



TRB Policy Decisions on the Determination of Good Character current from June 2006

The Board is at all times cognisant of the requirements of the *Teachers Registration Act 2000*, in particular Section 12(2) which describes how the Board is to determine whether an applicant is of good character, and Section 12(3) which provides for an applicant to be given the opportunity to appear before the Board if it is likely that the Board may not be satisfied that the person is of good character.

Definition of Good Character

All applicants for registration and limited authorities to teach are considered by the Teachers Registration Board to be of good character, unless there is evidence to the contrary. Evidence to the contrary could be a charge or conviction for an offence or a number of offences, or substantiated information brought to the attention of the Board (for example by an employer), that in the opinion of the Board would lead the community to have reasonable doubts about entrusting students into the person's care.

Procedures for Determining Good Character

The core process for gathering information for the good character check of an applicant is a National Criminal History Check done through Tasmania Police. The details of the conduct of this check, also called a Record of Conviction Check, are negotiated between the Teachers Registration Board and Tasmania Police.

Tasmanian employers of teachers are also given an opportunity to assist in the assessment of applicants' character. The employing authorities are sent lists of applicants' names and asked if they have any information which would cause the Board to question the good character of any persons on the list. (The lists are alphabetical on family name and contain both current and former names of applicants and the date of birth. The employers are asked to keep the list confidential, and ensure its destruction or return once its examination has concluded.)

Applicants are also required to provide in the Declarations Section of the application information about themselves under the *Oaths Act 2001*, and to provide a character reference.

The Board considers every application for which there is any doubt, reasonable or otherwise, raised about the good character of that person. However, the Board has authorised the Manager and the Chair to assess information which on the basis of previous Board decisions is unlikely to raise reasonable doubts about that person's good character.

The Board assesses every application on a case by case basis for which a National Criminal History Check or any other substantiated evidence reveals an issue dealing with drugs, fraud, sexual assault or misconduct, weapons or violence, other than very dated, minor drug offences.

Privacy and Natural Justice

The Board maintains to the maximum extent feasible the rights of applicants to privacy and fair treatment in accordance with the principles of natural justice and other legislated obligations.

The Board's applications contain a privacy statement prepared in accordance with the requirements of the *Personal Information Protection Act 2004*.