



## Conduct case study – school setting

# Unregistered teaching practice

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The Victorian Institute of Teaching (VIT) [regulatory approach](#) sets out our strategy to regulate the teaching profession in Victoria, reflecting best practice and strengthening our risk-based approach to teacher registration. Our approach is to educate teachers and their employers with regards to their regulatory obligations and then assist them to comply.

It is a legislative requirement for anyone undertaking the duties of a teacher in a Victorian school or early childhood setting to be registered with VIT. This includes teaching under supervision. To provide for the safety and wellbeing of children and young people, registered teachers are subject to rigorous and ongoing criminal history checks.

Under the [Education and Training Reform Act 2006](#), only persons who hold a current VIT registration or permission to teach (PTT) grant can undertake the duties of a teacher in a Victorian school. Victorian schools must not employ persons to undertake teaching duties if they do not hold current registration or PTT, even if they are supervised by a registered teacher.

### Please note

*This hypothetical case study is designed to stimulate discussion and debate about what is considered appropriate professional and personal conduct for teachers, as well as appropriate strategies to prevent inappropriate conduct.*

*Outcomes are not provided as any case that is investigated by VIT is considered on its individual merits and context, therefore teachers should use these provocations to reflect on their own practice within their specific context.*



### Scenario

Applicant B is a mid-year graduate who commenced an application for provisional teacher registration just prior to the completion of their initial teacher education (ITE) program.

While waiting for their ITE provider to send the academic transcript to VIT, Applicant B secured employment at a local school. Due to teacher shortages, the school wanted Applicant B to start immediately. The school arranged for them to commence teaching, under the constant supervision of a fully registered teacher, while waiting for their application for registration to be approved.

The VIT was notified of a potential case of unregistered teaching practice. As part of its regulatory approach, VIT advised Applicant B that they were undertaking the duties of a teacher without holding current registration or PTT. The school was also notified. The VIT advised that Applicant B would not be able to teach until their application had been approved.

While waiting for Applicant B's evidence of course completion, VIT prioritised the assessment of their application. Applicant B was advised that they would be able to commence teaching as soon as their application was approved. The school was also notified.

## Reflection

- Which principle(s) of the [Victorian Teaching Profession's Code of Conduct](#) provide guidance to a teacher about this type of conduct?
- To what extent do you think Applicant B has breached these principle(s)?
- To what extent do you think the school has breached these principle(s)?
- How do you think this error would be perceived by the community and how does it reflect on the reputation of the profession?

### Relevant principles (includes but is not limited to)

When reflecting on this case, consider the following aspects of the Code.

Principle	Explanation
<b>Principle 1.3</b> Teachers work within the limits of their professional expertise	<p>In fulfilling their role, teachers have a wide range of responsibilities. They support learning by knowing the strengths and the limits of their professional expertise.</p> <p>Teachers</p> <ul style="list-style-type: none"><li>• seek to ensure they have the physical, mental and emotional capacity to carry out their professional responsibilities</li><li>• are aware of the role of other professionals and agencies, and know when learners should be referred to them for assistance</li><li>• are truthful when making statements about their qualifications and competencies, and can provide evidence to support these statements, if required to do so by VIT.</li></ul>
<b>Principle 3.2</b> Teachers are aware of, and comply with, the legal requirements that pertain to their profession	<p>Teachers must comply with the requirements of</p> <ul style="list-style-type: none"><li>• mandatory reporting and other reporting obligations</li><li>• the principle of negligence, which includes duty of care</li><li>• laws preventing discrimination, harassment and vilification</li><li>• protection of privacy</li><li>• occupational health and safety</li><li>• teacher registration.</li></ul>

## Further information

This case study is an example where both the teacher and the employer are in breach of the Act.

The teacher is reminded of the seriousness of teaching without the relevant registration; and their obligations as a registered teacher under the Act, in particular Sections 2.6.56 (1) and 2.6.58 (1).

The school is reminded of the seriousness of employing a teacher without registration; and the principal's obligations under the Act, in particular Section 2.6.56 (2).