

# Employing authority notifications about teacher conduct

Version: 1

Version effective: 1/07/2026

## Policy

Audience: External - publicly available

### 1. Purpose

To set out the QCT's policy position regarding mandatory employing authority notifications under the *Education (Queensland College of Teachers) Act 2005* (QCT Act) and receiving advice about mandatory Reportable Conduct Notifications under the *Child Safe Organisations Act 2024* (CSO Act).

### 2. Rationale

This policy supports the regulatory intent of the QCT Act and CSO Act by providing clarity about the overlapping reporting requirements to assist employing authorities to fulfil their regulatory obligations in the best interests of children.

The QCT is the regulator for the teaching profession in Queensland and a co-sector regulator for the CSO Act. All information about teacher conduct is relevant to its regulatory functions. The QCT receives a range of information about registered teachers including through complaints, information sharing with the Queensland Family and Child Commission (QFCC) and other teacher regulatory authorities, and mandatory notifications from employing authorities and the Queensland Police Service (QPS).

The QCT assesses all information to help it determine the most appropriate course of action to take, including whether or not it will investigate, or commence any practice and conduct proceedings against the teacher.

Sections 76 and 77 of the QCT Act set out requirements for employing authorities to notify the QCT about dealings into particular allegations of harm caused, or harm likely to be caused, to a child because of the conduct of a teacher.

Section 34 of the CSO Act sets out the requirement for a reporting entity to notify the QFCC of reportable allegations and reportable convictions (reportable conduct) under the Reportable Conduct Scheme (RCS).

Section 49 of the CSO Act enables the QCT, the QFCC and employing authorities to share and receive information to support the RCS.

### 3. Scope

This policy applies to notifications by employing authorities for prescribed schools in relation to the conduct of a teacher of the prescribed school.

A teacher of the prescribed school could be an existing or previous employee.

This policy does not apply to the reporting obligations of employers of teachers working outside prescribed school settings (for example, a local football club that employs an approved teacher as a referee). Those employers must consider their reporting obligations under the RCS.

### 4. Policy statement

An employing authority for a prescribed school must notify the QCT once it starts dealing with an allegation of harm caused, or likely to be caused, to a child because of the conduct of a relevant teacher of the prescribed school. In circumstances where an employing authority is required to notify the QFCC about reportable conduct for a teacher teaching at the prescribed school, the matter should be simultaneously reported to the QCT under the QCT's mandatory employing authority notifications given the alignment of the definitions of harm (under the QCT Act) and reportable conduct under the CSO Act. This mandatory reporting provides essential information to the QCT to fulfil its regulatory obligations and determine the next course of action.

#### **4.1. Harm**

Harm is any detrimental effect of a significant nature on a child's physical, psychological or emotional wellbeing. It doesn't matter how the harm has been caused. Harm can be the result of one or a number of acts, omissions or circumstances. Harm could be realised immediately, or at some later date in the future.

Conduct that could cause harm includes:

- A child sexual offence
- Sexual misconduct committed in relation to, or in the presence of, a child
- Ill-treatment of a child
- Significant neglect of a child
- Physical violence committed in relation to, or in the presence of, a child
- Behaviour that causes significant emotional or psychological harm to a child.

#### **4.2. Notification requirements**

The employing authority has started to deal with an allegation where it starts investigations or inquiries into the allegation, or when it refers the allegation to another entity to investigate or conduct inquiries. At that point, it must notify the QCT pursuant to section 76 of the QCT Act.

This notification must occur as soon as practicable and must include:

- The name of the employing authority and/or prescribed school
- The name of the relevant teacher
- The day the employing authority commenced dealing with the allegation
- The allegation, including any particulars of the allegation and any other relevant information
- Details about what actions the employing authority has taken to deal with the allegation
- Whether a reportable conduct initial report under section 35 of the CSO Act or police notification has been made in relation to the allegation.

Once the employing authority has stopped dealing with the allegation, they must notify the QCT again but this time with the outcome, pursuant to section 77 of the QCT Act.

This notification must occur as soon as practicable and include:

- The name of the employing authority and/or prescribed school
- The name of the relevant teacher
- The day the employing authority stopped dealing with the allegation
- The allegation, including any particulars of the allegation and any other relevant information including all investigative material and evidence.
- The findings made by the employing authority
- The outcome of the employing authority's dealing with the allegation and any reasons for the outcome
- If relevant, the employing authority's decision and reasons for the decision
- Whether interim and final reportable conduct reports under sections 35 and 37 of the CSO Act have been made in relation to the allegation.

As soon as practicable means as soon as it is capable of being done, as opposed to when it might be convenient.

An employing authority does not stop dealing with an allegation simply because it has referred it to another entity (for example, QPS). At minimum, it must make its own findings and decision. This could include making its own findings and decision based on the findings or decision of the entity which investigated, inquired into or examined the allegations.

#### **4.3. Alignment of harm notifications with the reportable conduct scheme**

Notifications made under the RCS by employing authorities in relation to teachers for a prescribed school will, in the majority of cases, need to be made to the QCT under this policy.

Similarly, notifications made to the QCT will also, in the majority of cases, need to be made to the QFCC. This is because the parallel definitions of harm in the QCT Act, and reportable conduct in the CSO Act, are materially the same.

However, in the rare circumstances that the employing authority considers that the conduct constitutes reportable conduct but does not meet the section 76 and/or section 77 notification requirements (e.g. because an approved teacher is employed in a non-teaching role in the school), because the QCT and employing authorities are both prescribed reportable scheme entities under the RCS, the QCT will require a complete and concurrent copy of each of the notifications made to the QFCC.

This includes the:

- Initial report to QFCC
- Interim report to QFCC
- Final report to QFCC

Where an employing authority considers an allegation of harm or likely harm to a child does not meet the reportable conduct criteria, it should report the matter to the QCT and advise that there has been no notification under the RCS.

#### **4.4. Liability**

If an employing authority gives notice as required, the employing authority is not liable civilly, criminally or under an administrative process for disclosing information contained in the notice.

As reporting entities for the RCS, employing authorities are required to comply with the CSO Act. Information sharing between the QCT and QFCC, or the QCT and employing authorities does not negate or replace reporting responsibilities of reporting entities.

## **5. Responsibilities**

Employing authorities will notify the QCT in accordance with this Policy and the requirements of the QCT Act.

QCT will assess employing authority notifications to determine the most appropriate course of action to take, including whether or not it will investigate, or commence any practice and conduct proceedings against the teacher. QCT will share information for the RCS with other prescribed RCS entities pursuant to section 49 of the CSO Act where appropriate.

QCT as a co-sector regulator for the RCS will identify any conduct that it considers meets the RCS definition and does not appear to have been reported to the QFCC and refer it back to the reporting entity/employing authority for referral under the RCS.

## **6. Definitions**

**Employing Authority** – under the Act, an employing authority is defined as ‘for a school, means the person or entity responsible for the appointment of staff to the educational staff of the school’. This means, the person or entity responsible for appointment requires the authority to make the offer of employment and to appoint the person to the position of teacher to a school. Reporting processes must enable the relevant employing authority to comply with notification requirements.

**Prescribed school** – means a state school or non-state school; or another institution or place or part of an institution or place, at which an educational program is offered that is based on the national curriculum developed and administered by the Australian Curriculum, Assessment and Reporting Authority under *the Australian Curriculum, Assessment and Reporting Authority Act 2008* (Cth); or a syllabus developed, revised or purchased for a senior subject or P-10 subject by the *Education (Queensland Curriculum and Assessment Authority) Act 2014*. A prescribed school does not include homeschooling.

**Prescribed reportable conduct scheme entity** – under the CSO Act particular entities may share information for the RCS. The QCT and employing authorities fall into this category.

**Relevant information** – Includes any information held at the time the notice is given that is relevant to the allegation.

**Relevant teacher** – of a prescribed school, means a person who is or was an approved teacher teaching at the school.

**Reportable conduct notification** – refers to a notification made under the CSO Act in relation to a reportable allegation or a reportable conviction.

**Deals with** – an employing authority deals with an allegation if it takes an action in relation to the allegation including when it investigates, inquires into or examines the allegation. It can also include an action such as a suspension or change to a teacher’s normal duties, observation or monitoring of the teacher, invitation or acceptance of resignation, preliminary inquiries, or a review of relevant documentation and information. It does not include discussions around: administration for dealing with the allegation, reporting thresholds; or management of the matter.

## 7. Legislation

*Education (Queensland College of Teachers) Act 2005* ss 76, 77 and 81

*Child Safe Organisations Act 2024*

## 8. Considerations

### 8.1 Commitment to Human Rights, Multiculturalism, Equity, and Child Safety

The QCT is committed to upholding the principles of the *Human Rights Act 2019 (Qld)*, the *Queensland Multicultural Recognition Act 2016*, and the *Child Safe Organisations Act 2024 (Qld)*. This policy has been developed to ensure fairness, inclusivity, and the safety and wellbeing of all individuals, including children and young people.

In line with these commitments, this policy:

- Respects, protects, and promotes human rights.
- Supports equitable access to services and opportunities for all individuals, including those from culturally and linguistically diverse backgrounds.
- Embeds principles of equity, diversity, and inclusion in its design and implementation.
- Prioritises the safety, wellbeing, and empowerment of children and young people, ensuring compliance with Child Safe Standards.

This policy will be reviewed regularly to ensure compliance with these principles and to reflect the evolving needs of Queensland’s communities, including children and young people.

### Related documents

- Employing authority notification guidelines
- Employing authority notification form – Allegation of harm – s76
- Employing authority notification form – Outcome of allegation of harm – s77
- Employing authority notification form – Competence notification – s78

### Document details

<b>Title</b>	Employing authority notifications about allegations of harm policy
<b>Record number</b>	
<b>Owner – Unit/Role</b>	General Manager, Integrity

<b>Approver</b>	QCT Board
<b>Approved on</b>	1/05/2026
<b>Effective from</b>	1/07/2026
<b>Next review date</b>	1/07/2027

### Version history

<b>Version</b>	<b>Record number</b>	<b>Date</b>	<b>Author</b>	<b>Changes made</b>
1.0				
1.1				