

Conduct Reportable to the Teachers Registration Board

Eastside Lutheran College has a duty of care to investigate and act on allegations of employee misconduct which relate to their ability to perform their functions.

In addition, under the Teachers Registration Act 2000 (Tas) (the Act), the College must notify the Teachers Registration Board of Tasmania (the Board) of disciplinary action and certain resignations and retirements where “unacceptable behaviour” is involved.

This obligation is separate and distinct from the **Mandatory Reporting** obligation under the Children, Young Persons and Their Families Act 1997 (Tas).

What is Reportable?

Under section 31 of the Act, the College as an employer of registered teachers, must notify the Board within 28 days if the College:

- considers any behaviour of a teacher to be unacceptable behaviour; and
- dismisses the teacher, or takes disciplinary action against that teacher, because of that behaviour.

Unacceptable behaviour is defined in section 31(1) of the Act as behaviour of a person that:

- does not satisfy a standard of behaviour generally expected of a teacher;
- is otherwise disgraceful or improper; or
- shows that the person is unfit to be a teacher.

The Board then has powers to investigate and take further action.

Registered teachers at the College also have an obligation to notify the Board within 28 days of being charged with a prescribed offence in Tasmania or elsewhere. A prescribed offence is defined in section 3 of the Act to mean an offence committed in Tasmania or elsewhere which carries a possible sentence of imprisonment, irrespective of whether or not such a sentence was imposed. Similarly, registered teachers must also notify the Board in writing within 28 days of a conviction of any prescribed offence.

The Board will then take appropriate action which can include a caution, imposing conditions on their registration to teach, amending existing registration conditions or suspend or cancel the teacher’s registration if the teacher is considered to no longer be of good character and no longer fit to be a teacher.