



Queensland

Education (Queensland College of Teachers) Regulation 2005

Regulatory Impact Statement for SL 2005 No. 279

made under the

Education (Queensland College of Teachers) Act 2005

1 Short title

Education (Queensland College of Teachers) Regulation 2005

2 Introduction

The proposed *Education (Queensland College of Teachers) Regulation 2005* is being developed as subordinate legislation under the proposed Education (Queensland College of Teachers) Bill 2005. The regulation supports the Bill by carrying over current pre-service requirements for registration and outlining operational requirements and prescribed fees. The regulation will increase the level of the existing registration fees payable and introduce a number of new fees.

Under the *Statutory Instruments Act 1992*, if proposed subordinate legislation is likely to impose appreciable costs on the community or part of the community, a regulatory impact statement (RIS) must be prepared before the regulation is made. As the increase to the initial and annual registration fees amounts to a doubling in these fees, and new fees are being introduced, an appreciable cost may be imposed on part of the community, namely teachers. Therefore, a RIS is required to be undertaken.

The purpose of this RIS is to present an evaluation of the likely impacts of proposed changes to the current fee structure, including discussion of alternatives considered as part of the process.

Comment is sought on information presented in this RIS, and submissions in this regard should be submitted by CLOSE OF BUSINESS ON 8 JULY 2005 to:

Education (Queensland College of Teachers) Regulation 2005 RIS Project
Cabinet and Legislation Services Unit
Department of Education and the Arts
PO Box 1533
CITY EAST QLD 4002
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Submissions may be subject to Freedom of Information and other laws, which should be taken into consideration when making submissions.

3 Background

The Board of Teacher Registration (BTR) is a statutory authority with its powers and functions defined by the *Education (Teacher Registration) Act 1988*. The BTR is responsible for administering the teacher registration system and broadly fulfils a professional oversight role and a regulatory role. There are approximately 92,000 teachers on the Register of Teachers in Queensland. In recent years, approximately 4,000 new teachers register for the first time each year and approximately 3% (2,600 for 2003) of the total number of registered teachers in any one year do not retain registration (for whatever reason) to the next year.

Reforms to the functions and powers of the BTR were announced in November 2004 as a result of the review undertaken by Professor Marilyn McMeniman, Pro-Vice Chancellor (Arts and Education), Griffith University. The Education (Queensland College of Teachers) Bill 2005 has been drafted incorporating the reforms of the review. Significant changes from the current Act include:

- The establishment of a Queensland College of Teachers, replacing the Board of Teacher Registration, with responsibility for developing Professional Standards, registration of teachers including conduct of criminal history checks, approval of entry courses and conduct of disciplinary processes.

- Registrants will be required to apply for renewal of their registration every five years.
- Upon renewal, full registrants will be required to prove they:
 - are suitable to teach, including criminal history checks;
 - have maintained an adequate connection with the profession, and if so;
 - have undertaken continuing professional learning.
- The Queensland College of Teachers will process applications for renewal of registration and conduct a sample audit to validate evidence of recency of practice and continuing professional learning.
- Teachers who have had an extended absence from teaching will be required to successfully complete a "Returning to Teach" professional learning program either prior to or within the first 12 months of returning to teaching.
- Unregistered teachers will not be allowed to teach in Queensland schools unless they have been granted 'Permission to Teach'. This will occur in specific circumstances and will replace the current "authorisation" process.
- Automatic cancellation of registration where a teacher has been convicted of a serious sexual offence involving a child and a custodial or disqualification order is made.
- The strengthening of mandatory notification provisions requiring information to be given to the Queensland College of Teachers.
- Procedures to allow the Queensland College of Teachers to hear and deal with complaints about a teacher's conduct or practice which appear to provide a ground for disciplinary action; and to conduct investigations to determine whether a matter should be taken to a disciplinary body.
- The establishment of a committee of the Board of Management, the Professional Practice and Conduct Committee, with responsibility for ensuring complaints, investigations and low-level disciplinary matters are dealt with efficiently and in a timely manner.
- The establishment of an independent disciplinary committee to hear and determine serious disciplinary matters.

- The Queensland College of Teachers will have greater powers for ensuring compliance with the Act including powers for investigating and undertaking legal proceedings for non-compliance.
- The Queensland College of Teachers will have the authority to undertake research relevant to the regulation of the profession and generally to promote the profession.

Independent consultants undertook a reduced Public Benefit Test Report in March 2005 on the proposed Education (Queensland College of Teachers) Bill 2005. The Report assessed the costs and benefits of implementing the requirements additional to those present in the current regime, including consequential increases to the prescribed fees. The conclusion reached was that the reforms contained in the new Bill would most appropriately meet the Government's policy objectives by strengthening teaching standards and providing a higher level of protection to students.

In the case of registration, it is proposed to increase the initial registration fee from \$46.40 to \$90 and the annual registration fee from \$25.80 to \$60. The annual registration fee represents the single largest factor in generating revenue. It usually represents approximately 80% of the total revenue raised from fees due to the fact that it is the fee paid by the vast majority of registrants (approximately 95%). The annual registration fee will also be the only ongoing fee charged to registered teachers. This annual fee, except for one recent Consumer Price Index (CPI) adjustment of 80 cents, has not increased since 1999. As a result of the Ministerial Taskforce on Sexual Abuse in Schools, the Government in 2003 determined that the BTR would conduct criminal history checks on all registrants, and a number of amendments relating to child protection were introduced to the *Education (Teacher Registration) Act 1988*. Registration fees were not increased at the time on the assumption that a comprehensive review of the BTR's fees and charges would be required following a proposed review of the powers and functions of the BTR.

Although not a category of registration, 'Permission to Teach' will be granted to a person otherwise ineligible for registration as a teacher, in circumstances where an employer has been unable to fill a teaching position with a registered teacher. Currently, an employer is 'authorised' to employ a teacher in these circumstances and there is no fee associated with processing applications. In 2004 there were a total of 116 authorisations issued for individual teachers. As there are considerable costs associated with validating the conditions required for granting 'Permission to Teach',

which replaces 'authorisations', fees are being introduced to meet the costs of the new provisions.

Currently, teachers 'authorised' are required to hold a 'blue card' under the *Commission for Children and Young People and Child Guardian Act 2000*. The cost associated with this is \$40. When the new 'Permission to Teach' scheme commences in 2006, new applicants for this category will no longer be required to hold a 'blue card' and will instead be required to pay \$182.50 for initial applications (Application for 'Permission to Teach' \$70 + Initial 'Permission to Teach' \$90 + criminal history check \$22.50) and \$60 thereafter for annual retention. 'Permission to Teach' lasts for the length of the teaching contract or up to two years whichever is the shorter. However, it will be possible for teachers to renew their 'Permission to Teach' after two years. This will only involve the cost of the annual retention of 'Permission to Teach' fee, namely \$60 and the cost of a criminal history check (\$22.50), provided the circumstances relating to the person's employment remain the same.

On a whole, maintaining the fees for teacher registration effectively at the 1999 level has already placed significant pressure on the BTR's reserves. The effect of funding the costs associated with conducting retrospective criminal history checks in 2003 and 2004, combined with the consequential disciplinary hearings and legal costs has increased expenses beyond the capacity of the existing fees to fund. It is not feasible for the College, the BTR's successor, to implement the proposed reforms of the Review and remain financially viable over the longer term, while keeping the fees at their current level.

4 Stakeholders

Key stakeholders directly affected by the increased initial and annual registration fee and the introduction of new 'Permission to Teach' fees are:

- the proposed Queensland College of Teachers (the College) which will be administering the legislation regulating the profession to ensure that teachers are eligible and suitable to competently and safely practise;
- teachers who will be registered or hold 'Permission to Teach'.

5 Authorising law

Subject to Parliament's consideration of the Education (Queensland College of Teachers) Bill 2005, the regulation will be made under the proposed new legislation by virtue of a provision within the Bill giving the Governor-in-Council the power to make a regulation.

It is anticipated that the proposed Bill will be introduced into Parliament in August 2005 to enable commencement of new requirements from January 2006.

6 Policy objectives

The primary objectives are to:

- enable a vital and effective profession by upholding the standards of registered professional teachers; and
- maintain public confidence in the teaching profession.

The registration and 'Permission to Teach' regimes are central to these objectives and serve as a means of identifying those professionals who have satisfied the requisite standards for entry to and ongoing practice in the teaching profession. A registration body achieves these objectives by having the roles of a professional oversight and regulatory body, where professional oversight is concerned with enabling and promoting a vital and effective profession and regulation is about ensuring adherence to a high standard of professional practice and conduct. The registration body is established as a statutory authority and is therefore accountable to both the profession and to the public.

7 Legislative intent

To support the proposed Education (Queensland College of Teachers) Bill 2005, the *Education (Queensland College of Teachers) Regulation 2005* will replace the current *Education (Teacher Registration) By-law 1999*.

The regulation will provide for operational requirements and prescribed fees. The prescribed fees comprise of increased and restructured teacher registration fees, including the introduction of fees to meet the costs of

providing the new 'Permission to Teach' scheme. The fee schedule, proposed for introduction from 2006, is outlined below.

Fee	Current	Proposed (from 2006)
Application for registration ^a	\$67.10	\$70.00
Initial registration ^b	\$46.40	\$90.00
Retention of registration (annual registration fee)	\$25.80	\$60.00
Application for 'Permission to Teach'	—	\$70.00
Initial 'Permission to Teach'	—	\$90.00
Retention of 'Permission to Teach' (annual 'Permission to Teach' fee)	—	\$60.00
Fee for late payment of annual fee ^c	\$51.60	\$20.00
Restoration of registration ^d	\$51.60	\$55.00
Replacement of lost/stolen certificate of registration or 'Permission to Teach'	—	\$25.00
Criminal History Check ^e	As set by the Queensland Police Service based on CrimTrac (currently \$21.00)	As set by the Queensland Police Service based on CrimTrac (in 2006 this will be \$22.50).

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- a This application fee is charged to all initial applicants except graduates from a Queensland university that successfully completed their qualification not more than two years before the application.
- b All initial registrants pay this fee.
- c This fee was previously recorded as restoration after the retention fee was not paid. As the reforms no longer presume registration for life, a teacher that does not pay their annual fee will have their registration or 'Permission to Teach' cancelled. A late fee has been created for those who make late payments.
- d Restoration for registration will be applicable where a registrant does not renew their registration and their registration expires at the end of the five-year registration period. The proposed legislation will allow the registrant the opportunity to restore their registration within two months from the date of expiry. Expiry will occur when a registrant does not apply for renewal of registration.

- e For registration, the criminal history check fee is charged only at the initial registration stage. The College will pay for criminal history checks for renewal of registration and the cost has been factored into the annual registration fee.

In the case of registration, while the fee for initial registration has been increased to cover associated application costs and to influence registration retention behaviour, the annual registration fee has been set at \$60 to achieve a level of service delivery by the College that will enable it to fully implement the Review recommendations. The Report of the Review emphasised that all of the functions it outlined were integral to achieving the dual objectives of registration, namely, to enable a vital and effective profession and to maintain public confidence in the profession, and therefore they should all be implemented as part of the package of reforms. New 'Permission to Teach' arrangements will be subject to similar screening processes to those that apply to applicants for registration and consequently fees are required to meet these processing costs.

The fees are appropriate and necessary, as they will cover the initial and ongoing costs of implementing the reforms of the Review as well as the maintenance of a range of activities currently performed by the BTR that will transition across to the College. Since the College is totally self-funding, the fees payable under the proposed *Education (Queensland College of Teachers) Regulation 2005* are required to support the regulatory regime contained in the new Bill.

8 Consistency with the authorising law

Subject to Parliament's consideration of the Education (Queensland College of Teachers) Bill 2005, the proposed regulation will be consistent with achieving the overall objectives of the authorising legislation, as it will provide the College with the necessary revenue to administer the registration and 'Permission to Teach' regimes and carry out its professional oversight and regulatory roles.

9 Consistency with other legislation

The proposed regulation is consistent with other legislation.

10 Options and alternatives

This RIS considers two options, a summary of which follows:

- Option 1 - Maintain the existing fee structure, which will involve no increase in the initial and annual registration fees and no new fees being introduced.
- Option 2 - Increase the initial and annual registration fees and introduce new fees to support the 'Permission to Teach' regime.

Option 2 is the preferred approach. This option increases the initial and annual registration fees and introduces fees to support the 'Permission to Teach' regime. Unless these fees are introduced, the College will not be able to access the resources required to implement the reforms of the Review, or even to maintain its current activities over the longer term. The new fee structure will ultimately enable the College to adequately administer strengthened registration and 'Permission to Teach' schemes in order to maintain the objectives of the legislation, which are to enable a vital and effective profession by upholding the standards of professional teachers, and to maintain public confidence in the teaching profession.

Option 1, which maintains the current fee structure and fee levels, is inappropriate, as the College administering the statutory regime will not be able to meet the initial and ongoing implementation costs of the reforms of the Review and will have inadequate resources to continue its current activities over the longer term. The failure to introduce the reforms resulting from the Review will mean that teacher registration requirements will not change to maintain and strengthen Queensland's teaching profession in the 21st century. This would not support the Government's extensive education and training reform program aimed at ensuring the highest possible standards of schooling.

11 Cost-benefit assessment

Option 1

If there is no increase in the initial and annual registration fees, the benefit to registered teachers will primarily be a financial one, since the cost of the initial application and annual registration fees will remain at their current levels. Unregistered teachers granted 'Permission to Teach' would also benefit financially since there would be no financial burden to them to apply and obtain 'Permission to Teach'.

The costs of this option to teachers are those associated with the risk that it will result in a lessening of its status as a profession. This will be occurring at a time when all other states in Australia are introducing improved provisions relating to the regulation of the teaching profession. Without a progressive statutory regime in Queensland, there is a risk that the public perception of the status of the profession will wane, reducing its appeal to quality entrants who may opt to enter other professions or teach elsewhere.

Under this option, there are no apparent benefits to the College. However, the cost to the College administering the statutory regime will be its inability to meet the initial and ongoing implementation costs of the reforms of the Review and the inadequate resources to continue its current activities over the longer term. This will impact negatively on the College and consequently the teaching profession, as the College will not have sufficient resources to administer and enforce the statutory requirements. Modelling, which does not include the cost of conducting criminal history checks by the authority at the time of renewal, suggests that if the current fee structure were retained, the proposed College will sustain annual net losses between \$250,000 and \$400,000 during the period from 2006 to 2011. These losses would result in a reduction of reserves to \$174,000 by the end of 2011. Under this fee structure the authority would not have sufficient reserves (estimated at \$729,000 at the end of 2009) to meet the costs of criminal history checks associated with the renewal process (estimated to cost \$1,350,000¹) required for issuing new certificates for 2011.

Without adequate resources, the College will be unable to provide a quality service to teachers and the general public. Over time, the statutory authority will not have sufficient reserves to perform its core functions such as carrying out the registration process, let alone any specialist functions

1 The amount (\$1,350,000) for criminal history checks for renewal is calculated on the following basis. The total number of registrants is currently 92,000. Modelling of the introduction of the reforms is expected to result in a 25% reduction in the total number of registrants, bringing the total number of registrants to 69,000 in 2006. It is assumed that of these 69,000 registrants, some will relinquish their registration somewhere in the period 2007 to 2010 due to attrition, that the rate of new registrants joining the profession will continue at approximately 4,000 per annum (with an attrition rate for new teachers of 20% annually) and that the demand for registered teachers will see the total number of registrants grow from its 2006 level at a rate of 1% per annum. Under these assumptions, the total number of criminal history checks required for renewal at the end of 2010 is 59,991 or approximately 60,000, which at the rate of \$22.50 per check, gives a total of \$1,350,000.

such as research in relation to registration issues or promoting the profession. Most significant, however, will be the lack of resources to ensure new child protection measures are implemented and administered, given that the welfare and best interests of children are to be the primary considerations of the College in performing its functions and powers.

Option 2

If the initial and annual registration fees are increased and fees are introduced to support the 'Permission to Teach' regime, the following cost-benefit assessment has been undertaken in relation to the Queensland College of Teachers and teachers who are registered, or will hold 'Permission to Teach'.

Impact on the Queensland College of Teachers

The levels of the prescribed fees have been modelled in order to cover the cost of implementing the relevant recommendations that resulted from the review of the current legislation, as well as maintaining the range and level of activities undertaken by the BTR that will be transitioned across to the College.

The revenue that would be received from the increased initial registration fee would represent only a small percentage of the overall revenue received by the College. This additional revenue would equate to approximately \$196,000 per annum based on approximately 4500 new applications per annum each paying an increase of \$43.60. Accordingly, this fee increase has not been aimed at obtaining a large amount of additional revenue, but rather represents the increased cost associated with the processing of applications and the issuing of certificates of registration and registration cards. The increase has been targeted at the initial registration fee rather than the application fee, since the majority of new applicants do not pay the application fee (see footnote 1 above). The larger revenue base enables the additional processing costs to be adequately recovered.

It is estimated that about 30,000 of the approximated 92,000 teachers on the Register of Teachers are not actively practising. The associated risk with increasing fees is that some of those not currently practising might decide against paying the extra annual amount (\$34.20) to retain their registration. The calculation of the \$60 annual registration fee has

conservatively factored in a potential decrease in registrants of 25% (approximately 23,000 teachers). Accordingly, another benefit of increasing the initial registration fee is that it influences retention of registration behaviour. The higher initial registration fee (which must be paid by all applicants), in conjunction with initial application processes, may deter teachers from electing to de-register (by not paying the annual registration fee) with a view to re-registering at a later date. It is prudent to try and keep the potential reduction in registration numbers to a minimum as a larger than expected decrease in the number of registrants will place the financial viability of the new College at risk over the long term.

On this basis the projection of the College's financial position shows annual net gains for the period 2006 to 2009. Some of the net annual gains in these years would be needed to contribute towards the costs of the criminal history checks for renewal at the end of 2010 where a net loss of \$869,000 is expected to be incurred. It is prudent to maintain reserves at least at the level expected at the end of 2005 (that is \$1.9m) as this will provide for any additional legal or disciplinary hearing costs arising from the College's new investigative and compliance processes, as well as providing a short-term buffer against any larger than expected reduction in registrant numbers.

Overview	2006	2007	2008	2009	2010
Revenue	\$4,836,782	\$4,930,891	\$5,077,285	\$5,250,923	\$5,427,153
Expenditure	\$4,744,300	\$4,357,496	\$4,601,182	\$4,804,143	\$6,295,802
Gain (loss)	\$92,482	\$573,395	\$476,103	\$446,779	(\$868,649)
Carry forward from previous year	\$1,789,422	\$1,881,904	\$2,455,298	\$2,931,401	\$3,378,181
Carry forward at year end	\$1,881,904	\$2,455,298	\$2,931,401	\$3,378,181	\$2,509,532

It is proposed that any net annual gains arising from the projections could be directed towards supporting registration requirements associated with continuing professional learning, or Returning to Teach professional learning programs, provided appropriate provision is made for criminal

history checks for renewal at the end of 2010. In the case of continuing professional learning, the College could promote the use of the Professional Standards for Teachers in identifying or developing appropriate programs of continuing professional learning. Similarly, the College could facilitate the development and implementation of Returning to Teach professional learning programs, which will need to be undertaken by registrants who do not meet the required amount of teaching practice when they apply to renew their registration.

While the increase in the annual registration fee will provide resources to implement new initiatives arising from the reforms, the revenue raised will also cover the direct costs of administering the registration regime. These include: the cost of criminal history checks for renewal of registration, administrative costs for sitting fees of the Board of Management and committees, wages for staff of the Office of the College; election costs; leasing and equipment costs; the maintenance of database systems and legal costs in administering and enforcing the legislation.

The 'Permission to Teach' fees are being introduced in order to support the establishment and administration of the 'Permission to Teach' regime. The introduction of fees will provide the College with approximately \$21,000 in additional revenue per annum. The fees associated with 'Permission to Teach' have been modelled on the basis of recovering costs for processing and deciding applications. Applications for this category are time-consuming, as the College will be required to substantiate the claims by employing authorities that they are unable to obtain a registered teacher for the position. The College will also be required to rigorously assess whether the unregistered teacher has the necessary knowledge and skills to teach the subject they are required for. As it is also proposed to bring those with 'Permission to Teach' within the disciplinary arrangements, revenue from the fees will be directed towards complaint, investigative and disciplinary functions to be carried out by the College. Revenue raised will also cover the costs of producing and issuing Certificates of 'Permission to Teach'.

Accordingly, in comparison with cost-benefit assessment from maintaining fee levels at their current levels, the option to increase the initial and annual registration fee and introduce fees to support the 'Permission to Teach' regime is clearly preferable, as it will allow a level of service delivery by the College that will enable it to fully implement the Review recommendations. The Review emphasised that all of the functions it outlined were integral to achieving the dual objectives of registration, namely, to enable a vital and effective profession and to maintain public

confidence in the profession, and therefore they should all be implemented as part of the package of reforms.

Impact on registered teachers and teachers seeking 'Permission to Teach'

The proposal to increase application and annual registration fees will affect all applicants and currently registered teachers. Under the new fee regime, the current fee structure will continue in relation to initial applications. While the fee for initial registration has been increased by \$43.60, this extra cost is not considered a significant burden as it is only paid once, that is, for initial applications. Additionally, the approximate number of new applications per year is low in comparison to the total number of registrants. As all registered teachers currently on the Register of Teachers will have their registration transitioned under the new Bill, only new applicants will be required to pay the initial application fees.

The proposed annual registration fee is also considered to be a reasonable cost and unlikely to dramatically reduce the number of initial teacher registration applications or the number of practising registrants. However, in order to be prudent, financial modelling to arrive at the amount of \$60 for the annual registration fee factored in the possibility of a 25% reduction in the total number of registrants due to non-practising teachers not re-registering. If there is a large reduction in registrants, the expenditure obligations of the College will not reduce proportionately to the number of registrants who relinquish their registration. Any savings would only be minor and the upfront and ongoing costs of implementing the reforms would remain the same.

The majority of the additional revenue raised from the annual fee will be directed toward initial and ongoing costs to implement the reforms of the Review. However, the proposed fee is also designed to cover the costs associated with renewal of registration every five years, including an additional criminal history check (approximately 60,000 teachers at the end of 2010 and 4,500 each year thereafter). Therefore, the overall financial impact on teachers is partially compensated by the fact that apart from the annual registration fee, there will be no additional fees associated with renewing registration every five years.

As interstate teacher award wages are comparable, within a 10% range for starting and maximum salaries, the proposed \$60 annual registration fee can be assessed as lower or comparable with other interstate teacher registration fees (see Table A).² As shown in Table B, the \$60 fee is also significantly lower than most other Queensland professions. The annual fee is the primary fee compared as it represents the single largest factor in generating revenue, and it is also the only ongoing fee charged.

Table A: Teacher Registration fees charged in Australian jurisdictions

State/Territory	Annual Registration Fee
Queensland	\$25.80 (proposed to be \$60)
New South Wales	\$80 (Entry levels) \$150 (Advanced levels)
Victoria	\$60
South Australia	\$60
Western Australia	\$70
Tasmania	\$70.50
Northern Territory	\$60
Australian Capital Territory	No teacher registration

Table B: Registration Fees - Other Queensland Professions

Profession	Annual Registration Fee
Architects	124
Chiropractors	267
Dental Prosthetists	376
Dental Specialists	347
Dental Technicians	188

² <http://www.aeufederal.org.au/Industrial/Salaries/TeacherMar05.pdf>

Profession	Annual Registration Fee
Dentists	260
Legal Practitioners	295
Medical Imaging Technologists	220
Medical Practitioners	299
Medical Practitioners and Specialists	299
Nuclear Medicine Technologist	220
Nurses	72
Occupational Therapists	194
Optometrists	181
Osteopaths	742
Pharmacists	145
Physiotherapists	125
Podiatrists	181
Professional Engineers	71
Psychologists	199
Radiation Therapists	220
Speech Pathologists	215
Surveyors	106.10
Teachers	25.80
Veterinary Surgeons	112.95

Figures shown are for 12 months annual registration based on 2004 fees. Fees for most professions are subject to annual revision, usually based on changes to the CPI.

The proposed annual registration fee represents an extremely minor fraction of a teacher's annual salary. For example, under the Teachers'

Award - State, Department of Education Teachers' Certified Agreement 2003, the annual salary of a four-year trained beginning teacher CO201 Step 1 is \$41,938 and the annual salary of a Senior Teacher four-year trained AO304 is \$61,591. Therefore, the annual registration fee is 0.14% of the annual salary of a beginning teacher and 0.097% of the annual salary of a Senior Teacher.

The proposed fee structure for 'Permission to Teach' is set at a level comparable with that for registration, as the actual costs are similar, and to provide an incentive for recipients to upgrade their qualifications to become eligible for registration. The fees have been modelled on the basis of recovering costs for processing and deciding applications. The College will be required to rigorously assess whether the unregistered teacher has the necessary knowledge and skills required to teach the subject they are required for. As it also proposed to bring those with 'Permission to Teach' within the disciplinary arrangements, revenue from the fees will be directed toward complaint, investigative and disciplinary functions to be carried out by the College. Overall the fee structure associated with 'Permission to Teach' is designed to provide equity with the fees paid by registered teachers and thereby enhance the status of the profession. While the 'blue card' system represents a smaller cost at \$40 it does not entail a check of the person's professional knowledge and skills to be employed as a teacher. The current regime leaves the judgement about the person's competence to teach to the employer rather than an independent authority. Under the new scheme a teacher holding 'Permission to Teach' will have the confidence of knowing that an independent authority has judged him or her to be both suitable and competent to teach in the particular circumstances.

Furthermore, teachers may claim the cost of registration and 'Permission to Teach' as a deduction to their annual income tax assessment. With the proposed introduction of new personal income tax thresholds on 1 July 2005 the salary of most registered teachers will be located within the range of the 30% tax rate bracket. These teachers could claim their annual registration fee as a deduction and effectively reduce the actual amount paid by 30%. Although this situation also applies to Option 1, the overall effect will lower the personal cost of the new and increased fees. Option 2, which increases and introduces fees, has also been assessed as not having any specific impact on rural or regional areas, should it be implemented.

Processes related to registration and granting 'Permission to Teach', together with the associated pre-service requirements and the regulation of professional conduct, create benefits to the profession generally in ensuring only competent and suitable people are able to teach. Rigorous entry

requirements benefit the profession by ensuring that the teaching services provided are of a high standard, thereby increasing the value of the knowledge transferred and the reputation of the profession. Because of a teacher's close contact with children, it is extremely important to have a strong regulatory regime which affords child protection measures.

Accordingly, while teachers would receive a financial benefit from maintaining fees at their current level, increasing the initial and annual registration fees and introducing fees to support the 'Permission to Teach' scheme will provide more far-reaching benefits and is therefore the preferable option. The new Bill, with adequate support by the College, will promote confidence in the integrity of the profession from not only a teacher perspective, but also from a student, parental and employer perspective. This consequently achieves the dual objectives of registration, namely, to enable a vital and effective profession and to maintain public confidence in the profession.

12 Consistency with fundamental legislative principles

The regulation is consistent with fundamental legislative principles.

ENDNOTES

- 1 Laid before the Legislative Assembly on . . .
- 2 The administering agency is the Department of Education and the Arts.