



**WACSSO**

**Western Australian Council of State School Organisations**

**Submission to the Section 90 Review of the *WACOT Act 2004***

Presented on behalf of WACSSO State Council by Robert Fry JP, President.

13 May 2009

## **Background**

The Western Australian Council of State School Organisations (WACSSO) is committed to a public education system available to all people irrespective of their age, socio economic status, race, religion, ability or where they live.

The philosophy underlying the WACSSO framework centres on the principles of equality, excellence, and participatory democracy.

Equality is dependent on the recognition that all children have a capacity to learn; learning is the construction of meaning from experience; school practices must acknowledge and build on the culture and experiences children bring to school; children have a right to develop their skills, knowledge and aptitudes in challenging but personally successful and fulfilling ways.

The principle of excellence implies that the public school system must provide for all students the highest quality education, which will enable them to learn how to learn throughout their lives and to apply that knowledge for the benefit of both themselves and others.

The principles of participatory democracy hold that the provision of an education system which addresses the need of all is most likely to be achieved when those involved are empowered to be partners, through representation in all decision-making processes of the system.

WACSSO believes that the quality of a school is closely related to the quality of teachers and that the selection of potential teachers, their training, further development and professional attitudes and standing are vital factors in the quality of school education.

After the *Western Australian College of Teaching Act 2004* (the Act) was given Royal Assent in June 2004 and subsequently when the College was established in September 2004, the Western Australian Council of State School Organisations Inc (WACSSO) was appointed by the Minister to the board. In the time leading up to this, WACSSO (on behalf of its affiliates) advocated to have a body that was responsible for the registration and professional standards for Teachers. WACSSO played an intricate role in the establishment of the College and to that end, we see the importance of having a representative of the parents of students at government school on the board.

### **Matters Considered:**

#### **1. *The effectiveness of the operations of the College***

WACSSO considers that the College employs effective processes and procedures in relation to the registration of teachers. The establishment of the Registration and Membership Committee has ensured the registration process is consistent and equitable and that there are policies and strategies in place for teacher registration. The Standards and Conduct Committee oversees the issues relating to consideration of an individual's registration due to breaches of conduct etc. The committee structure involving the board is an integral function of the college and any consideration in reducing the board could place impossible expectations on the remaining members.

**2. *The need for the continuation of the functions, powers and activities of the College including consideration of their appropriateness relative to Government policies and priorities.***

WACSSO believes that the key priority of the College is the continuance of the scheme of registration in accordance with Part 4 of the Act to ensure the quality of teachers including the power to remove registration in appropriate circumstances. Functions surrounding professional practice and conduct should be maintained to ensure the status of teaching is held in high regard.

**3. *The objects of the Act, in particular the question of recognising and promoting the profession.***

WACSSO believes that the public perception of teachers has been raised since the introduction of the College and should continue to rise. However, WACSSO believes that legislation should not be introduced to raise awareness as this should be recognised as part of normal business of the College and of teachers. The focus of raising the standards is seen as more related to a professional body established by the profession not an act of parliament.

**4. *The relationship of the College with the Minister, having regard to the Minister's accountability to Parliament.***

In regard to the current position it is recognised that the Minister administers the act and as such the focus on assurance of registration and conduct of members should be the focus for the minister.

**5. *The appropriateness of the organisation's governance arrangements, having regard to similar legislative registration schemes for teachers and other professions.***

Currently the structure of the board allows a workable balance across sectors and associated bodies related to education. Any reduction in the numbers of representatives or the structure of the board could prove to be detrimental to all sectors.

**6. *The scheme of registration and information required to operate the scheme, including the criminal record checking provisions of the Act, having regard to relevant provisions in other legislation.***

Any criminal record checking provisions including the Working With Children Check should ensure all relevant information is up-to-date and can be acted upon immediately. The requirement for obtaining two separate clearances should be amended so that only one clearance is required with the proviso that any clearance covers offences normally checked by both processes. The Working with Children Act needs to be considered to ensure the screening requirements also meet the requirements of this act.

**7. *Disciplinary provisions and whether the State Administrative Tribunal (SAT) should have a role in relation to appeals from decisions of the College.***

WACSSO is supportive of the State Administrative Tribunal (SAT) to be responsible for the appeals process of decision of the College. Currently it seems that appeals through the District Court may be prohibitive for teachers and as such take away the ability to ensure natural justice.

**8. *Whether the College's resources are appropriate in light of its statutory functions.***

The College's resources are deemed to be acceptable if registration and professional conduct were the only issues dealt with by the College. As stated earlier the focus on raising the professional standards is a responsibility of the profession not the government - in fact the legislative approach could have a negative effect on the profession.

**9. *The appropriateness of the designation given by the Act to the College.***

The act identifies a range of persons who make up the board and the current makeup is an excellent combination ensuring broad representation of all the clients of education in this state. To change this or turn it solely over to the profession would be a retrograde step that could be seen to take away the public confidence in the current board.

**10. *Other matters that arise in the course of the Review that are relevant to the operation and effectiveness of the Act.***

Annual Fee amounts should not be prescribed and should be removed to allow the College to set annually with CPI or other similar index through the regulations hence giving the ability of the board to offer discounts for longer term registration and possible incentives for early payment etc.