

# POLICY

## Authority to Employ an Unregistered Person

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### 1. Authority to Employ an Unregistered Person

The Teacher Registration Board of the Northern Territory (the Board) may grant an authorisation to an employer to employ or engage an unregistered person to work as a teacher for a specific period, not exceeding one calendar year.

Under section 4 (Definitions) of the *Teacher Registration (Northern Territory) Act* (the Act), a teacher is defined as:

*A person who is qualified to program and deliver a course of instruction at a school and to assess the work of students in relation to that course of instruction.*

Consequently, persons employed as support staff (including, for example, teachers' aides, and unpaid volunteers) are not employed under an authorisation.

The intent of the Act in providing for the employment of unregistered persons is that, in certain circumstances the Board may grant authorisation to an employer to employ a person who does not hold the prescribed qualifications for registration, but has other relevant qualifications, skills and experience that enable them to deliver a course of instruction in a school or position where other reasonable options may not be available to the employer.

Authorisation is considered by the Board in circumstances where the Board is satisfied that the teaching standard will not be of a lesser standard to other options reasonably available to the employer.

Each application for authorisation is considered by the Board on a case by case basis. Persons employed under an authorisation are subject to the provisions of the Teacher Registration (Northern Territory) Act (the Act).

### 2. Legislative requirements

Section 11(c) of the Act provides that the Board may grant authorisation if satisfied it is appropriate to do so.

Section 41 of the Act provides for an employer to apply for authorisation.

Section 42 of the Act provides that the Board must be satisfied that the unregistered person:

- a. is fit and proper person to teach;
- b. is competent to teach each subject specified at the level specified; and
- c. will be appropriately supervised.

Section 43 of the Act provides for the refusal of an application.

Section 44 of the Act provides that there is no appeal against refusal to grant authorisation

Section 45 of the Act provides for no automatic right of renewal of authorisation.

Section 46 of the Act provides for notification of change of details.

Section 47 of the Act provides for the Board to maintain records.

### 3. Categories of Authorisation

Authorisation is categorised according to the qualifications, experience, skills and circumstances of the person subject to the authorisation. There are four categories under which an employer might apply for an Authority to Employ.

**Category One** applies where a person holds an initial teacher qualification, however is less than four year qualified. Applicants in this category are usually experienced teachers that have completed at least three years of an approved teacher education program. For Category One authorisations, the Board considers whether the person's qualifications meet national requirements (including the number of practicum days completed) as well as the person's previous teaching experience.

In some circumstances, the Board may require that a person authorised under Category One authorisation enrol in a course of study to upgrade their qualifications to meet the requirements for registration, particularly where a repeat application for authorisation is made by an employer.

**Category Two** applies where a person has specialist knowledge and skills relevant to a particular course or subject. Applicants in this category have specific knowledge and skills required for a particular teaching position, most commonly music, languages other than English and cultural programs.

**Category Three** applies to Teach for Australia Associates. The Teach for Australia program is designed for schools classified as educationally disadvantaged. Applicants in this category are enrolled in the Teach for Australia program and are sought by employers to employ as an unregistered person in the Northern Territory.

In granting a Category Four authorisation, the Board considers the:

- Location of the school, as it is considered that schools located in a city or major centre may find it more difficult to demonstrate the need for employing a Teach for Australia associate; and
- Clusters of Teach for Australia associates in each school.

**Category Four** applies to Pre-service teachers. Applicants in this category are pre-service teachers who are in their fourth year, final semester of undergraduate study or who are in their final semester of an initial teacher education postgraduate

program at Charles Darwin University or another Australian university that has pre-service teachers completing practicum experiences in Northern Territory schools.

In granting a Category Four authorisation, the Board considers whether:

- All course requirements for Professional Experience have been completed;
- There are a maximum of two (2) units left to complete on the qualification, neither of which may be Professional Experience units; and
- The good standing of the pre-service teacher.

#### **4. Considerations of the Board**

The Board holds discretion in deciding an authorisation. Each application for authorisation will be considered on a case by case basis. Some of the considerations made by the Board to assist in making decisions for all categories of authorization include:

- Whether providing the authorisation is consistent with the development and improvement of the professional teaching standards;
- The likelihood of a registered teacher being available to teach at that school in the course of instruction or subject required;
- The supervision arrangements for the authorised person that are present within the school; and
- Whether providing the authorisation is consistent with promoting best practice in teaching in the Territory.

The Board may seek additional information with regard to the application, including additional information about the school, the person and the course of instruction or subject the authorisation is relevant to.

#### **5. Repeat authorisations**

Employers may apply for a repeat authorisation for the person for a period after the expiration of the authorisation.

In considering an application for repeat authorisation, the Board will adopt the considerations and requirements outlined in this policy.

##### Requirements for Repeat authorisations

For Category One and Two authorisations, the Board may require that the authorised person enrol in a course of study to upgrade their qualifications to meet the requirements for registration. In considering an application for a repeat authorisation for a Category One or Two authorised person, the Board may require evidence of enrolment in an initial teacher education course and/or satisfactory progress through the course.

Where a Category One or Two authorised person has been required to enrol in further study and has not provided evidence of enrolment, or demonstrated satisfactory progress towards the achievement of that award, the Board will consider

the individual circumstances of the person and the employer when deciding to grant the repeat authorisation.

## **6. Refusal of application for authorisation**

Where the Board refuses to grant authorisation the Board will provide the employer with written notice of the Board's decision and return all documents that were provided to the Board.

## **7. Other Information**

Fact Sheet: Authorisation to Employ Teach for Australia Associates