

DRAFT SECOND READING SPEECH

HON. JEREMY ROCKLIFF MP

Teachers Registration Amendment Bill 2019

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Madam Speaker, I move that the Bill now be read for a second time.

The objective of the *Teachers Registration Act 2000* is to regulate the registration of teachers in Tasmania. A person must not engage in any teaching activities or services unless authorised by registration, limited authority to teach, or under the direct supervision of a registered teacher.

To grant registration, or a limited authority to teach, the Teachers Registration Board must be satisfied of a number of things, including that the applicant is of 'good character' and is 'fit to be a teacher'.

The purpose of these assessment and screening requirements is to ensure, as far as possible, the safety and wellbeing of children in Tasmanian schools and TasTAFE.

This government has a strong track record of prioritising the safety of Tasmanian children.

As members will be aware, the *Registration to Work with Vulnerable People Act 2013* created a centralised regulatory system that provides for the background checking and registration of people who work, or want to work, in various regulated activities with children and vulnerable people in Tasmania.

The aim of the Act is to keep children and vulnerable adults as safe as possible, by reducing the incidence of sexual, physical, psychological and emotional harm or neglect.

Since January 2017, Tasmanian teachers have been required to be registered under the *Registration to Work with Vulnerable People Act*.

A teacher *cannot* be registered under the *Teachers Registration Act*, or indeed be legally employed as a teacher, if they don't have a current registration to work with vulnerable people. Nor should they be.

It has come to our attention that if a person has their registration to work with vulnerable people, suspended or cancelled by the Registrar, or they choose to voluntarily surrender it, the Teachers Registration Board currently *does not* have the power to immediately suspend or revoke that teacher's registration, despite the fact it's a requirement in the Act to have a current registration to work with vulnerable people to be registered as a teacher.

Rather, the Board is required to conduct a time-consuming and resource intense disciplinary process to remove a teacher from the register, despite the fact that the person cannot fulfil an essential precondition for teacher registration.

Meanwhile we could have teachers - in classrooms - placing Tasmanian children at risk of harm. Likewise, an individual could be offered a job by an employer who is unaware of their status due to the time lag in removing them from the register of teachers.

Madam Speaker, this Bill will close this loophole and ensure greater protection for children by allowing the Teachers Registration Board to immediately suspend a teacher's registration if that teacher no longer holds registration to work with vulnerable people in Tasmania, or the equivalent check in any other jurisdiction.

In this scenario the Bill does not require the Teachers Registration Board to hold an inquiry or to give the teacher a right to respond prior to suspending teacher registration. This is because there is a need to act quickly to remove a teacher from the register.

Natural justice is served by the requirement under the *Registration to Work with Vulnerable People Act* that procedural fairness is afforded to a teacher in determining whether to suspend or cancel registration to work with vulnerable people.

The Registrar under the *Registration to Work with Vulnerable People Act* must give a person written notice, if intending to suspend or cancel a person's registration. The notice sets out the grounds for the proposed suspension or cancellation, and gives the person 10 days to provide written reasons as to why their registration should not be suspended or cancelled. This process will have happened prior to the Teachers Registration Board taking action to remove the teacher from the register of teachers.

Madam Speaker, this Bill also amends the *Teachers Registration Act* to allow the Teachers Registration Board to participate in a range of important data sharing initiatives for educational, research and other purposes as set out in regulations.

To date, there have been no appropriate mechanisms in the Act to allow such sharing.

As Minister for Education our Government is committed to taking action to deliver a quality education workforce for Tasmania.

Education is an essential foundation for Tasmania's future prosperity and for sustainable community and social outcomes. Teachers are one of the biggest influencers of student success; therefore quality teaching practices are critical to improving student learning and education outcomes in Tasmania.

We know we need to work collaboratively to attract people with the right capabilities to Tasmania's education system, to prepare students to become teachers, and provide our current teachers with opportunities to enhance their careers and develop skills to respond to the challenges of a rapidly changing society.

One initiative which will help us achieve these outcomes is the Australian Teacher Workforce Data Strategy, led by the Australian Institute for Teaching and School Leadership. This important research will compile and link data on initial teacher education and the teacher workforce, providing, for the first time, national data on, and insight into, the characteristics of the Australian teacher workforce lifecycle, from pre-service to retirement.

It will provide a national, de-identified data set of the teaching workforce for use by State, Territory and Commonwealth governments. The data will allow the government to understand current and potential gaps in the teacher supply chain and inform workforce planning now and into the future.

Once Tasmanian data is uploaded to the Teacher Workforce Data Strategy, the Department of Education and the Teachers Registration Board will be able to analyse it and access tailored reporting for the State.

Having a greater understanding of the teaching workforce will deliver a wide range of benefits. It will allow the Tasmanian Government to better support teachers and the profession; drive improved educational outcomes for our learners; manage capacity and capability in the workforce and better focus our investments.

Madam Speaker, there are a range of other initiatives for which data sharing may be required in the future. These include:

- implementation of the recommendations from the National Review of Teacher Registration;
- development of the National Teacher Workforce Strategy, agreed through the National School Reform Agreement; and
- continued implementation of the response to the recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse.

Data may also be shared for research or educational purposes, or for any other purposes that are prescribed in regulations, and the Bill requires the relevant authorities with whom data may be shared to be prescribed in regulation.

The Bill includes appropriate safeguards to ensure data protection and security.

Before sharing data, the Teachers Registration Board must be satisfied that the authority it is sharing with has procedures in place to protect the data from misuse, theft, loss, unauthorised access, modification or disclosure.

Madam Speaker, this Bill supports the extensive measures already put in place by this Government to protect children and vulnerable persons by ensuring that a teacher who no longer holds registration to work with vulnerable people can be promptly removed from the register of teachers.

Further, it will allow the Teachers Registration Board to participate in a range of significant and beneficial data sharing initiatives with long term benefits for our learners and teachers, our education system and ultimately for the people of Tasmania.

I commend the Bill to the House.