FACT SHEET
REPORTING OF ALLEGED MISCONDUCT OF A TEACHER

The Department of Education consider the safety and wellbeing of children paramount in all that we do, including the management of allegations of misconduct by employees. Complaints of this nature are managed in accordance with the Public Sector Employment and Management Act, and subordinate legislation.

**Public Sector Employment and Management Act**

- Employment Instruction 12 – Code of Conduct
- Employment Instruction 7 – Discipline
- Employment Instruction 3 – Natural Justice
- Commissioner’s Guideline – Discipline
- Commissioner’s Guideline – Natural Justice

The Department of Education and the Teacher Registration Board are obliged, under the Teacher Registration Act, to share information about alleged misconduct of teachers in circumstances stated in the Teacher Registration Act. Additionally, if the reporting obligations outlined in the Care and Protection of Children Act apply, the recipient of the complaint is required to fulfil those obligations, irrespective of any other processes.

**Department of Education**

The department receives the complaint and considers an appropriate way to proceed. This may include:
- Referral to police
- Commencing a disciplinary process
- Suspending or removal from teaching duties
- Dismissing a teacher

The department is obliged to report action as defined in section 67A of the Teacher Registration Act to the Teacher Registration Board.

If the person resigns or leaves before such action and the teacher’s conduct points to a query over their fitness to teach, the department will report the matter to the Teacher Registration Board for consideration.

**NT Police**

NT Police will consider whether the matter is criminal and if charges should be laid.

If charges are laid against an NT Government employee, the employee is required, under the Code of Conduct (Employment Instruction 12), to disclose the charges to the Chief Executive.

The Department of Education will then consider an appropriate way to proceed.

**Teacher Registration Board**

Complaints and notifications to the Teacher Registration Board are dealt with by the Board in accordance with the Teacher Registration (Northern Territory) Act.

The Board may hold preliminary investigations and inquiries in relation to teachers.

Following disciplinary proceedings in relation to a teacher the Board may take action including imposing conditions on registration or suspension, cancellation or disqualification of teacher registration.

The Board liaises with the department in relation to its processes and the outcome of disciplinary proceedings.

Complaints which contain disclosures of potential criminal conduct, are referred to NT Police. The department liaises closely with the Police and the Teacher Registration Board to ensure departmental actions do not compromise any investigation. Accordingly, departmental actions such as investigations, timeframes and resolution may be delayed.