

QCT Committee Charter

This Charter outlines the procedures and guidelines for QCT committees established in accordance with the *Education (Queensland College of Teachers) Act 2005* ('the Act').

Authority

The Professional Capacity and Teacher Conduct Committee (PC&TCC) is established under section 113 of the Act. The Internal Review Committee is established under section 210A.

The Board has established the following committees in accordance with section 259 of the Act:

- Audit and Risk Committee
- Eligibility Declarations Committee
- Professional Standards Committee
- Registration Committee
- Suitability to Teach Committee

Purpose of Committees

The functions of the Professional Capacity and Teacher Conduct Committee are set out in the Act (section 115). The purpose of the Internal Review Committee is to deal with applications for internal review under the Act (sections 210 and 211).

The other committees listed above have been established to assist the Board in effectively and efficiently performing the QCT's functions. The functions of a committee established by the Board are:

- to advise and make recommendations to the Board about matters relevant to the Board's functions that have been referred by the Board to the committee; and
- to exercise powers delegated to it by the Board.

Delegation of Powers to Committees

Under section 264 of the Act, the Board may delegate its powers to a member of the Board, a committee of the Board, the Director or an appropriately qualified member of the QCT Office's staff.

The specific delegations (if any) to each committee are set out in the Appendix.

Terms of Reference

The terms of reference of each of the committees are as determined by the Board and in accordance with sections 115, 210-212 and 259 of the Act.

The terms of reference of each committee are set out in the Appendix.

Except for those expressly delegated to it by the Board, a committee has no executive powers.

Each committee is directly responsible and accountable to the Board. In carrying out its responsibilities, each committee must at all times recognise that primary responsibility for the management of the QCT rests with the Director.

Membership

The membership of the Professional Capacity and Teacher Conduct Committee and Internal Review Committee are to some extent prescribed in the Act (sections 114 and 210A). With these limitations in mind, the membership of each of the committees is determined by the Board in accordance with section 259 of the Act.

The membership for each committee is set out in the Appendix.

In order to keep members' workloads within reasonable limits, a Board member should normally not serve concurrently on more than one QCT committee.

Attendees who are not constituted members of a committee may be invited by the committee chair to attend meetings as appropriate.

Any QCT staff members who are members of committees in an ex officio capacity may participate in the committees' discussions but may not vote on decisions/resolutions before the committees.

Chairperson

All committees are to be chaired by a Board member. The Audit and Risk Committee and the Professional Standards Committee are each to have a deputy chair who is also a Board member. In each case, the committee chairperson and deputy chairperson are appointed by the Board from among the Board members on the committee.

Nomination and Appointment Process

The Board nominates and appoints members for the positions required to be filled by Board members. For the other positions on the committees, nominees are generally sought by the QCT Office, either through invitations issued to the relevant organisations or through the use of the office's network of contacts.

All appointments must be endorsed by the Board.

Secretariat

Staff of the QCT Office will provide secretarial support to the committees. The secretary of each committee will be appointed by the Director, in consultation with the relevant senior managers.

Term of Appointment

While members are generally appointed for the term of the current Board (i.e. normally for three years), appointments to committees are subject to annual review.

Periodic rotation of Board members' appointments to committees is encouraged to provide members with a broader understanding of the range of QCT business. Rotation should occur when desirable and at the discretion of the Board. While continuity and expertise are valuable, Board members should generally not serve more than two terms on any one committee unless otherwise determined by the Board.

Induction

All new committee members will be provided with an induction pack containing key information and will be inducted in a timely manner.

Number and Frequency of Meetings

Committees must meet as required to ensure compliance with any applicable timelines set down in the Act, and to ensure its duties are fulfilled and that business is handled expeditiously.

The expected meeting frequency for each committee is set out in the Appendix.

Notice of Meeting

A notice of meeting including an agenda stating the business to be conducted and the associated meeting papers shall be distributed by the committee secretary to all members of the committee no less than five days prior to the scheduled meeting date.

Tabled papers may be provided at the meeting.

Substitute Members

The Director and appropriate QCT staff are authorised to appoint substitute members to any committee in circumstances, for example, of short-term unavailability, conflict of interest or reasonable apprehension of bias of the usual members.

Quorum

The quorum for a meeting of a committee is one-half of the total number of members of the committee, or if one-half is not a whole number, the next highest whole number applies. Exceptions to this are the Internal Review Committee, the Professional Capacity and Teacher Conduct Committee and the Suitability to Teach Committee, where separate requirements apply as indicated in the Appendix.

Chair to Preside

The Chair of the committee shall preside at every meeting of the committee at which he or she is present.

Should the Chair of the committee be absent from a meeting, the Deputy Chair (where one exists) shall preside at the meeting, or if there is no Deputy Chair or the Deputy Chair is also absent, a member of the committee elected from among the members who are present shall preside at the meeting.

Attendance at Meetings

Committee members are appointed as experts, not as representatives of an organisation, and therefore cannot appoint proxies.

An exception is made in the case of the Professional Standards Committee, where members may attend by proxy at up to two meetings per calendar year.

A committee member who fails to attend three consecutive meetings without leave of absence from the Board chair will cease to be a member of the committee.

Conflict of Interest

Every committee meeting will include and minute an agenda item allowing members to declare any potential perceived or actual conflicts of interest. Where members have a real or perceived conflict of interest, they will be excused from committee deliberations on the issue where the conflict arises.

Leave of Absence

The Chair of the Board may approve leave of absence for a member of a committee.

The Chair of the Board may seek to appoint another appropriate person to the relevant committee for the period the committee member will be absent.

Vacation of Position

The position of a committee member becomes vacant if the member, or the organisation by which the member was nominated, advises the Chair of the Board in writing that they will not be continuing on the committee, or if the member is absent for three or more consecutive meetings without seeking leave.

Reporting

Where appropriate, committees should annually schedule their work, informed by overall QCT priorities.

Under section 259(4) of the Act, a committee must keep a record of the decisions it makes when exercising a power delegated to it by the Board.

The committee secretary must keep minutes of each committee meeting and ensure that a draft is available for approval by the committee in a process determined by the relevant committee.

Reports of committee meetings and decisions must be presented to the Board at the earliest opportunity for noting, endorsing or action.

The Chair of each committee will report to the Board on all matters that should be brought to the attention of the Board and any recommendations requiring Board approval and/or action.

The Professional Standards Committee is to provide for each Board meeting an update on the accreditation of ITE programs offered in Queensland.

Performance Evaluation

Each committee will regularly evaluate its meetings and monitor its performance. The Board will also evaluate the performance of the committees as appropriate to ensure that an overall picture has been properly considered.

Member Role and Responsibilities

Committee members are expected to act in the best interests of the QCT and not to represent the views of the organisation nominating them.

All committee members are required to adhere to the Code of Conduct for the Queensland Public Service, adopted by the Board as the code of conduct for members of the Board and members of committees and working parties established by the QCT.

The code of conduct provides a framework to support the ethics principles of the Public Sector Ethics Act 1994 and provides a standard of conduct to apply to members in the performance of their duties as members of the Board, a committee or a working party.

Review of Committee Terms of Reference

Where appropriate, each committee will annually review the continuing relevance of its Terms of Reference.

Any proposed changes will be submitted to the Board for consideration and, if thought fit, endorsement.

Amendments to the Committee Charter

This Charter may be amended by the Board of the Queensland College of Teachers.

Appendix

TERMS OF REFERENCE AND MEMBERSHIP FOR QCT COMMITTEES

AUDIT AND RISK COMMITTEE

Terms of Reference

The Audit and Risk Committee will advise the Board of the QCT about:

Risk Management

- the identification and management of strategic corporate risks and critical regulatory operational risks

Information Communication & Technology

- the strategic and operational ICT workplan
- the budget to facilitate the workplan

Compliance

- the QCT's compliance with government legislation and other standards and policies to ensure conformity with its statutory responsibilities in the areas of governance and finance

External and Internal Audit

- the QCT's internal and external audit relationships, including the charter, authority and effectiveness of the internal audit function
- the QCT's corporate governance including systems of internal control, internal audit activities (including fraud control) and any reports issued by internal and external auditors

Finance

- the QCT's investment policy and the performance of its investment funds
- management of major contracts (over \$250k) entered into by the QCT
- QCT's Annual Budget
- QCT's Annual Financial Statements prior to their submission to the Board for approval
- significant transactions which are not part of the QCT's normal business.

Delegations

None

Membership

- Two Board members with specific skills or interest in governance and risk
- An external nominee with high-level ICT expertise

- An external nominee with high-level expertise in the area of risk management
- A nominee with broad financial expertise
- The Director of the Office of the QCT, or his/her nominee (ex officio) (as an observer)

The QCT Director; the General Manager, Corporate Services; and the Manager, Business and Governance are authorised to appoint substitute members in the event of unavailability or conflict of interest of the usual members.

The committee may, in consultation with the Director, request any officer or employee of the QCT or the QCT's legal counsel, investment advisor or external auditor to attend a meeting of the committee or to meet with any members of, or consultants to, the committee.

All committee members will be financially literate or become financially literate within a reasonable period of appointment.

The Office of the Director will provide secretariat support for the committee, and appropriate staff members will attend to lead discussion, provide background information.

Meeting Frequency: Four to six meetings per year.

INTERNAL REVIEW COMMITTEE

Terms of Reference

- To deal with applications for internal review under section 209 of the Act
- To conduct the reviews and make decisions or recommendations in accordance with the requirements of sections 210 and 211 of the Act

Delegations

Section	Description of Power	Delegation
212	Make a decision after the committee's recommendation: (a) confirm the original decision; (b) amend the original decision; (c) substitute another decision for the original decision.	Director

Membership

At least three persons (section 210A(2)), of whom:

- one must be appointed as Chair by the Board
- one must be a Board member who is a practising teacher
- one must be a Board member who is representative of an employing authority for a school
- one may be a member with specialist knowledge appropriate to the application(s) being considered at the meeting, if required (for example, professional practice, teacher certification, professional conduct, approval of preservice teacher education programs)
- one must be a member of the registered health practitioner panel, if the application relates to a PC&TCC decision about a practice and conduct matter involving an impairment of a teacher.

As the Act specifies that the committee must consist of at least three persons (including a Board-appointed chair, a Board member who is a practising teacher and a Board member who is a representative of an employing authority for a school), at least these three members must consider the matter. If the application relates to a decision about impairment of a teacher, a member of the registered health practitioner panel must also consider the matter.

In exceptional circumstances, a single board member may satisfy more than one of the above categories if they meet the relevant criteria. However, the committee must still be composed of at least three individuals to ensure balanced representation and integrity in the review process.

The Chair of the Board is delegated/authorised to appoint another member of the committee as the chair of the committee in the event that any Board appointed chair is unable to attend or consider an application.

The QCT Director; the General Manager, Professional Standards; General Manager, Registration; General Manager, Integrity and the Manager, Discipline and Appeals; are delegated/authorised to appoint the additional member with specialist knowledge, the health practitioner panel member and replacement Board members in the event of unavailability or conflict of interest of the usual members.

Staff of the Registration unit and Discipline and Appeals (as appropriate to the matter/s being considered) of the QCT Office will provide secretariat support for the committee, and appropriate staff members will attend to provide background information.

Meeting Frequency: As required.

PROFESSIONAL STANDARDS COMMITTEE

Terms of Reference

- To oversee the application of the Australian Professional Standards for Teachers to the range of QCT functions
- To accredit and monitor initial teacher education programs offered in Queensland
- To oversee the application, monitoring and review of the CPD framework
- To oversee the application, monitoring and review of policies and guidelines for Returning to Teaching programs
- To monitor national initiatives in the areas of professional standards, teacher registration, teacher certification, teacher education including professional experience, program accreditation and professional development
- To provide advice to the Board of the QCT on policy issues relating to professional standards and their application to the range of QCT functions, including implications of national initiatives in these areas for QCT policies and processes

Delegations

Section	Description of Power	Delegation
235	College must develop or adopt professional standards	Professional Standards Committee
236(2),(3)	Approval of pre-service teacher education program	Professional Standards Committee

Membership

- Two members of the Board of the QCT who must be practising teachers, at least one of whom must be an elected teacher member
- One additional Board member, selected with regard to the overall make-up of the committee
- Three nominees of the Queensland Council of Deans of Education (to include a range of types of institutions providing teacher education programs)
- A nominee of the Department of Education
- A nominee of Education Queensland who must be a practising teacher
- A nominee of Queensland Catholic Education Commission
- A nominee of Independent Schools Queensland
- A nominee of the Early Childhood Teachers' Association
- A nominee of the Director of the Queensland Curriculum and Assessment Authority
- Two practising teachers who are not Board members of whom:
 - One is identified by the Queensland Teachers' Union
 - One is identified by the Queensland Independent Education Union
- A nominee of the Department of Education who is an Aboriginal and/or Torres Strait Islander person who is a practising teacher
- The General Manager, Professional Standards in the Office of the QCT (ex officio) (as an observer)

All members should have a teaching background and expertise relevant to the committee's terms of reference.

The Professional Standards unit of the QCT Office will provide secretariat support for the committee, and appropriate staff members will attend to lead discussion, provide background information.

Meeting Frequency: Six-weekly.

REGISTRATION COMMITTEE

Terms of Reference

- To make decisions about matters referred by the Director of the Office of the QCT; these will be contentious matters or matters in which the Director considers that s/he has a conflict of interest, including those regarding:
 - applications for teacher registration (e.g. where it is not clear that applicants meet the professional practice requirements for registration)
 - applications for full registration (e.g. where a Principal's Report assesses that some or all of the Professional Standards have not been met and the applicant disagrees with that assessment)
 - applications for renewal of full registration
 - applications from approved teachers for review of conditions imposed on registration or permission to teach
 - failure by a teacher holding provisional registration or a person holding permission to teach to comply with a condition imposed on their registration or permission to teach
 - failure by a teacher holding full registration to comply with a 'returning to teaching' condition.

Delegations

Section	Description of Power	Delegation	Conditions/Comments
41(2)	Decide to impose a new condition, amend, or refuse to amend the reviewed condition	Registration Committee Director GMR	Registration Committee – in accordance with TOR GMR – excluding refusal to amend under section 41(2)(c) of the Act
41(3)	Information notice to be given of decision under s41(2)	Registration Committee Chair GMR	Registration Committee Chair – in accordance with Registration Committee TOR
43	Information notice to be given where decision made to not cancel a condition	Registration Committee Chair GMR	Registration Committee Chair – in accordance with Registration Committee TOR
46	Show cause for failure to comply with condition(s)	Registration Committee Chair GMR Manager Discipline and Appeals	Registration Committee Chair – in accordance with Registration Committee TOR
47(1)	Failure to comply with condition – suspension or cancellation of registration or PTT – consider response to show cause and determine non-compliance	Registration Committee Chair Director GMR Manager Discipline and Appeals	Registration Committee – in accordance with TOR
47(2)	Failure to comply with condition – suspension or cancellation of registration or PTT – order suspension or cancellation after show cause response considered	Registration Committee Director	Registration Committee – in accordance with TOR
47(3)	Failure to comply with condition – suspension or cancellation of registration or PTT: (a) issue information notice if suspension or cancellation is ordered; (b) issue notice if decided not to make order	Registration Committee Chair Director	Registration Committee Chair – in accordance with Registration Committee TOR

Membership

- A member of the Board of the QCT
- A nominee of the Queensland Council of Deans of Education
- A nominee of the Department of Education
- A joint nominee of Queensland Catholic Education Commission and Independent Schools Queensland who is not a Board member
- Two practising registered teachers who are not Board members of whom:
 - One is identified by the Queensland Teachers' Union
 - One is identified by the Queensland Independent Education Union

- A nominee of the Director of the Office of the QCT (ex officio)

All members should have expertise relevant to the committee's terms of reference.

The QCT Director; the General Manager, Registration; and the Manager, Teacher Registration and Renewals are delegated/authorised to appoint substitute members in the event of unavailability or conflict of interest of usual members. Substitute members must be from the categories of members listed above.

Staff of the Registration section of the QCT Office will provide secretariat support for the committee, and appropriate staff members will attend to provide background information.

Meeting Frequency: As needed.

ELIGIBILITY DECLARATIONS COMMITTEE

Terms of Reference

- To determine eligibility declaration applications

Delegations

Section	Description of Power	Delegation	Conditions/Comments
12G(1) – (3)	Grant or refusal to grant eligibility application	Director Eligibility Declarations Committee Chair	Unconditional
12L	Revocation of decision to refuse eligibility declaration	Eligibility Declaration Committee	Unconditional

Membership

The QCT Director; the Manager, Discipline and Appeals; and the General Manager, Integrity are authorised to appoint members to constitute the committee as required, with membership to consist of two appropriate members of the QCT Office and a Board member who is a practising teacher and is not a member of the Suitability to Teach Committee.

Meeting Frequency: As needed (expected to be rarely).

PROFESSIONAL CAPACITY AND TEACHER CONDUCT COMMITTEE

Terms of Reference

The functions of the PC&TC Committee relate to minor practice and conduct matters and are set out in section 115 of the Act. The role of the committee is to:

- receive reports about investigations authorised by the QCT
- conduct practice and conduct proceedings to hear and decide practice and conduct matters referred to it by the QCT where minor disciplinary action is likely to be appropriate
- authorise an investigation if it believes that further information is required before it can hold a hearing and decide on a practice and conduct matter
- refer a matter to the Queensland Civil and Administrative Tribunal if it believes that serious disciplinary action should be taken against the teacher
- make an order for a relevant teacher to undergo a health assessment.

Delegations

None

Membership

- Generally, three Board members of whom two are to be registered teachers and one is to be not a registered teacher.

However, for the hearing of a practice and conduct matter involving an impairment of a relevant teacher, the PC&TCC must include an additional member from the registered health practitioner panel. For the hearing of a practice and conduct matter, all three members (or four for an impairment matter) must consider the matter.

The QCT Director; the General Manager, Integrity; and Manager, Discipline and Appeals are delegated/authorised to appoint members in the event of unavailability or conflict of interest of the usual members.

In the interests of operational efficiency, the Board may appoint a panel of Board members (from the appropriate categories) to the committee rather than the minimum of three specified above.

Staff of the Discipline and Appeals unit will provide secretariat support for the committee, and appropriate staff members will attend to provide background information.

Meeting Frequency: Monthly (or as required).

SUITABILITY TO TEACH COMMITTEE

Terms of Reference

- To determine the suitability to teach of applicants for registration or permission to teach who have criminal history or other 'suitability' matters not clearly within the delegated authority of the QCT Office to determine
- To determine the suitability to teach of applicants for registration or permission to teach who have previously received a prohibition order from a practice and conduct body
- To determine the suitability to teach of applicants with eligibility declarations

Delegations

None

Membership

- Three members of the Board, including at least one of the members who constitute the PC&TC Committee

Generally, of the three committee members, two should be registered practising teachers. The third member should not be a registered teacher and should be one of the parent nominees (QCPCA nominee or joint nominee of Catholic P&F and Independent Parents).

The QCT Director; the General Manager, Integrity; and Manager, Discipline and Appeals are delegated/authorised to appoint a chair and replace members in the event of unavailability or conflict of interest of usual members. In the interests of operational efficiency, the Board may appoint a panel

of Board members (from the appropriate categories) to the committee rather than the minimum of three specified above.

Staff of the Discipline & Appeals team will provide secretariat support for the committee, and appropriate staff members will attend to provide background information.

Meeting Frequency: Monthly (or as needed).