



# Full Day Hansard Transcript (Legislative Council, 22 October 2014, Proof)

## Proof

Extract from NSW Legislative Council Hansard and Papers Wednesday, 22 October 2014 (Proof).

### TEACHER ACCREDITATION AMENDMENT BILL 2014

#### Second Reading

**The Hon. CATHERINE CUSACK** (Parliamentary Secretary) [12.21 p.m.], on behalf of the Hon. John Ajaka: I move:

That this bill be now read a second time.

The Teacher Accreditation Amendment Bill 2014 makes a range of significant improvements to the process for accrediting teachers and introduces required changes to implement the Government's Great Teaching, Inspired Learning blueprint for action reforms. I seek leave to have the remainder of the second reading speech incorporated into *Hansard*.

#### Leave granted.

This bill makes a range of significant improvements to the process of accrediting teachers, and introduces changes required to implement the Government's Great Teaching, Inspired Learning Blueprint for Action reforms.

I am delighted by the Minister's announcement this bill ensures the entire NSW education profession from early childhood to secondary education are planned to be accredited by the end of 2017.

Much like the compulsory accreditation for practising lawyers, accountants, dieticians, architects, building surveyors and psychologists, the NSW education profession has moved to mandatory accreditation of all school teachers in New South Wales.

By way of background, last year I introduced the Board of Studies, Teaching and Educational Standards Bill 2013. That bill operationalised the amalgamation of the Board of Studies NSW and the NSW Institute of Teachers.

By way of quick explanation, the Board of Studies, Teaching and Educational Standards Act 2013 renamed the Institute of Teachers Act 2004 to become the Teacher Accreditation Act 2004.

This was in recognition of the functions that remained in the Act in relation to teacher accreditation, as distinct from the functions of the responsible entity, the Board of Studies, Teaching and Educational Standards NSW.

This bill before the House today complements that earlier one and deals with three types of amendments.

First, the bill enables the policies announced in March 2013 as part of the Great Teaching, Inspired Learning a blueprint for action reforms, such as ensuring that all teachers are professionally accredited.

Second, it deals with the outcomes from a consultation process by the former NSW Institute of Teachers.

The Institute issued a Discussion Paper in early 2012, engaged in stakeholder consultation, and published a Consultation Report.

This process gave rise to several changes that arose due to the maturation of the accreditation scheme, and others that are common-sense practical improvements suggested by stakeholders.

Third, the bill supports national developments to which New South Wales has subscribed—namely, the Australian Professional Standards for Teachers.

I turn now to the specific provisions of the bill.

Firstly, we will look at the further provisions in relation to accreditation of teachers.

Schedule 1—Amendment of Teacher Accreditation Act 2004 No 65—outlines each amendment to that

Act.

Items [1] and [2] of schedule 1 are changes to part 1—Preliminary of the Act and add definitions of a range of educational settings and roles including early childhood education centres, non-school based teachers and school counsellors.

In addition there are a number of housekeeping changes to existing definitions, in particular, the "rules of the Board".

The Board of Studies, Teaching and Educational Standards Act provides that the Board of Studies, Teaching and Educational Standards can make rules in relation to its functions under the Teacher Accreditation Act.

These rules must be consistent with the Teacher Accreditation Act and provide greater clarity around teacher accreditation policies and procedures. Board of Studies, Teaching and Educational Standards' rules require the approval of the Board of Studies, Teaching and Educational Standards and then the Minister.

The rule making process is open and transparent and subject to broad consultation with key stakeholders. Where rules relate to the accreditation of teachers, the proposed rules will first be considered by the Quality Teaching Council, then the Board of Studies, Teaching and Educational Standards and then the Minister.

With the addition of an elected early childhood teacher as a member of the Quality Teaching Council under this bill, 11 of the 22 members of the Quality Teaching Council will be accredited teachers elected by the profession.

Item [3] expands on the definition of "teach" to include all school teachers who began teaching prior to 2004 and have not had a break from teaching since then and additionally to include those teachers working in early childhood education centres.

The most significant change contained in this bill is the requirement that all teachers who teach in a school or an early childhood setting become accredited.

Currently, only teachers who commenced teaching on or after 1 October 2004 or take a break from teaching for five or more years are required to be accredited.

New South Wales is the only Australian jurisdiction that does not require accreditation of all teachers.

Up until now only teachers working in schools could be accredited. This bill will allow teachers to be accredited whether they work in a school or an early childhood centre.

Consultation conducted by the Board of Studies, Teaching and Educational Standards with the early childhood sector has revealed widespread support for this change.

The significance of this addition is that it will, for the first time, require the accreditation of teachers working in early childhood settings and bring about one of the major commitments made in the Great Teaching, Inspired Learning Blueprint for Action.

The board will work closely with the Australian Quality Education and Care Quality Authority to ensure that teachers working in early childhood centres have appropriate qualifications and that they maintain their accreditation against professional teaching standards, just as accredited teachers working in schools currently do.

This will provide greater employment mobility for teachers who are qualified to work in both schools and early childhood centres.

Items [4] to [7] of the bill amend Act to allow the board to approve Teacher Accreditation Authorities for early childhood centres and for the board to become the Teacher Accreditation Authority for teachers not working in a school or an early childhood centre.

Items [8], [9] and [10] of schedule 1 clarify the board's function to provide advice to the Minister in relation to the approval of teacher preparation degrees and professional learning providers as well as to add a new function:

to monitor, evaluate and report on the quality of initial and continuing teacher education courses and programs approved by the Minister under the professional teaching standards.

Items [11] and [12] of the bill provide amendments that will ensure that the Quality Teaching Council includes appropriate representation from the early childhood sector.

Part 3—Roll of teachers of the Teacher Accreditation Act 2004 is amended by items [13] and [14].

This part deals with the role of teachers who are eligible to vote in the election of the teachers who sit on the Quality Teaching Council.

The main change is that a teacher is not to be on the roll if their accreditation ceases, is suspended or revoked.

Items [15] to [18] of schedule 1 change the language of the levels of teacher accreditation so that they are consistent with the Australian Professional Standards for Teachers.

Items [19] to [28] amend part 4 of the Act to allow for the functional changes required to enable the accreditation of teachers working in early childhood settings.

Items [29] to [37] clarify provisions for cancellation of accreditation, and other changes will provide a legislative basis to support teacher's accreditation including:

- Allowing teachers to place their accreditation on hold, for example, while taking a period of maternity leave
- Granting extensions of time to meet full accreditation requirements in some circumstances, and
- Permitting teachers to be reaccredited should their previous accreditation cease.

Item [38] clarifies conditions relating to the payment of the annual accreditation fee.

The insertion of a Section 25A sets out the requirement that a teacher holds a Working With Children Check clearance before being first accredited.

The requirement for the Working With Children Check clearances to be included in the application for accreditation will bring New South Wales into line with all other jurisdictions.

Currently employers make accreditation decisions and are responsible for ensuring that teachers have current working with children check clearances.

In 2011 all Education Ministers reached agreement to implement Nationally Consistent Teacher Registration. The agreement requires that all accredited teachers have a current Working With Children Check clearance to maintain accreditation.

This change will enhance interstate teacher mobility, as currently only Victoria, the Australian Capital Territory and Northern Territory automatically recognise the accreditation status of New South Wales teachers.

The relevant bodies in other jurisdictions prefer the Working With Children Check clearance to be included in the accreditation decision rather than at the point of employment.

The bill also clarifies procedures appeal procedures for initial teacher education and professional development providers in the event that their programs are not recommended for approval by the Board of Studies, Teaching and Educational Standards.

There are amendments to section 28 to ensure that all teachers must be accredited if they teach in a school or early childhood setting.

In relation to teachers working in schools, the requirement to be accredited will now apply to those who take classes, or teach individual students, as well as those who have active oversight of and responsibility for the delivery of the curriculum in a school and the assessment of students.

Specifically, school principals and other senior staff who have active oversight of these functions but who do not necessarily engage in actual classroom teaching will be required to be accredited as members of the teaching profession.

This is in line with the legislative delineation of the teaching profession across the nation. In relation to teachers working in early childhood settings the requirement to be accredited will apply to qualified teachers who deliver educational programs based on an approved learning framework and those teachers who have oversight and responsibility for that delivery.

The aspects of this item that relate to the pre-2004 teaching workforce and early childhood teachers will be proclaimed to commence later than the rest of this bill. This will enable further consultation with stakeholders about implementation and transitional arrangements.

There are also amendments to the Act so that the Board of Studies, Teaching and Educational Standards will be the only Teacher Accreditation Authority with the capacity to grant provisional and conditional accreditation.

In line with the above provision the board will only accredit a teacher if they have a current Working

With Children Check clearance. The Board of Studies, Teaching and Educational Standards has the expertise to assess qualifications for the purpose of accreditation, especially overseas qualifications.

I am advised that consensus has been reached on this matter, and in fact school employers want the board to undertake this role.

Additionally the bill will make the accreditation the responsibility of the individual teacher, and not the responsibility of their employer. This will ensure that schools can ensure that they are employing accredited staff.

The bill provides for greater clarity in relation to voluntary accreditation. The voluntary accreditation provisions will apply to suitably qualified teachers who are not required to be accredited by the mandatory accreditation sections of the Act.

For example, this will allow teachers who are not working in schools or early childhood centres to remain accredited members of the teaching profession.

There are a number of qualified pre-2004 teachers currently working in non-school based educational roles, such as consultants in the Department of Education and Communities [DEC] or a Catholic Education Office, who have in the past, worked in a school or are on secondment from a teaching position.

These teachers may choose to be accredited so that they have the option to return to a school teaching position at some future time.

Schedule 2 of the bill sets out amendments to the Board of Studies, Teaching and Educational Standards Act, which include teachers working in early childhood centres within the objectives and functions of the Board of Studies, Teaching and Educational Standards.

There are, of course, parts of the bill that relate to matters of a minor or technical nature and I will not dwell on them here.

Taken together with the creation of the Board of Studies, Teaching and Educational Standards, the reforms in this bill strengthen the perception and the reality of a profession committed to a strong accreditation regime and a profession with the goal to enhance and improve the standing and standards of teaching in our schools.

The consensus of agreement on these changes among all key stakeholders is testimony to the commitment by the profession to achieve that goal.

I commend the bill to the House.