

Employing authority notifications

Guidelines

Version: 1

Version effective: 1/07/2026

Audience: External - publicly available

The purpose of these Guidelines

The QCT is responsible for ensuring education in Queensland schools is provided in a professional and competent way by approved teachers. One of the ways we do this is by taking disciplinary action in circumstances where a teacher behaves in a way, whether connected with the teaching profession or otherwise, that does not satisfy the standard of behaviour generally expected of a teacher.

We rely on information from a range of sources including police, other teacher regulatory authorities, the Queensland Family and Child Commission (QFCC), the community and employing authorities.

The guidelines provide clear and practical direction to help employing authorities comply with their mandatory notification requirements under the *Education (Queensland College of Teachers) Act 2005* (the QCT Act).

The Child Safe Organisations Act 2024 (the CSO Act) also sets out reporting obligations under Queensland's Reportable Conduct Scheme (RCS) for employing authorities. In the majority of cases, these reporting obligations will overlap with notification requirements to the QCT under the QCT Act.

The guidelines aim to assist employing authorities to understand:

- who or what is an employing authority
- who a notification can be made about
- the different types of notifications employing authorities need to make and when they need to be made
- what information different notifications need to include
- how the QCT uses information gathered through different employing authority notifications
- the relationship with Queensland's RCS and reporting obligations under that scheme.

The RCS and employing authority notifications to the QCT

The Royal Commission into Institutional Responses to Child Sexual Abuse found that organisations across Australia needed stronger systems for managing allegations against workers. The CSO Act introduces the RCS to strengthen the safeguarding of children.

Queensland's RCS requires organisations to report and investigate allegations of child abuse and misconduct by their workers. The scheme plays a critical role in identifying and investigating behaviour that is concerning but doesn't necessarily require a police response. The scheme connects information across organisations, regulators and sectors to identify people who pose a risk to the safety of children.

Reporting requirements under the RCS differ to the requirements of the QCT. It is important that employing authorities understand their obligations to the QCT and to the QFCC under the RCS.

Notifications made under the RCS to the QFCC 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 the notification requirements of the QCT Act. 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 of the QCT Act, 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 is enabled under section 49 of the CSO Act.

These rare circumstances may arise where the conduct in question is committed by an approved teacher who is not employed in a teaching role at the school, and therefore a report can't be made to the QCT under section 76 and/or section 77. However, such a report could be made to the QFCC under the RCS.

Where an employing authority considers that 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 with reasons why.

Who or what is an employing authority?

An employing authority is the person or entity that is responsible for appointing teachers to a school. This might look different across sectors, so the table below breaks it down.

Schooling Sector	Who is the employing authority?
State schools (including Independent Public Schools)	The Director-General or their delegate.
Independent (non-state) schools	Dependant on the governing body's constitution, and the effect of any delegations to staff in the school (e.g. the principal) of authority to appoint teachers.
Catholic Schools	For diocesan based schools, the Bishop of the relevant Diocese or the Executive Director or Director of the Catholic Education Office of that Diocese may have delegated authority to appoint teachers. In Independent Catholic schools who the employing authority is will depend on any rules that dictate how the particular school operates, such as the constitution and any delegations of authority to appoint teachers.
Grammar schools	The Board of trustees.

Employing authorities are also reporting entities for the purpose of Queensland's RCS.

Who can an employing authority notification be about?

The QCT is the regulator for the teaching profession. Employing authority notifications to the QCT can be made about teachers of the school. The QCT Act specifies that notifications can be made about a 'relevant teacher'. A relevant teacher is a person who is or was an approved teacher teaching at the school.

This includes current or former:

- fully registered teachers (including those teachers with deemed registration)
- provisionally registered teachers
- holders of Permission to Teach

A person is considered to be teaching at the school when they undertake duties in a school including any of the following in a school:

- delivering an educational program
- assessing student participation in an educational program
- otherwise administering or providing consistent and substantial educational leadership to an educational program.

This does not include a teacher's aide, a teacher's assistant or a student teacher/preservice teacher. However, this would include a preservice teacher where the preservice teacher holds Permission to Teach.

For example, the following people *will* be a relevant teacher:

- a teaching or non-teaching school principal

- a relief teacher
- a teaching or non-teaching head of department
- an advisory teacher
- a guidance officer for a Queensland state school

The following people would *not* be a relevant teacher:

- the school administration staff
- a teacher aide
- a preservice teacher
- a homeschooling parent
- school grounds staff

Alternatively, a teacher may be employed at another institution or place where an educational program is offered which is based on the national curriculum or a syllabus developed, revised or purchased for a senior or P-10 subject by the Queensland Curriculum and Assessment Authority.

A person will be considered a teacher for the purposes of employing authority notifications in those contexts where for one of those educational programs they:

- deliver the educational program
- assess student participation in an educational program
- otherwise administer or provide consistent and substantial educational leadership to an educational program

For example, this might include settings such as early childhood settings, hospitals, juvenile detention centres, or some international school settings.

The nature of a relevant teacher's employment can be as:

- an employee (full time/part time/casual)
- a former teacher of the school
- a contractor/subcontractor or consultant
- an individual operating as a sole trader

You are not required to notify the QCT about staff who are not relevant teachers. However, as a reporting entity for Queensland's RCS, reporting obligations apply under that scheme for all workers.

The QCT operates in the best interests of children, and it's better to over report than under report. Please contact the QCT if you are unsure whether someone is a relevant teacher.

What are the different types of notifications employing authorities need to make?

There are three different notifications an employing authority must make to the QCT:

1. A section 76 notification of allegations of harm

As soon as possible after an employing authority has started to deal with an allegation of harm or likely harm to a child due to the conduct of a teacher of the school, you must notify the QCT.

2. A section 77 notification of outcome of allegations of harm

As soon as possible after an employing authority has stopped dealing with the allegation, you must notify the QCT of the outcome.

3. A section 78 competence notification

If an employing authority has dismissed a teacher in circumstances where the teacher's competency was called into question, you must notify the QCT within 14 days.

4. RCS notifications

If you are making a report to the QFCC under the RCS, and you don't think the conduct is a section 76, section 77 or section 78 notification you will need to report it to the QCT anyway. This is because section 49 of the CSO Act enables sharing of information between different RCS entities. Employing authorities, the QCT and the QFCC are all RCS entities. As a co-sector regulator for the scheme, we also need to receive the information. Liability protections under the CSO Act, would apply to any information shared with the QCT under the CSO Act.

What is *harm* for section 76/77 notifications?

Harm to a child is any detrimental effect of a significant nature on the child's physical, psychological or emotional wellbeing. Harm can be caused through a wide range of conduct, and the examples which follow are not exhaustive. For example, harm can be caused by:

- child sexual abuse or exploitation
- 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
- failure to uphold a duty of care to a child
- failure to address bullying, teasing or poor behaviour of other children.

It is not necessary for the harm to have occurred. It is sufficient that it is likely harm could occur as a result of the teacher's conduct.

Harm can be caused by a single act or omission or circumstance, or a series of acts, omissions or circumstances.

Importantly, harm may extend further than the child or children who are subject to the conduct of the teacher. Harm can extend to any child/ren who may have witnessed the conduct or be aware of the conduct.

Type of harm	What could this look like?
Child sexual abuse or exploitation	<ul style="list-style-type: none"> • Any act that exposes a child or young person to, or involves a child or young person in, sexual activities that they do not understand, they do not or cannot consent to, are not accepted by the community, or are unlawful • Sexual acts by an adult (18 years or older) with a child • Indecent treatment of a child encompasses indecent conduct of a sexualised nature, whether physical or non-physical. It includes engaging in sexual acts with a child, involving the child in sexualised activity, procuring, encouraging, or inducing a child to engage in sexualised behaviour, exposing a child to sexually explicit material (may include an object, audio/videotape, photograph, printed or written material) or creating/capturing indecent photographs or visual images of a child of a sexualised nature • Viewing, sharing, or tagging students in online content for sexualised purposes • Private messaging students in a manner that could exploit or manipulate them • Using personal devices to photograph or film children without approval • Using electronic communication, including the internet, with the intent to recruit a child to engage in a sexual act • Grooming a child involves behaviours intended to establish trust, manipulate, or prepare a child for sexual exploitation or abuse. This may also include grooming a parent, carer or other adult with responsibility for the child to gain access, create opportunity or facilitate the sexual abuse. • Inappropriate behaviours and interactions including, but not limited to: flirtatious or suggestive behaviour; dating or seeking a personal relationship with the student; excessive or unjustified time alone with the student; expressing romantic or sexual feelings; one-to-one messaging; sharing personal contact details; social outings with children/students outside professional duties; inappropriate physical contact or failing to maintain appropriate physical distance; preferential treatment; gifts, money or favours; or sexualised language. • Repeated sexual conduct with a child • Rape or sexual assault

	<ul style="list-style-type: none"> • Using electronic communication including the internet, with the intent to procure, or recruit a child for the purpose of engaging in a sexual act • Maintaining a sexual relationship with a child involving repeated acts of sexualised conduct • Possessing, distributing, or making child exploitation material or involving a child in the production of such material
<p>Sexual misconduct committed in relation to, or in the presence of, a child</p>	<p>Sexualised behaviour that is inappropriate but may not have reached a criminal threshold.</p> <p>Sexualised misconduct includes a broad range of behaviours of a sexual nature that exploit the vulnerability of children and/or breach the professional boundaries expected of adults who work with them.</p> <p>This could be one-off or a pattern of behaviour and could include:</p> <ul style="list-style-type: none"> • Sexualised comments and conversation (sexual undertones or innuendo) • Inappropriate touching (e.g. massaging a child's shoulders, or thighs, having a child sit on their lap where not age appropriate) • Voyeurism (watching a child undress) • Use of sexual language without legitimate reason (using sexual words or phrases, discussing pornography) • Behaviour that seeks to normalise or desensitise a child to intended sexualised interactions including normalising physical contact (frequent hugs, shoulder rubs, etc) or gradual introduction of inappropriate topics (comments about a child's body or physical development). • Sharing or inviting discussion with a child about adult themes not relevant to education or care including discussions about intimacy, attraction or sexual experiences in a personal manner • Sending, or accepting friend/follow requests from students
<p>Ill treatment of a child</p>	<p>Ill treatment of a child includes conduct that is unreasonable and inappropriate, improper, inhumane or cruel. This includes behaviours that make excessive demands or unreasonable demands of a child or young person, humiliation of a child or young person, verbal abuse, using inappropriate behaviour management, or a pattern of hostile or degrading comments or actions.</p> <p>This could be one off, or a pattern of behaviour and could include:</p> <ul style="list-style-type: none"> • Routinely yelling at a particular child, calling them names such as 'dumb' or 'waste of space' • Locking a child in a room or space as punishment • Forcing a child to eat off the ground • Refusing to acknowledge a child but not doing so with other children • Commenting on a child's appearance or weight • Discriminatory or degrading treatment of a child, including excluding or demeaning a child because of their culture, language, disability, sex, gender, sexual preference, or any other personal characteristics • Misusing restrictive practices for convenience or discipline, such as giving medical intervention to control a child's behaviour.
<p>Significant neglect of a child</p>	<p>A serious deliberate or reckless failure to provide for a child's basic needs, this could include failure to protect from risk of harm, or not providing adequate food, clothing, shelter, supervision or medical care.</p> <p>Neglect may be considered significant where it stems from a single serious failure to meet a child's basic needs or from an ongoing pattern of failures. This can occur in a cumulative way, where a series of smaller concerns or repeated lapses combine to cause substantial risk or harm. This recognises that even if each incident on its own might not appear severe, their combined impact can seriously affect a child's safety or wellbeing.</p>

	<p>Significant neglect means the neglect is more than trivial or insignificant and arises from reckless or intentional behaviour. The behaviour doesn't need to have a lasting, permanent effect to be considered significant neglect. It means more than a minor lapse, but a serious failure in care.</p> <p>The threshold is met when neglect is chronic or repeated, or creates a real risk of serious harm, even if harm has not yet occurred.</p> <p>In a schooling context, this could include failure to ensure that a child's educational needs are being met, by:</p> <ul style="list-style-type: none"> • Encouraging non-attendance at school • Preventing a child from accessing particular learning supports • Deliberately withholding learning opportunities so that the child becomes disengaged from learning and/or academic performance is impacted • Allowing children to access personal social media that is inappropriate
<p>Physical violence committed in relation to or in the presence of a child</p>	<p>Physical harm or force that causes or risks injury, or physical intimidation where a child fears they will be harmed without lawful justification or excuse (e.g. self-defence).</p>
<p>Behaviour that causes significant emotional or psychological harm to a child</p>	<p>The behaviour needs to have caused significant emotional or psychological harm to a child. This means there are ongoing and/or serious detrimental effects to a child's emotional or psychological wellbeing and/or development. Not every upset or distress will qualify as having caused harm.</p> <p>This could include:</p> <ul style="list-style-type: none"> • Bullying or teasing a child repeatedly • Failing to address bullying or teasing of a child • Forcing a child or young person to do something by scaring them • Ignoring or rejecting a child • Telling a child they are worthless or useless • Using a 'scary face' • Shouting/yelling • Refusing bathroom access • Humiliation over academic performance • Swearing • Posting, sharing or commenting on student images or personal information in a way that could cause distress • Publicly criticising, humiliating or targeting students online • Engaging in social media interactions that blur professional boundaries • Exposure to domestic and family violence whether isolated or ongoing <p>It could include experiences by the child of racism, discrimination or racial vilification or harassment. Emotional or psychological harm can sometimes be difficult to identify.</p> <p>However, changes or regression in a child or young person's normal behaviour or mood may be an indicator they are experiencing this type of harm.</p> <p>Children and young people themselves may not always be able to identify, articulate or report that they are experiencing emotional or psychological harm, and observable impacts may only emerge cumulatively over time.</p>

What is an *allegation* for section 76/77 notifications?

An allegation means an allegation or other information that leads a person to form a reasonable belief that a teacher's conduct has caused or is likely to cause harm.

The allegation does not need to be proven, but it is important that only a fair-minded and ordinary person with the same information would believe the conduct in question may have occurred. There needs to be enough information that would lead a reasonable person to believe that the alleged conduct may have occurred. The reasonable belief needs to be:

- Based on facts and information (not rumour or suspicions or assumption)
- Formed after considering what is known at the time
- Enough to justify taking action to start dealing with the allegation

When does an employing authority commence *dealing with* an allegation for a section 76 notification?

Dealing with an allegation can mean any of the following as a result of the allegation:

- Referring the allegation under the RCS
- Suspending, seconding or otherwise changing a teacher's normal duties following receipt of the allegation
- Observing or utilising different teaching practices (e.g. teacher aides, tandem teaching) or otherwise monitors the teacher
- Invites or accepts resignation from the teacher
- Initiates a formal or informal investigation into the matters
- Conducting preliminary inquiries into the matter
- Reviewing information

As soon as practicable after an employing authority has started to deal with an allegation of harm or likely harm to a child due to the conduct of a teacher of the school, you must notify the QCT.

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

When does an employing authority *stop dealing with* an allegation for a section 77 notification?

Once an employing authority's active handling of an allegation ends, either through a formal outcome, discontinuance, resignation or conclusion that no further action is warranted, notice must be given to the QCT.

An employing authority does not stop dealing with the allegation simply because it has referred it to another entity for investigation.

If referred, an employing authority must make its own findings and decision about the allegations. This may include, making its own findings and decision based on the findings or decision of the entity which investigated, inquired into or examined the allegations.

As soon as practicable after the employing authority stops dealing with the allegation, notice must be given to the QCT of the outcome of having dealt with the allegation.

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

What is a dismissal for competency for a section 78 notification?

One of the grounds for disciplinary action against a teacher is that the teacher has had their employment terminated (either through dismissal or resignation) due to incompetence. Incompetence is the lack of skill, ability, or knowledge required to perform the role of a teacher to a satisfactory standard. Performance below the graduate teacher standard of the Australian Professional Standards for Teachers could be the threshold for an employer to determine incompetence.

When does a section 78 notification need to be made?

The QCT Act states that within 14 days after the day notice of the dismissal was given to the teacher, the employing authority must give notice of the dismissal to the QCT.

What is an RCS notification

The RCS requires organisations to report and investigate allegations of child abuse and misconduct by their workers. It requires organisations to take all concerns seriously and respond appropriately.

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 scheme, the QCT will require a complete and concurrent copy of each of the notifications made to the QFCC.

If you receive a report about reportable conduct, the head of the organisation is required to:

- notify QFCC of the report within three business days
- provide QFCC with an interim report within 30 business days
- provide QFCC with a final report including the investigation findings as soon as practicable.

A copy of these reports will also need to be provided to the QCT as a RCS entity. This is enabled under s49 of the CSO Act.

What must be included in employing authority notifications to the QCT?

You can submit notifications to the QCT using the templated form on the QCT's website, or any form or notice created by the employing authority that addresses the reporting requirements set out below.

If you have made a RCS notification, which isn't also a section 76, section 77 or section 78 notification, you can just send us a copy of what has been provided to the QFCC.

Allegation of harm – s76	Outcome of allegation of harm – s77	Competence notification – s78
Employing authority details <ul style="list-style-type: none"> - Name of employing authority - Address - Contact person - Contact details, including phone, email and fax 	Employing authority details <ul style="list-style-type: none"> - Name of employing authority - Address - Contact person - Contact details, including phone, email and fax 	Employing authority details <ul style="list-style-type: none"> - Name of employing authority - Address - Contact person - Contact details, including phone, email and fax
School details <ul style="list-style-type: none"> - Name of the prescribed school - Address - Contact person - Contact details, including phone and email 	School details <ul style="list-style-type: none"> - Name of the prescribed school - Address - Contact person - Contact details, including phone and email 	School details <ul style="list-style-type: none"> - Name of the prescribed school - Address - Contact person - Contact details, including phone and email
Teacher details <ul style="list-style-type: none"> - Name of the relevant teacher - Address - Teacher registration number - Contact details, including phone and email 	Teacher details <ul style="list-style-type: none"> - Name of the relevant teacher - Address - Teacher registration number - Contact details, including phone and email 	Teacher details <ul style="list-style-type: none"> - Name of the relevant teacher - Address - Teacher registration number - Contact details, including phone and email
Allegation/s <ul style="list-style-type: none"> - The allegation/s - The particulars of the allegation/s (the facts and circumstances of the allegation/s to the extent available) 	Allegation/s <ul style="list-style-type: none"> - The allegation/s - The particulars of the allegation/s (the facts and circumstances of the allegation/s to the extent available) 	Reasons for dismissal <ul style="list-style-type: none"> - Copy of the documentation outlining reasons given by employing authority for the dismissal.
Details of how the allegation is being dealt with <ul style="list-style-type: none"> - The day the employing authority started dealing with the allegation 	Details of how the allegation was dealt with <ul style="list-style-type: none"> - The day the employing authority stopped dealing with the allegation 	

<ul style="list-style-type: none"> - How the employing authority dealt with or is dealing with the allegation - Copy of the complaint or referral - Advice as to whether other authorities have been notified, and what action has been taken by the authority and relevant contact person details if known, e.g. Queensland Police Service, Department of Child Safety, Crime and Misconduct Commission or the Queensland Family and Child Commission. 	<ul style="list-style-type: none"> - The allegation, particulars of the allegation and any other relevant information - The findings made by the employing authority - The outcome of the employing authority's dealings with the allegation and any reasons for the outcome - The employing authority's decision and the reasons for the decision 	
<p>Other relevant information</p> <ul style="list-style-type: none"> - A copy of any other relevant documents/evidence relevant to the matter - Any reference numbers relevant to another agency's involvement in the matter (Eg – Police reference number, National Redress Scheme reference number) - Information pertaining to any notification to the QFCC under the RCS - The type of employment including end date, where applicable e.g. permanent, contract expiry date - Relevant disciplinary history - Current employment status e.g. stood down, suspended, transferred to non-teaching duties, non-action taken - Information to assist the QCT to determine whether the teacher poses an unacceptable risk of harm to children. 	<p>Other relevant information</p> <ul style="list-style-type: none"> - Copy of any full/completed investigation report - Any relevant policies, e.g. the school's student protection policy - Copies of all evidence considered and relied upon during the employing authority's dealings in the matter including but not limited to the teacher's version of events, witness statements, names and contact details of all witnesses, including date of birth for any student witnesses; emails, records, computer files, gifts, letters, photographs, text messages. - A copy of any other documents/evidence relevant to the matter including any discipline/show cause correspondence and outcome advice and correspondence to the teacher - Information pertaining to any notification to the QFCC under the RCS and any accompanying 	

	information/material provided to the QFCC <ul style="list-style-type: none"> - The type of employment including end date, where applicable e.g. permanent, contract expiry date - employment status e.g. resigned, transferred, dismissed - Information to assist the QCT to determine whether the teacher poses an unacceptable risk of harm to children. 	
--	---	--

Definitions

Employing Authority – Under the QCT Act, an employing authority for a school, means the person or entity responsible for the appointment of teachers to the educational staff of the school’.

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 RCS 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.

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.

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

Legislation

Education (Queensland College of Teachers) Act

Child Safe Organisations Act 2024

Related documents

- Employing authority notifications about allegations of harm policy
- 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

Title	Employing authority notifications guidelines
Record number	
Owner – Unit/Role	General Manager, Integrity
Approver	QCT Board
Approved on	1/05/2026
Effective from	1/07/2026
Next review date	1/07/2027

Version history

Version	Record number	Date	Author	Changes made
1.0				
1.1				