



Regulatory decision

Private messaging

The following is a summary of a regulatory decision made by VIT concerning a teacher who allegedly sent inappropriate private messages to colleagues, and messages to learners without a valid educational reason. All names and identifying information have been removed.

Under the Education and Training Reform Act (2006) (the Act), if VIT receives a notification or complaint about a registered teacher, it must conduct a preliminary assessment.

During the preliminary assessment, VIT may require further information from

- the registered teacher who is the subject of the notification or complaint
- the person or body who made the notification or complaint, and/or
- any person who may have information relevant to the notification or complaint.

This additional information will help VIT understand the notification or complaint and determine what further action may be required.

The VIT's [regulatory approach](#) is to educate and assist teachers, principals and early childhood leaders to comply with their obligations before taking necessary disciplinary action. Where VIT does take disciplinary action, it is proportionate to address the risk to the safety and wellbeing of children.

Under the Act, VIT has the power to impose any conditions, restrictions or limitations on a teacher's registration if it deems appropriate to do so. This can be done at any time, including when making a decision on an application for registration, or while the teacher is already registered with VIT.

This power will generally be exercised where a teacher's conduct does not warrant suspension of registration, but where further action is required to provide continued assurance regarding their suitability to teach. For example, VIT can deem the teacher suitable to teach but impose a condition that they undergo targeted professional or personal development.

In some cases, VIT may instead choose to issue an educative letter to a teacher, which explains how their conduct has deviated from their professional obligations.



Scenario

The VIT received a complaint regarding the alleged conduct of Teacher A.

Teacher A was alleged to have sent inappropriate messages to a number of their colleagues as well as messages to learners without a valid educational reason.

Teacher A's alleged contact with colleagues included making personal comments about their appearance, responding to Instagram stories with comments about their appearance, sending inappropriate text messages that included commentary about other staff members, invitations to colleagues to "sleep over" and telling one colleague they would make "an incredible partner".

It was also alleged that Teacher A had reached out to a group of learners via the school's messaging platform without a valid educational reason. The nature of the messages was varied, with some messages innocuous while others used inappropriate language, such as "hello lovely" and "hello beautiful".

Immediate action

Upon receiving the complaint, VIT became aware that the school was undertaking their own investigation into the allegations and Teacher A had been suspended with pay.

Shortly after receiving the complaint, and while investigations were ongoing, Teacher A resigned from their role at the school, and accepted a position outside of the teaching profession.

The decision

Following an extensive investigation, VIT determined that while not all claims could be substantiated, there was substantial evidence to support the grounds of the complaint and that Teacher A's behaviour towards colleagues was inappropriate. It was also determined that there was no educational reason for Teacher A to message the learners.

Whilst Teacher A was no longer working in the teaching profession, it was acknowledged that there was a possibility that they may return to the profession in future or use their teacher registration for other child-related work. For this reason, further action would be taken.

The outcome

Conditions were placed on Teacher A's registration, requiring them to undertake professional learning and provide a personal reflective statement to VIT. Teacher A subsequently completed relevant professional development and provided a reflective statement demonstrating insight and remorse into their conduct.

Reflection

This case study reflects that as a registered teacher, Teacher A has a responsibility to protect the safety and wellbeing of children, including by taking into account community expectations.

It also shows how VIT applies its regulatory approach, particularly in relation to the below principles of the [Victorian Teaching Profession's Code of Conduct](#)

- Principle 1.1 – Teachers provide opportunities for all learners to learn
- Principle 1.2 – Teachers treat their learners with courtesy and dignity, and promote participation and empowerment
- Principle 1.4 – Teachers maintain objectivity in their relationships with learners
- Principle 1.5 – Teachers are always in a professional relationship with their learners, whether at the education setting where they teach or not
- Principle 2.1 – The personal conduct of a teacher has an impact on the professional standard of that teacher and on the profession as a whole
- Principle 3.2 – Teachers are aware of, and comply with, the legal requirements that pertain to their profession.

Further information

View the Code of Conduct and further guidance material including case studies, videos, podcasts and professional learning opportunities at www.vit.vic.edu.au/maintain/conduct/codes.