

Department for Education, Children and Young People
Government Relations and Strategic Legislation
Via Email: legislation@decyp.tas.gov.au

Dear Government Relations and Strategic Legislation,

Submission on the draft Teachers Registration Bill 2026

The Office of the Independent Regulator (OIR) welcomes the opportunity to provide this submission on the draft Teachers Registration Bill 2026 (the Bill).

The role of the Office of the Independent Regulator

The OIR is established through the *Child and Youth Safe Organisations Act 2023* and is responsible for regulating, monitoring and building the capability of Tasmanian organisations to comply with the Child and Youth Safe Organisations Framework. The functions of the OIR are broadly to:

- educate about and oversee compliance of the Child and Youth Safe Standards, the Universal Principal for Aboriginal Cultural Safety and the Reportable Conduct Scheme in Tasmanian organisations.
- conduct own-motion investigations, public interest monitoring of investigations and information sharing with relevant entities.

Approach to this submission

This submission focuses on how the proposed legislative changes may align with the *Child and Youth Safe Organisations Act 2023 (the Act)* and how further enhancements may support cohesive information sharing requirements and shared definitions that would strengthen reporting obligations for organisations and workers.

The OIR supports the policy intent of reforms in the Bill, delivering on the Commission of Inquiry (Col) recommendations relating to the *Teachers Registration Act 2000*. The OIR is providing comment based on the three elements of the Review's objectives and the relevant Child and Youth Safe Standards that are applicable to the proposed changes.

Organisations and workers that are captured under the Bill are similarly required to comply with the Act, where they work with children and young people. Therefore, strengthening the regulations and definitions in child safety in the Bill, as currently proposed, will serve to enhance and streamline requirements of workers and organisations to comply with both legislative requirements. Additionally, having shared definitions and requirements across legislation would allow for robust information sharing and streamlined requirements and investigations. Finally, where there are consistent and cohesive requirements across statutory bodies, the changes to the Bill can be socialised with workers and organisations as an alignment to currently held reporting requirements for child safety, rather than additional requirements.

Children are safe while they learn

Child and Youth Safe Standards and the Universal Principle for Aboriginal Safety

Expanding Commission of Inquiry recommendation 6.10

The OIR supports the Bill's expansion of Col recommendation 6.10 to address child safety more broadly. To strengthen this further, the OIR would recommend that the defined conduct types set out in Part 7 Section 108 of the Bill, directly align with the definitions of reportable conduct as set out in the *Child and Youth Safe Organisations Act 2023*, Part 1.7.

The current proposal provides a consistent definition for sexual misconduct across both legislations, however, there are discrepancies that could be improved upon for clarity. Currently, apprehended violence is omitted in the Bill and the definition of grooming is not provided. The Reportable Conduct Scheme data overseen by the OIR indicates that physical violence, including apprehended violence, is the most prevalent category of abuse in school settings. Strengthening the alignment of definitions and terms would allow for more streamlined reporting obligations for workers and entities and opportunities for consistent information sharing and investigations. The OIR welcomes the alignment of the 3-day notification period in the Bill which corresponds with reporting obligations in the Act.

Alignment on reporting obligations could be further strengthened by nominating the Head of Relevant Entity as holding the responsibility for the notification, as per the Reportable Conduct Scheme in the Act. This would ensure that governance and

accountability of notifications to the Teacher's Registration Board is clearly defined. This would align with **Child and Youth Safe Standard 1** – Child safety and wellbeing in embedded in organisational leadership, governance and culture – by ensuring child safeguarding is foundational in leadership and governance.

Information sharing

Information sharing plays a vital role in child safeguarding by facilitating early identification of systemic risks and enabling a coordinated response to keep children safe. The OIR supports expanding information sharing powers in the Bill to allow the exchange of risk-relevant information.

While the OIR supports broad information sharing powers we note there is still a tension between reporting requirements and regulatory burden – especially when it comes to relief teachers. It has been the experience of the OIR that relief teachers can pose a higher risk in that reportable conduct allegations are not always acted on as the alternative option is to simply not re-engage the relief teacher. While requiring all relief teachers and employers to update the TRB may pose a burden to employers – an alternative may be for the TRB to have a general power of requiring teachers to notify them on teaching engagements upon request. This would limit the inquiry to persons of interest, rather than a blanket notification process. This power may already be available but was not immediately apparent from the Review.

The *Rapid Child Safety Review* in Victoria ¹ and the Queensland Family and Child Commission's *In Plain Sight* report ² both demonstrate the need for strong information sharing and illustrate the consequences when different systems fail to connect information leading to increased risk of harm to children. These reviews recommended legislative changes to ensure information can be shared with relevant regulators and agencies by using holistic risk-based child safeguarding approaches.

This enhancement of information sharing powers is further supported through strategic recommendation 5.2 in the Woolcott Review ³ for the Department of Justice to prioritise

¹ [Department of Premier and Cabinet. \(2025\) Rapid child safety review. State Government of Victoria.](#)

² [Child Death Review Board. \(2025\). In Plain Sight: Review into System Responses to Child Sexual Abuse. Queensland Family and Child Commission.](#)

³ [Woolcott, P. \(2025\). Independent review into the actions taken in response to the information and concerns raised by the Commission of Inquiry.](#)

the development of legislation to enable the sharing of information regarding child sexual abuse matters across a range of agencies. Removing legislative barriers that prevent cross-agency sharing of child safety information and developing clear, coordinated response guidelines.

The OIR was unable to ascertain through the review whether information sharing is extended to other jurisdictions where they have registration schemes for teachers. This is an important safety mechanism as the OIR will often share information with other jurisdictions where there are concerns as to the safety of children. This could enhance the mutual recognition schemes already in place through the TRB.

The OIR supports legislating the expansion of information sharing, as outlined in recommendations 1–6 of the Review Steering Committee’s final report.

[Enforcement measures and immediate suspension of registration](#)

Child and Youth Safe Standard 5

This provision aligns with the **Child and Youth Safe Standard 5**: People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice.

The OIR supports enforcement provisions in the Bill in line with Col recommendation 6.12 that the Teachers Registration Act be amended to allow administrative infringement notices to be issued.⁴

The OIR supports the provision and outlined conditions for suspending the registration or authorisation of a teacher, including where a teacher may pose a risk of harm to a child or young person. This would put the powers of the TRB in line with the Early Childhood Outcomes and Regulation in Tasmania, in response to the new powers through the National Child Safety reforms in the Early Childhood Education and Care (ECEC) sector introduced in 2026. As the Bill incorporates ECEC teachers, this is a critical alignment to ensure both regulatory bodies can execute similar sanctions, such as suspensions. The OIR notes that in cases where there is discretion on the part of TRB to

⁴ [Commission of Inquiry into the Tasmanian Government’s Responses to Child Sexual Abuse, 2023, Volume 3, Chapter 8, p.194](#)

suspend or not, it may produce disparity with the Registration to Work with Vulnerable People (RWVP) if the Registrar does not form the same view of the risk posed.

Teachers including those in the ECEC, are high quality and meet professional standards

Child and Youth Safe Standards, 5 6, and 7

The OIR supports strengthening the criteria for assessing whether a teacher is of good character and suitable to work with children. This is consistent with **Child and Youth Safe Standard 5**: People working with children and young people are suitable and supported to reflect child safety and wellbeing value in practice.

The OIR supports the inclusion in the Bill for registration of Early Childhood teachers in the Early Childhood Education and Care sector. The *Rapid Child Safety Review* in Victoria⁵ and the Queensland Family and Child Commission's *In Plain Sight report*⁶ were focused specifically on systemic failures in the ECEC sector where very young children are at risk of harm. This inclusion stands to strengthen oversight in this sector.

I note there is an intention to look at the role of the teacher rather than focus on the educational setting to allow for greater flexibility for the changing environment and that there will be a recognition at some point in the future after further consultation for other categories of teaching. However, in the OIR's experience, teachers who become tutors are a significant risk due to the environment in which they operate and the fact that they can more easily gain trust of parents through having been a registered teacher. The Review seems silent on this category of employment, and we would encourage early consideration of including tutors who have been teachers as a relevant setting for inclusion. While Tutors are predominantly self-employed it is suggested that there is a requirement for self-reporting to TRB when they offer tutoring services. This refers to recommendations 10, 13 and 14.

⁵ [Department of Premier and Cabinet. \(2025\) Rapid child safety review. State Government of Victoria.](#)

⁶ [Child Death Review Board. \(2025\). In Plain Sight: Review into System Responses to Child Sexual Abuse. Queensland Family and Child Commission.](#)

The Legislative framework reflects modern regulatory practice is in fit for purpose

Child and Youth Safe Standards 2, 5 7 and, 9

The OIR welcomes and supports the inclusion of Principles in the Bill specifically reflecting the commitment to the safeguarding of children. These Principles are strongly aligned with the current regulatory requirements of teachers and the ECEC sector, specifically through the Child and Youth Safe Standards, as well as the National Quality Framework (NQF) child safety reform.

Recommendation 17 (c) proposes to require the completion of child safety training as a condition of registration which is also a recommendation of the Commission of Inquiry (CoI). It may be helpful to refer to this training as child safeguarding training so that it is not limited to child protection training in line with mandatory reporting responsibilities but also extends to the proactive and preventative training under the Child and Youth Safe Organisations framework.

Proposed Principles in the Teachers Registration Bill 2026	Consistent regulatory approach
(b) when performing the function, or exercising the power, the safety, welfare and best interest of students are paramount;	Introduction of the paramount consideration in NQF reforms in ECEC.
(c) when determining what is in the best interests of students, the person is to seek the opinion of those students having regard to the age and understanding of the children involved; and (d) students have the right to participate in decisions that – (i) affect them, having regard to the age of understanding of the children involved; and (ii) relate to the performance of the function or the exercise of the power; and	Child and Youth Safe Standard 2: Children and young people are informed about their rights, participate in decisions affecting them and are taken seriously.

(e) the performance of the function, or the exercise of the power, takes into account that teachers need to uphold high standards of ethical conduct and skill.	Standard 5: People working with children and young people are suitable and supported to reflect child safety and wellbeing value in practice. Standard 7: Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training.
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Conclusion

The Teachers Registration Bill 2026 is a significant step toward strengthening child safeguarding in Tasmanian schools by ensuring teachers are suitable, high-quality, and well supported. The OIR supports the Bill as an important reform that places child safety at the centre and reinforces the legislative framework needed to prevent, identify, and respond to harm. The findings of the Royal Commission and the Commission of Inquiry have deepened our understanding of how to make institutions safer, and the Bill reflects those recommendations as they relate to teacher registration in Tasmania.

I appreciate the opportunity to provide this submission and would welcome further engagement to support development of a modernised Teachers Registration Act.

Yours sincerely

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Independent Regulator

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Child focused oversight

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