

Submission s 158 - Application to vary or revoke a modern award
Application to vary Educational Services (Teachers) Award 2020 on work value grounds
(AM2018/9)

13 August 2021

[1] This submission is made in response to Amended Directions issued on 9 July 2021 with reference to Decision [2021] FWCFB 2051 on 19 April 2021 and submissions filed on 30 July 2021.

‘Satisfactory service’

[2] We maintain that the concept of “satisfactory service” in the proposed pay and classification structure of the *Educational Services (Teachers) Award* is problematic and the word ‘satisfactory’ should be removed.

[3] Retaining ‘satisfactory service’ within the proposed Award appears to be a concession afforded by the IEU to achieve the consent position with ACA and ABI:

If it had not reached an overall consent position the IEU would have contended that a better approach would be remove the concept of “satisfactory” altogether given current arrangements in the school and early childhood sectors.¹

Response to AFEI

[4] AFEI proposes that ‘satisfactory service’ should “involve employer assessment as well as employee maintenance of proficiency.”²

... “satisfactory service” should mean:

- a. the maintenance of proficient accreditation by a teacher who has achieved Proficient Teacher accreditation with a body which oversees accreditation and recognition of teachers’ professional capacity in any State or Territory; and

¹ IEU Submission, 30 July 2021 at [22]

² AFEI Submission, 30 July 2021 at [38]

- b. where an employer has adopted a staff development and performance appraisal scheme, the employer determines through that scheme, that the employee has demonstrated satisfactory performance for the prior 12 months employment;
- c. where an employer has not adopted an appraisal scheme, the employer otherwise determines that the employee's service has been satisfactory.³

[5] It is argued that maintenance of proficient accreditation does not necessarily provide evidence of satisfactory service over a 12-month period and not all Australian jurisdictions have a body which oversees accreditation.

[6] Teacher registration and therefore formalised maintenance of teaching proficiency is only required for early childhood teachers in NSW, Victoria, South Australia and Western Australia. Teacher registration is not currently a requirement for all early childhood teachers in Queensland, Tasmania, ACT and Northern Territory.⁴

Summary of requirements for maintaining proficient/full teaching accreditation in jurisdictions where teacher registration is mandatory for all early childhood teachers

Jurisdiction	Professional learning requirement for maintenance period	Time frame for maintenance period	Fee for maintaining teacher registration	Other requirements
NSW ⁵	100 hours	5-7 years	\$100 per year	Full-time, part-time or casual employment as a teacher
Victoria ⁶	20 hours	1 year	\$108-\$142 per year	20 days professional practice and a Nationally Coordinated Criminal History Check (NCCHC) once every five years
South Australia ⁷	60 hours/100 hours	3 years/5 years	\$110 per year	60 full-time equivalent days employment as a teacher or director
Western Australia ⁸	100 hours	5 years	\$90.50	100 full working days or equivalent hours

³ AFEI Submission, 30 July at [36]

⁴ Australian Children's Education and Care Quality Authority (ACECQA), *Early childhood teacher registration and accreditation*, <https://www.acecqa.gov.au/qualifications/early-childhood-teacher-registration-and-accreditation>

⁵ See NSW Government, *How to maintain accreditation*, <https://education.nsw.gov.au/teaching-and-learning/professional-learning/teacher-quality-and-accreditation/maintaining-accreditation/how-to-maintain-accreditation>

⁶ See Victorian Institute of Teaching, *(Full) registration*, <https://www.vit.vic.edu.au/register/categories/full>

⁷ See Teachers Registration Board of South Australia, *Enhancing Teacher Registration*, <https://www.trb.sa.edu.au/enhancing-teacher-registration>

⁸ See Teacher Registration Board of Western Australia, *Full Registration*, <https://www.trb.wa.gov.au/Teacher-Registration/Becoming-registered/Registration-categories/Full-Registration>

- [7] In jurisdictions requiring teacher registration for all early childhood teachers, to maintain proficient accreditation there is a professional learning requirement, a time frame in which this professional learning must be completed and an annual fee is payable. There is no direct assessment of whether a teacher's service is 'satisfactory' or not.
- [8] In Victoria, documentation evidencing a teacher's engagement with the professional learning they have undertaken must be submitted each year to maintain teaching registration. In NSW, South Australia and Western Australia proof of professional learning is only required at the end of a 5-year maintenance period. This means that proficient teacher accreditation may be maintained by paying the annual registration fee with oversight of the number of professional learning hours a teacher has completed occurring only once every 5 years.
- [9] It is suggested that the payment of an annual fee and participation in professional learning does not provide evidence of 'satisfactory service'.

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