

Limited Authority to Teach Policy

Purpose

This policy provides the framework for the application and granting of Limited Authorities to Teach under the *Teachers Registration Act 2000 (the Act)*.

Context statement

Schools may apply for a Limited Authority to Teach (LAT) as a temporary measure to fill a skill / experience gap where no suitable registered teacher can be found. A LAT enables schools to employ a person short term, who is not a qualified and registered teacher to be employed to teach. The Teachers Registration Board prioritises children's wellbeing and quality teaching and works with the teaching profession and other key stakeholders to ensure teachers meet the Australian professional standards. Therefore, in line with the Teachers Registration Act LATs are considered an interim measure only.

Policy Statement

The Board is firmly of the view that it is in the best interests of Tasmanian students that all Tasmanian teachers are qualified and registered teachers.

Best Interests of Students

Section 7A of the Act requires that -

In performing its functions and exercising its powers, the Board must consider the welfare and best interests of students to be of paramount importance.

Therefore, in considering granting a Limited Authority to Teach, the Board will take into consideration the welfare and best interests of students as a primary factor.

A Limited Authority to Teach is specifically for schools in emergency situations where a suitably registered teacher cannot be found for a specific teaching role.

Legislation

Section 11 of the *Teachers Registration Act 2000* states that:

- (1) A person must not teach at a school or College unless the person -
 - (a) is registered; or
 - (b)
 - (c) is the **holder of a limited authority**; or
 - (d) is under the direct supervision of a registered teacher.

A Limited Authority to Teach (LAT) is the approval mechanism by which a person, who has an appropriate skill set but is not a qualified and registered teacher, can be employed to teach.

The criteria for a Limited Authority are set out in Division 3, Section 17D of the Act:

- (1) *On receipt of an application for a limited authority made under section 17C, the Board –*
 - (a) *if satisfied that the applicant satisfies the criteria for a limited authority, must grant the applicant a limited authority to teach –*
 - (i) *at any school or college, as specified in the limited authority; and*
 - (ii) *in any subject specified in the limited authority; and*
 - (iii) *for the number of hours each week specified in the limited authority; or*
 - (b) *if not satisfied that the applicant satisfies the criteria for a limited authority, must refuse to grant the applicant a limited authority.*
- (2) *The criteria for a limited authority are that the applicant –*
 - (a) *does not meet the requirements of section 13(2)(a) or section 13(3)(a) but has the appropriate skills or experience that available registered teachers do not have; and*
 - (b) *is of good character; and*
 - (ba) *is registered under the Registration to Work with Vulnerable People Act 2013 in respect of a regulated activity, within the meaning of that Act, that primarily relates to children; and*
 - (c) *is fit to be a teacher.*

Procedures

Applications for Limited Authorities to Teach (LAT)

The Board receives a range of different LAT applications for consideration:

- School initiated LAT applications for fixed term positions or relief teaching; and
- Generic Relief LAT applications for student teachers in their final year of an accredited initial teaching degree.

The application processes for each type of LAT application are listed below.

LAT Applications – School and College Settings

A LAT for a school is applied for by the school in the school's TRB Online account, not by the person who will be the LAT holder. The application process is the process by which the school or the employer details the reasons for the LAT, the scope of the employment under a LAT and seeks permission from the Board to employ a person under a LAT.

The Board will accept a LAT application from a school/employer where suitably skilled and qualified registered teachers are not available to teach the identified teaching vacancy.

In most school and college settings a LAT application will cover a teaching vacancy within one specific school or college. Where an individual is offered teaching positions across several schools or colleges, each relevant school or college must submit its own application, unless the matter has been pre-arranged with the Board.

The school/college must satisfy the Board that the prospective LAT holder has qualifications, skills or experience appropriate to the teaching vacancy and must present a case for the LAT which satisfies the Board that there are no suitably skilled and qualified registered teachers available to undertake the teaching role.

All **student teachers** must have successfully completed all units up to and including the penultimate (second last) professional experience of their teaching degree to be considered for **school specific fixed term or relief LATs**.

The Board may grant a LAT subject to any reasonable conditions it considers appropriate.

The holder of an approved LAT **must ONLY be employed within the scope and conditions of that approved LAT**.

Generic Relief LATs

Student teachers must have successfully completed all units up to and including the penultimate (second last) professional experience of their teaching degree and be graduating this year to apply for a Generic Relief LAT.

A Generic Relief LAT application is created by TRB staff when it is confirmed the individual meets the Board's criteria.

Applications for Generic Relief LATs open approximately two weeks prior to the commencement of second term. Once granted, a Generic Relief LAT holder can be employed as a relief teacher in any Tasmania school or college.

Length of a LAT and number of times a person can hold a LAT

The Board will issue a LAT for any period it determines, not exceeding two years. A LAT will not normally extend beyond the end of the instructional year in which it was issued, other than in exceptional or pre-arranged circumstances.

The Board expects that, where a LAT has expired and there is a continuing staffing need, the school or educational setting will make every reasonable effort to find a suitably skilled and qualified registered teacher following the expiry of the LAT.

If the school or educational setting requests a new LAT for the same position the Board will require evidence of the school's/setting's recent attempts to find a registered teacher to fill the vacancy.

If an individual is employed on a LAT on an ongoing basis for more than 3 years the Board may require the individual and the employer, as appropriate, to show cause why further LATs should be approved, as it is the Board's expectation that an individual who seeks ongoing employment as a teacher should have appropriate teaching qualifications and therefore be eligible for teacher registration.

Fees

The fee for a LAT comprises an application fee and a limited authority fee. The Board has determined to waive the application and the limited authority fee for a subsequent application received for the same school year from a LAT holder.

Related Documents

About Generic Relief Limited Authorities to Teach

Related Policies

Personal Information Protection Policy

Determining Good Character and Fitness to Teach

Fees and Payments Policy

Complaints against Teachers and Limited Authority to Teach Holders Policy

(see all [Board Policies on our website](#))

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