

Productivity Commission Submission

2025 National Competition Policy Analysis

Introduction

The Queensland College of Teachers (QCT) is the statutory authority responsible for regulating the teaching profession in Queensland. The QCT registers teachers for Queensland state and non-state schools and some early childhood settings, certifies teachers at the Highly Accomplished and Lead career stages, takes disciplinary action against relevant teachers, and monitors compliance to enforce the *Education (Queensland College of Teachers) Act 2005* (QCT Act). Regulatory activities are funded from the revenue of teacher registration fees.

The QCT appreciates the opportunity to provide a submission to the Productivity Commission regarding the *National Competition Policy analysis 2025* and the Hon Dr Jim Chalmers MP's request for advice. This submission provides information regarding the governing bodies that register and regulate teachers, existing processes to support mobility within the sector, and reasons to support continuous improvement within an existing, localised, jurisdictionally aligned system.

The QCT and its predecessor regulatory authorities (the Board of Teacher Education and Board of Teacher Registration) established high standards for quality teaching and child safety more than 50 years ago. The QCT has remained a trusted regulator in Queensland by maintaining these high standards. As of 2024, the QCT had 119,646 teachers registered, reflecting almost a quarter of Australia's registered teachers.

In summary, information provided within this submission supports the position endorsed by the Board of the Queensland College of Teachers that the teaching profession be excluded from reforms related to the National Competition Policy.

Submission

Existing governing bodies

As identified within the call for submissions, requirements and licences can differ between states and territories and there has been ongoing reform in recent years to expand mutual recognition of licences across jurisdictions as part of the *Intergovernmental Agreement on the Automatic Mutual Recognition of Occupational Registration*.

Each jurisdiction within Australia has a teacher regulatory authority (TRA) that is responsible for regulating the teaching profession within their respective jurisdiction, enabled by relevant state legislation. In 2018, a National Review of Teacher Registration (*One Teaching Profession: Teacher Registration in Australia, 2018*) was undertaken by an independent Expert Panel established by the Australian Institute for Teaching and School Leadership (AITSL). Whilst recommendations were made, the panel regarded the framework and current institutional arrangements for teacher registration – with state and territory authorities responsible for implementing teacher registration – as the right foundation for further strengthening teacher registration in Australia. The proposal of a national licensing scheme does not build on, and is contrary to, the findings of this report.

Harmonised regulatory standards

Comprising senior representation from each regulatory authority in Australia and New Zealand, ATRA (Australasian Teacher Regulatory Authorities) operates as a community of practice providing opportunities for collaboration on matters of shared strategic priority.

In particular, ATRA:

- treats the best interests of children as the paramount consideration and has been responsive to the outcomes of the Royal Commission into Institutional Responses to Child Sexual Abuse, particularly in relation to improved information sharing
- contributes to the development of, and works within, the *Framework for Teacher Registration in Australia*
- contributes to national policy initiatives on matters related to teacher regulation, teacher supply, teacher preparation and quality standards in collaboration with the Australian Government, States and Territories and AITSL
- continues to be responsive to changing context and develop reasonable and proportionate regulatory solutions for a range of cohorts, including teachers working across jurisdictional borders.

The QCT contributes to the progress of ATRA and continues to promote best practice and national consistency, while learning from other jurisdictions within Australia and globally via the International Forum for Teacher Regulatory Authorities (IFTRA).

Current state of labour mobility

Mobility of the teaching profession as an occupation is currently supported via the *Mutual Recognition Act 1992* (Cth) and similar Acts in participating jurisdictions. If a teacher is registered to teach in one Australian state or territory, they can be granted registration in another without additional requirements, provided the teaching activities are equivalent. This allows teachers to move between jurisdictions to fill job vacancies.

The QCT supports the education system in Queensland in this process by ensuring the appropriate checks and verifications occur prior to a teacher commencing work as a teacher. The regulatory approach is not complex or excessive but commensurate with customer needs and community expectations.

In 2024, the QCT registered 1,918 teachers via this process (Figure 1), who were generally deemed to commence employment within a few days, with 80% of all aspects of registration being finalised within 30 days – an increase from 77% in 2023, demonstrating continuous improved efficiency.

Figure 1:

	ACT	NSW	NT	NZ	SA	TAS	VIC	WA	Total
2024	47	587	78	525	95	47	439	100	1,918

Similarly, all jurisdictions within Australia are bound under the *Trans-Tasman Mutual Recognition Act 1997* to recognise registered teachers transferring between New Zealand and each Australian state/territory. The QCT also regularly assesses registration applications from overseas persons wishing to teach within Queensland. In 2024, the QCT received 892 applications from teachers with overseas qualifications and approved 522 applications. Most overseas applications were from teachers who undertook initial preparation in the United Kingdom, South Africa and New Zealand.

Queensland legislation requires that teachers can communicate in spoken and written English at a professional level. The QCT's English Language Proficiency (ELP) Policy aligns with the Framework for Teacher Registration in Australia and nationally consistent registration processes to ensure a consistent standard for ELP for the registration of teachers across Australian states and territories.

In 2024, overall customer satisfaction within Queensland for the various application streams for registration was 90%, exceeding the target of 80%. Additionally, stakeholders trust the QCT as the regulator. In 2023, a survey conducted by the Australian Survey Research Group reported a 96% positive rating for QCT as a regulator. Stakeholders surveyed included Higher Education Institution providers, the Principals' Associations, the Queensland Department of Education, teacher unions, employers and parents.

There is limited evidence to portray that the existing processes and regulatory bodies are not meeting the needs of users. Additionally, these existing systems meet the relevant objective to streamline processes and appropriately recognise the skills, experience and qualifications of workers (objective c) listed within the Federation Funding Agreement of the National Competition Policy.

Unsuitability for national licensing scheme for the teaching profession

It is acknowledged there may be several industries where there is a need for national licensing due to extensive delays with the transfer of registration, which inhibits a transient workforce and ultimately impacts the availability of labour, such as trades people as referred to within the request for advice from the Hon Jim Chalmers MP. However, schools are community-based institutions and not an industry or business servicing across jurisdictions, where conditions of a 'free market' may be productive.

Quality teaching is not enabled by a transient workforce or a 'fly-in-fly-out' mode of delivery. Good-quality education relies on continuity of teaching, engagement with parents/carers and the community, and an understanding of the diverse, cultural context of a school to support student achievement.

Further, the *Alice Springs (Mparntwe) Declaration (2019)* states commitment to a goal that 'the Australian education system promotes excellence and equity' and includes that all Australian Governments work with their education communities to provide access to high-quality education, recognise individual needs, promote personalised learning and ensure that the learning is built on and includes local, regional and national cultural knowledge and experience of Aboriginal and Torres Strait Islander peoples and work in partnership with local communities (p5). Expectations of the professional workforce should be in alignment with that goal.

National data confirms that teaching is not a transient workforce (Figure 2). In 2022, AITSL reported "*Teachers are increasingly employed under ongoing/permanent contracts, while the prevalence of short-term contracts has declined, and full-time employment has become more common over time.*" Teaching is also not a workforce where immediate mobility across jurisdictions is necessary in response to any form of declared state of emergency, such as natural disasters.

Figure 2:

Employment type	2019	2022
Fixed term contract with the duration of one year or less	14%	11%
Fixed term contracts of more than one year	4%	5%
Ongoing/permanent contracts	73%	75%
Casual/relief contract	9%	10%

Regardless of employment type, regulating teachers as part of a national licensing scheme may create difficulties for enforcement pathways which are focussed on the welfare and best interests of children. Criminal law, child safety and the employment of teachers is situated with state and territory jurisdictions, with each state prescribing eligibility requirements for registration along with their own offence, compliance, and mandatory reporting provisions.

Further difficulties to effectively regulate teachers through a national licensing scheme become apparent when considering that each state and territory is at differing levels of maturity in their consideration and/or implementation of the Child Safe Standards and embedding the Reportable Conduct Scheme (established through state, not Commonwealth legislation), all of which flowed from the Royal Commission into Institutional Responses to Child Sexual Abuse. The introduction of a Reportable Conduct Scheme in Queensland to offer additional coverage for child safety will commence through the *Child Safe Organisations Act 2024* that nominates the QCT as sector regulator for education services.

Regulating the teaching profession at a national level may also result in other unintended negative consequences, including a disconnect with the sector. The availability of state-level regulatory bodies such as the QCT promotes productive stakeholder relationships, localised solutions, such as those enacted through the COVID-era and ongoing monitoring, with regular engagement having the ability to support compliance and deter unscrupulous behaviour. The 2023 QCT stakeholder survey reported 100% of QCT staff have knowledge of their subject matter, and 100% of QCT staff are accessible and available when needed.

The principle of subsidiarity states that responsibility for a particular function should, where practicable, lie with the lowest level of government. In the context of the regulation of the teaching profession, it could be argued the jurisdictional and subsidiarity model breeds competition. Subsidiarity supports creativity and collaboration as states and territories need to be innovative and experimental in developing policy solutions to local challenges, and innovations will often be picked up and implemented by other jurisdictions. Subsidiarity also allows for experimentation of particular policy initiatives in a localised context, enabling other jurisdictions to make informed policy decisions. Localised approaches also facilitate responsive regulation which involves listening to multiple stakeholders and making deliberative and flexible regulatory decisions that are appropriate to the context and the regulated entity.

Final comment and recommendations

Well-established jurisdictional agencies, coupled with a productive community of practice such as ATRA, demonstrate that a successful, yet robust governance framework for the registration of teachers is already in existence. This signifies limited need for a national licensing system to apply to the teaching profession and could be detrimental to gains made.

In relation to the teaching sector, the issue of national licensing to aid the sector has unclear benefits, and alternative approaches may warrant consideration to achieve comparable objectives.

If the overall objective is to increase labour to address skills shortages, incentivising a career in education could be achieved via a range of modes. Rather than centralising existing processes and mechanisms that already align to national standards, it may be more prudent to tailor incentives to individual jurisdictions for higher customer and stakeholder satisfaction.

If the objective is harmonised regulatory standards, the recent consideration by the Productivity Commission's Inquiry into universal early childhood education and care (ECEC) (September 2024) could be leveraged. This inquiry determined the state level regulatory system for ECEC already had several mechanisms that promote efficiency, transparency and accountability. The inquiry recommended existing regulatory systems could be further improved with regards to increased performance reporting to improve transparency and accountability across jurisdictions, and that timeliness of assessments should be reviewed along with the corresponding availability of funds (recommendations 8.2 and 8.3). It is also noted that the ECEC sector refers to the TRAs and ATRA for guidance as best practice for teacher regulation.

Lastly, the call for submissions refers to the Productivity Commission's 5-year Productivity Report: *Advancing Prosperity*. Within *Advancing Prosperity*'s focus on school education, recommendations focus on embedding technology in schools and supporting educational research. While one recommendation refers to experimenting with new or innovative school models or operational changes, the report notes this should only be done where evidence suggests that Australian student outcomes could be improved. There is little evidence to suggest changes to teacher registration would improve student outcomes.