

Authority to employ an unregistered person to teach

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1. Overview

The Teacher Registration Board (**the Board**) was established to administer the scheme for teacher registration in the Northern Territory, and facilitate the continuing competency and quality of the teaching profession in the best interests of students. In the Northern Territory, only people who are fit and proper, appropriately qualified, and competent to teach are able to be employed as teachers.

The Board recognises that Northern Territory schools can experience challenges in finding appropriately qualified, registered teachers, particularly for certain specialist subject areas and geographical locations. In the interest of ensuring that Territory children continue to have access to broad educational opportunities, and are able to learn within their home town or community, the Board may decide to grant an employer an authority to employ an unregistered person as a teacher in exceptional circumstances, in accordance with Part 5 of *The Teacher Registration (Northern Territory) Act 2004* (**the Act**) and this policy.

2. Purpose

This policy outlines the requirements for an employer seeking to apply for an authority to employ an unregistered person to teach in the Northern Territory.

3. Scope

This policy applies to all employers and unregistered persons (who do not hold the prescribed qualifications for teacher registration) who apply for an authority to teach in the Northern Territory.

4. Definitions

Word / Term	Definition
Applicant	For the purposes of this policy, applicant refers to the Unregistered Person- unless stipulated otherwise.
Approved form	Means Form C approved by the Board.
Australian Professional Standards for Teachers	Are the national professional teaching standards recognised and Gazetted by the Board.
Authorised Person	Person who is authorised to teach, and holds a current certificate of authorisation.
Authorisation	Means an approved authority to employ an unregistered person as a teacher
Employer	For the purposes of this policy, Employer means the Principal of the school who is directly responsible for the administration and control of the school, including employing the unregistered person as a teacher.
Leadership Position	Means a nominal role that removes the teacher from the classroom to lead, mentor, or supervise teachers. This does not include Aboriginal and Torres Strait Islander people who are authorised to teach a subject/s, and are considered to be part of a Leadership team at their school.
School	In accordance with section 5 of the <i>Education Act 2015</i> .

Word / Term	Definition
Supervise	Means direction and support provided by a fully registered teacher to an authorised person.
Unregistered person	Means a person who is not registered as a teacher under the Act
Qualifications	For the purpose of this policy, means a qualification: <ul style="list-style-type: none"> a) as prescribed in regulation 4 of the <i>Teacher Registration (Northern Territory) Regulations 2004</i> (the regulations); or b) awarded by a higher education institution on completion of a course; or c) awarded by a vocational education and training provider on completion of a course.
Competency	Means the person is competent to teach each subject specified in the application for authorisation, at the level specified in the application as decided in accordance with Regulation 5 of the regulations and this policy.
Fitness and Propriety	Means the person is fit and proper to teach as decided under section 32 of the Act

5. Policy

In most circumstances, an employer is required to demonstrate that they are unable to employ a registered teacher to fill a vacant position in order to apply for an authority to employ an unregistered person as a teacher (an authorisation).

There are some circumstances where the Board may grant an exception to needing an employer to attempt to recruit a registered teacher. These circumstances include, but are not limited to, people employed:

- To teach subjects in Languages other than English, Music and Indigenous Language and Culture.
- To complete a Teach for Australia placement.
- As a VET trainers delivering a VET course in a school.

An employer may only seek an authorisation for an applicant who:

- a. is eligible for authorisation in accordance with the Act and this policy;
- b. has the relevant knowledge, qualifications, skills or training suitable for the position; and
- c. meets the requirements under one of the categories of authorisation in this policy.

An employer may only apply for an authorisation if they:

- a. where required, can demonstrate that all other options reasonably available to the employer to employ a registered teacher in the position have been exhausted;
- b. can commit to providing the supervision requirements of authorisation; and
- c. can comply with all other legislative, policy and other requirements of an authorisation, including conditions that may be imposed on an authorisation.

The Board will assess the Employer's ability to sufficiently evidence the requirements for authorisation, including measures taken to employ a registered teacher in the first instance (if required).

It is an offence for an employer to employ an unregistered person as a teacher without an authorisation.

5.1 Eligibility for Authorisation

An application for authorisation may not be made by an employer in relation to an unregistered person who is, at the time of application:

- disqualified from registration by the Board;
- disqualified from teaching under authorisation by the Board;
- suspended from registration; or
- suspended from an authorisation.

The Board may make enquiries with other registration authorities, employers, referees, or any other person, or may request further information, to assist in determining the applicant's eligibility for authorisation.

In the interest of maintaining quality teachers and public confidence in the teaching profession, all applications for authorisation are assessed against the eligibility criteria to determine the applicant's suitability as teacher.

In deciding whether an applicant is eligible for authorisation, the Board must consider whether they:



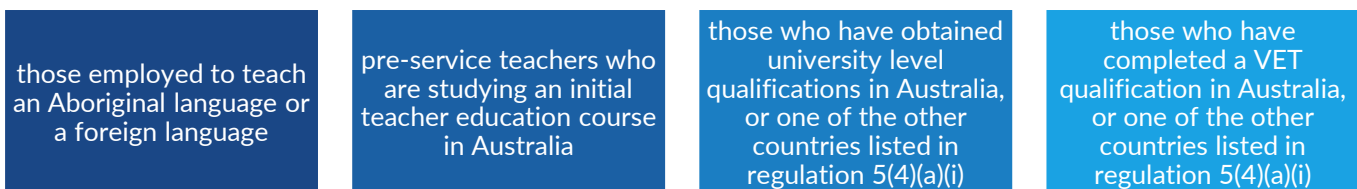
Fit and proper

The fit and proper assessment determines whether the character, reputation and conduct of a person indicates that they should be allowed to teach children. The Board takes into account all items in section 32 of the Act, and these are covered in the application for authorisation.

Competence

The Board must be satisfied that a teacher is able to perform the role of a teacher in accordance with the Australian Professional Standards for Teachers, and is proficient in the English language.

All teachers in the Northern Territory must be proficient in the English language. For the purpose of considering English Language Proficiency for authorisations, the following applicants for authorisation are deemed by the Board to be proficient in the English language:



An applicant that does not meet one of the circumstances outlined above will be required to provide results of an English Language Proficiency Test for the purpose of determining English language proficiency.

5.2 Categories of Authorisation

The categories of Authorisation stipulate the specific requirements under which an employer might apply for an authorisation. The Board will only grant an authorisation in circumstances where the applicant meets the requirements of one of the categories in this policy.

Category 1

Applicants who are less than four year qualified

Applicants in this category are experienced teachers and **generally will have completed a three-year tertiary teacher education qualification**. This category can also include people who have an early childhood qualification that does not meet the prescribed teacher qualification requirements for registration.

Things to consider when applying for this category

Applicant	Employer
<input type="checkbox"/> Have you contacted the Board to ensure you are not eligible for registration?	<input type="checkbox"/> Have you undertaken a recruitment process to fill this position? Do you have evidence of this?
<input type="checkbox"/> In some circumstances repeat authorisations may require that you enrol in a course of study to upgrade your qualifications to meet the requirements for registration. Are you prepared to meet this condition if the Board imposes one on your authorisation?	<input type="checkbox"/> Do you have evidence that any registered persons who applied for the position were not suitable?
<input type="checkbox"/> You understand that you will be required to meet the requirements of the Professional Development Framework , including providing evidence of at least 20 hours of relevant professional learning per year when submitting any future applications for authorisation or registration.	<input type="checkbox"/> Are you aware that there is no automatic right of renewal for authorisation applications for a subsequent year, and that a new application must be made if the authorisation is required to be renewed?
<input type="checkbox"/> You understand that there is no right of review to a decision pertaining to an authorisation, and that any decision to refuse an authorisation by the Board is final.	<input type="checkbox"/> Are you aware, that the person being employed is, under no circumstance , to be working in a leadership position as defined in this policy?
	<input type="checkbox"/> Are you familiar with the legislative obligations that you are responsible for meeting if you employ a person under authorisation?
	<input type="checkbox"/> Do you have a fully registered teacher who can supervise the applicant throughout the period of their authorisation?
	<input type="checkbox"/> You understand that there is no right of review to a decision pertaining to an authorisation, and that any decision to refuse an authorisation by the Board is final.

Category 2

Applicants who have specialist knowledge and skills

Applicants in this category are people **who have specific knowledge and skills required for a particular teaching position**, most commonly music, language/s other than English and culture programs.

Things to consider when applying for this category

Applicant	Employer
<p><input type="checkbox"/> Do you have evidence that you hold a specialist skill or knowledge for the specified teaching position?</p> <p><input type="checkbox"/> In some circumstances repeat authorisations may require that you enrol in a course of study to upgrade your qualifications to meet the requirements for registration. Are you prepared to meet this condition if the Board imposes one on your authorisation?</p> <p><input type="checkbox"/> You understand that you will be required to provide evidence of 20 hours of relevant professional learning during each year of an authorisation as outlined in the Professional Development Framework when submitting any future applications for authorisation.</p> <p><input type="checkbox"/> You understand that there is no right of review to a decision pertaining to an authorisation, and that any decision to refuse an authorisation by the Board is final.</p>	<p><input type="checkbox"/> The Board may request evidence that you have undertaken a recruitment process to fill this position, and if so do you have evidence that any registered persons who applied for the position were not suitable?.</p> <p><input type="checkbox"/> Are you aware that there is no automatic right of renewal for authorisation applications for a subsequent year, and that a new application must be made if required?</p> <p><input type="checkbox"/> Are you aware, that the person being employed is, under no circumstance, to be working in a leadership position as defined in this policy?</p> <p><input type="checkbox"/> Are you familiar with the legislative obligations that you are responsible for meeting if you employ a person under authorisation?</p> <p><input type="checkbox"/> Do you have a fully registered teacher who can supervise the applicant throughout the period of their authorisation?</p> <p><input type="checkbox"/> You understand that there is no right of review to a decision pertaining to an authorisation, and that any decision to refuse an authorisation by the Board is final.</p>

Category 3

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. This category of authorisation is only available for middle and secondary school placements.

Things to consider when applying for this category

Applicant	Employer
<p><input type="checkbox"/> Do you have evidence that you have completed the Initial Intensive Program?</p> <p><input type="checkbox"/> Do you have evidence that you have been accepted/enrolled in the Teach for Australia program?</p> <p><input type="checkbox"/> You understand that you will be required to provide evidence of 20 hours of relevant professional learning during each year of an authorisation as outlined in the Professional Development Framework when submitting any future applications for authorisation.</p> <p><input type="checkbox"/> You understand that there is no right of review to a decision pertaining to an authorisation, and that any decision to refuse an authorisation by the Board is final.</p>	<p><input type="checkbox"/> Are you aware that the following evidence is required by you, the Employer, to be submitted with the application for authorisation:</p> <ol style="list-style-type: none"> 1. A teaching timetable that details the following: <ol style="list-style-type: none"> a. The subjects and year levels to be taught by the associate b. The off class mentoring time (minimum 1 hour/week) c. Release/planning time d. University study time (0.2FTE) 2. A mentoring suitability statement 3. A detailed statement outlining orientation arrangements and support structures to monitor the Associates competence and wellbeing 4. A detailed overview of the school's induction program, including the information provided to Associates <p><input type="checkbox"/> Are you aware that there is no automatic right of renewal for authorisation applications for a subsequent year, and that a new application must be made if required?</p> <p><input type="checkbox"/> Are you aware, that the person being employed is, under no circumstance, to be working in a leadership position as defined in this policy?</p> <p><input type="checkbox"/> Are you familiar with the legislative obligations that you are responsible for meeting if you employ a person under authorisation?</p> <p><input type="checkbox"/> Do you have a fully registered teacher who can supervise the applicant throughout the period of their authorisation?</p> <p><input type="checkbox"/> You understand that there is no right of review to a decision pertaining to an authorisation, and that any decision to refuse an authorisation by the Board is final.</p>

Category 4

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 other Australian universities that have pre-service teachers completing practicum experiences in Northern Territory schools.

Things to consider when applying for this category

Applicant	Employer
<input type="checkbox"/> Have you completed all of your Professional Experience units?	<input type="checkbox"/> Have you undertaken a recruitment process to fill this position? Do you have evidence of this?
<input type="checkbox"/> Do you have a maximum of two (2) theory units remaining for the completion of your course?	<input type="checkbox"/> Do you have evidence that any registered persons who applied for the position were not suitable?
<input type="checkbox"/> Do you have your final practicum report (signed and dated)?	<input type="checkbox"/> Are you aware that there is no automatic right of renewal for authorisation applications for a subsequent year, and that a new application must be made if required?
<input type="checkbox"/> Do you have a letter from your university detailing the following? <ol style="list-style-type: none"> 1. Name of course you are enrolled in 2. Confirming completion of all professional experience units 3. Confirming the remaining units left to complete the course 4. Supporting your good character as indicated through your time as a pre-service teacher 	<input type="checkbox"/> Are you aware, that the person being employed is, under no circumstance , to be working in a leadership position as defined in this policy?
<input type="checkbox"/> You understand that you will be required to provide evidence of 20 hours of relevant professional learning during each year of an authorisation as outlined in the Professional Development Framework when submitting any future applications for authorisation.	<input type="checkbox"/> Are you familiar with the legislative obligations that you are responsible for meeting if you employ a person under authorisation?
<input type="checkbox"/> You understand that there is no right of review to a decision pertaining to an authorisation, and that any decision to refuse an authorisation by the Board is final.	<input type="checkbox"/> Do you have a fully registered teacher who can supervise the applicant throughout the period of their authorisation?
	<input type="checkbox"/> You understand that there is no right of review to a decision pertaining to an authorisation, and that any decision to refuse an authorisation by the Board is final.

Category 5

VET Trainers

Applicants in this category are VET Trainers/Assessors delivering VET in a secondary school environment.

Things to consider when applying for this category

Applicant	Employer
<input type="checkbox"/> Do you have a Training and Assessment (TAE) Certificate 4? <input type="checkbox"/> Do you have evidence that you have vocational competence (a trade or skills at or above the level that you will be employed to deliver)? <input type="checkbox"/> Do you have proof of industry currency (e.g. statement of employment or employer references)? <input type="checkbox"/> Do you have an up-to-date resume listing your current work history? <input type="checkbox"/> You understand that you will be required to provide evidence of 20 hours of relevant professional learning during each year of an authorisation as outlined in the Professional Development Framework when submitting any future applications for authorisation. As a VET Trainer, it is a requirement that you demonstrate that you have participated in Professional Learning specifically focused on adolescent learners (Standard 1 of the Australian Professional Standards for Teachers) <input type="checkbox"/> You understand that there is no right of review to a decision pertaining to an authorisation, and that any decision to refuse an authorisation by the Board is final.	<input type="checkbox"/> Are you aware that there is no automatic right of renewal for authorisation applications for a subsequent year, and that a new application must be made if required? <input type="checkbox"/> Are you aware, that the person being employed is, under no circumstance , to be working in a leadership position)? <input type="checkbox"/> Are you familiar with the legislative obligations that you are responsible for meeting if you employ a person under authorisation? <input type="checkbox"/> Do you have a fully registered teacher who can supervise the applicant throughout the period of their authorisation? <input type="checkbox"/> You understand that there is no right of review to a decision pertaining to an authorisation, and that any decision to refuse an authorisation by the Board is final.

5.3 Application for Authorisation

An employer may apply to the Board for an authorisation for a specified period not exceeding one calendar year. Applications for Authorisation are assessed on a case-by case basis.

In order to make an application for an authorisation, the employer and applicant must meet the requirements of this policy.

The Board will decide an application for authorisation within 90 days of accepting the application. An application is accepted by the Board when it is complete, and the relevant fees have been received.

The application for authorisation is considered complete and accepted by the Board if:

- a) The application is made through the completion of the approved form;
- b) The application is accompanied by all documents required by the approved form; and
- c) The application is accompanied by the prescribed fees.

If an incomplete application is received by the Board, the Employer and applicant will be advised in writing that the application has not been accepted and the action required to complete the application.

Electronic submissions of PART A of the application is a requirement for the Employer. Handwritten applications will not be accepted and will be assessed as incomplete.

A robust process of recruitment and an exploration of other options school by the employer is strongly recommended by the Board prior to initiating an application for authorisation. An authorisation may only be granted where the Employer has demonstrated that no appropriate registered teacher is available. **Evidence of this may be requested by the Board** in order to assess the application.

5.4 Decision of the Board

Part 5 Section 42 of the Act provides that the Board may grant authorisation if satisfied it is appropriate to do so.

The Board will only grant an authorisation **if it is satisfied that all other options reasonably available to the employer have been exhausted**, the person meets the requirements of one of the categories for authorisation, the person is eligible for an authorisation, and the requirements outlined within the application have been met to the Board's satisfaction.

The Board may require the Employer or applicant to provide any information it considered necessary to decide the application.

5.5 Conditions on Authorisation

The Board may choose to vary, revoke or impose a condition on the authorisation at the time of granting. Conditions may also be imposed, varied or revoked during the course of the authorisation.

Conditions may impose a limitation or restriction on the authorised person, or, may require the authorised person to undertake an action or provide further information deemed necessary by the Board. Conditions are imposed to assist a teacher to meet the administrative, conduct and/or compliance expectations of the Board.

All authorised teachers in the Northern Territory are subject to a condition requiring compliance with the Board's [Professional Development Framework](#). This condition cannot be revoked or varied by the Board, however additional condition/s relating to specific, identified professional development needs may be imposed.

It is also a condition of an authorisation that the employer arrange for a registered teacher to supervise the authorised person for the duration of the authorisation. The condition is that an authorised person is to be supervised by a teacher who holds Full Registration, and that the employer must provide the Board with a detailed statement of supervision, including explicit information on induction/orientation and strategies to support professional learning.

5.6 Monitoring Compliance with the Act

The Board’s functions and powers include monitoring compliance with, and enforcing, the Act. In carrying out this function the Board may conduct an audit of a school to ensure compliance with the Act. This may include scheduled site visits.

5.7 Related Documents

[Teacher Registration \(Northern Territory\) Act 2004](#)

[Teacher Registration \(Northern Territory\) Regulations 2004](#)

[Professional Development Framework](#)

[Teacher Registration Board Website](#)

6. Review

Date Published	06 December 2022
Review Date	05 December 2023

Version	Date
1	2020
2	2021
3	2022