State and Territory Education Departments to provide release from face to face teaching for “permanent employees” only sends entirely the wrong message and Education Ministers must take a lead in ensuring these provisions flow to all. This can only be done by through legislation or by applying conditions to school or service registration. Ministers responsible for school education must remember that they are the minister for all schools and that their responsibility does not end at government schools.

5. How can we ensure that registered teachers satisfy the fit and proper person requirement?

How do regulatory authorities ensure the fit and proper person requirement?

In NSW, the clearances provided by the Working with Children Check (WWCC) and the ACT’s Working with Vulnerable People Registration (WWVP) are expected to identify those with a history which flag a risk to children. While this deals adequately with historic matters, the ease with which the clearance can be cancelled where a current “risk” is perceived is problematic.

Rather than impose a higher level of supervision or scrutiny (as in the case of some other professions), legislators have determined that it is preferable for potentially blameless teachers to be penalised (by loss of clearance, accreditation/registration and subsequent employment) than mitigate risk by some less extreme resolution.

The Union believes that if legislators consider such screening is effective in protecting children, the beneficiaries of that screening are children, parents and the community generally. It should therefore be funded by the community and not be a cost borne by those who work with children.

How can registration processes support a nationally consistent approach to the fit and proper person requirement, at registration throughout their teaching career?

The issues of criminal history and ability to teach can be identified by the above mandatory scrutiny and by judgement against the APST. The concept of “fit and proper” in respect of character or aptitude is not so easily defined and not currently assessed through any recognised or acceptable instrument.

Any debate about the characteristics of what constitutes “fit and proper” for teaching must, in the first instance be a discussion held entirely within the teaching profession.

The ACT TQI's *Code of Conduct* reaches beyond a teacher's professional life unacceptably and into their private life. The inclusion of phrases such as teachers should 'demonstrate responsibility by...behaving at all times...courteously and in ways that enhance the standing of the teaching profession' are dangerously simplistic and have been used punitively against teachers who in their private lives may have been 'discourteous' (a subjective term which can be defined by employers in specious ways). Such intrusive, simplistic and potentially punitive 'codes' demean the profession and have no legitimate place.

Concluding statements

The Independent Education Union of Australia NSW/ACT Branch is thankful for the opportunity to provide AITSL's review panel with input. Our professional teacher members' common views, experiences and hopes are included in these pages and we look forward to progressive recommendations from the review panel that honour the professionalism of teachers first and foremost.

A National Teacher Registration Scheme is not required and the work is better done by local jurisdictional bodies.

The Union would prefer to see more engagement with the teaching professionals by AITSL and the inclusion of teachers and their representatives at every level of the organisation and every step of its consultation for all materials, policies and processes produced.

There should be universally across Australia more flexibility regarding time periods for registration, following the NSW NESA model, and considerations in place for teachers in part time or casual positions. We are a profession comprised mainly of women, and flexible registration and accreditation processes diminish the possibility for discrimination against primary carers of children and aged family members which, even in 2018, are mainly the unpaid work of women.

It is imperative that universal early childhood accreditation/registration is achieved, and that it be with the same Standards that primary/secondary teachers address.

Sanctions against unethical teacher accreditation authorities in NSW should be swift and harsh in order to forestall misapplication of the Standards and mistreatment of early career teachers.

Release time for early career teachers should be universal despite employment status.

VET tutors should be required to gain teaching qualifications if they wish admission to the teaching profession. ASQA's scope should be reassessed.

We would welcome the opportunity to further elaborate on any of the above in person or via further written submissions. We can also recommend further teachers to take part in your consultation processes.

A handwritten signature in black ink, appearing to read 'John Quessy', written in a cursive style.

John Quessy
Secretary
Independent Education Union of Australia NSW/ACT Branch
7 May 2018