

EMPLOYING AUTHORITY NOTIFICATIONS

Advising the Queensland College of Teachers under s76, s77 & s78 of the *Education (Queensland College of Teachers) Act 2005*

The Queensland College of Teachers (QCT) is established under the *Education (Queensland College of Teachers) Act 2005* (the Act) as the agency responsible for the regulation of the teaching profession in Queensland. The Act confers on the QCT functions about the registration of teachers in Queensland and related matters such as taking disciplinary action against relevant teachers and monitoring and enforcing compliance with the Act.

An employing authority for a prescribed school means the person or entity responsible for the appointment of teachers to the educational staff of the school. Employing authorities are required to notify the QCT of particular investigations, and dismissals under sections 76, 77 and 78 of the Act.

Information disclosed to the QCT as required under these and certain other provisions is considered to be disciplinary information, pursuant to section 91 of the Act. Disciplinary information is used to determine whether grounds for disciplinary action exist or may exist under section 92 (1) of the Act against a relevant teacher.

Section 81 of the Act provides protection from liability for employing authorities giving the required notices. If an employing authority gives a notice as required the employing authority is not liable, civilly, criminally or under an administrative process, for disclosing information contained in the notice.

The following questions and the ***Guidelines for Employing Authority Notifications*** (the guide) will assist an employing authority to determine if a notification is required to be given to the QCT.

1. Does the notice relate to an employing authority investigating an allegation of harm caused, or likely to be caused to a child because of the conduct of a teacher?

Yes No **If yes, go to the guide for 'INVESTIGATIONS' and provide any relevant information that you may hold as indicated. This is a notification required under section 76 of the Act.**

EMPLOYING AUTHORITY NOTIFICATIONS (CONT.)

2. Does the notice relate to an employing authority investigation that has ended for any reason and the investigation was regarding an allegation of harm caused, or likely to be caused, to a child because of the conduct of a teacher.

Yes No If yes, go to the guide for 'INVESTIGATIONS ENDED' and provide any relevant information that you may hold as indicated. This is a notification required under section 77 of the Act.

3. Does the notice relate to the employing authority dismissing a teacher in circumstances that, in the opinion of the employing authority, call into question the teacher's competency to be employed as a teacher and that the employing authority is not required to give notice to QCT about the dismissal under section 76 or 77?

Yes No If yes, go to the guide for 'OTHER DISMISSALS' and provide information that you may hold as indicated. This is a notification required under section 78 of the Act.

Should you have any questions or require assistance contact the QCT's Registration and Professional Conduct Unit on:

Phone: (07) 3377 4777

Toll Free: 1300 720 944 (Australia Only)

International: + 61 7 3377 4777

For information about the QCT and the Act, visit our website at: <http://www.qct.edu.au>.

Forward notifications and any relevant attachments to: **Assistant Director
Registration and Professional Conduct
Queensland College of Teachers
PO Box 389
TOOWONG Q 4066**

DEFINITIONS

Prescribed school: Any of the following is a *prescribed school*—(1)(a) a State school or non-State school; (b) another institution or place, or part of an institution or place, at which an educational program is offered that is based on a syllabus approved or accredited by the Queensland Studies Authority under the *Education (Queensland Studies Authority) Act 2002*. (2) Subsection (3) applies if – (a) a child is registered or provisionally registered for home education under the *Education (General Provisions) Act 2006*; and (b) the home education is being provided by 1 or both of the child's parents. (3) An institution or place mentioned in subsection (1)(b) does not include the child's usual place of residence.

Harm: Harm, to a child, is any detrimental effect of a significant nature on the child's physical, psychological or emotional wellbeing. It is immaterial how the harm is caused. Harm can be caused by physical, psychological or emotional abuse or neglect; or sexual abuse or exploitation.