Independent Education Union
Queensland and Northern Territory Branch

Joint Unions SUBMISSION

4 August 2026

Submission: Education Standards and Registration Board Bill 2026

The Independent Education Union – Queensland and Northern Territory Branch (IEUA-QNT) and the Australian Education Union Northern Territory Branch (AEU NT) welcome the opportunity to make a submission to the Northern Territory Legislation Scrutiny Committee's inquiry into the *Education Standards and Registration Board Bill 2026 [1]*.

This submission is as a companion document to a larger submission co-authored by all organisations with current representation on the Teacher Registration Board of the Northern Territory, in which we raise significant concerns about the consultation process and the proposed removal of practitioner representation.

This submission reinforces those concerns and elaborates on our additional concerns regarding an erosion in the integrity of disciplinary proceedings and investigations, and the operational viability of amalgamating the Teacher Registration Board and the Board of Studies.

About the Australian Education Union Northern Territory

AEU NT represents ~1 800 teachers in NT public education and has the right to represent education support workers who engage directly with students in a teaching and learning capacity, such as assistant teachers, school council employed tutors and some school support staff.

AEU NT fights for the rights of members at work, and for the right of every child to access a high-quality public education.

About the Independent Education Union of Australia – Queensland and Northern Territory Branch

IEUA-QNT represents ~17,000 teachers, support staff and ancillary staff in non-government education institutions in Queensland and the Northern Territory and consistently engages in industrial and education debate at both state and national levels through its Education and Industrial Committees and through its national counterpart, the Independent Education Union of Australia, which receives input from teachers in all States and Territories.

Our members work in kindergartens, schools and post-secondary institutions and work with students from a wide variety of backgrounds, in a wide variety of sociocultural contexts.

Given the lack of consultation with our union during the preceding review, and subsequent drafting of the legislation, we provide feedback under three general headings, pending further discussion and analysis by union officers and members.

Submission: *Education Standards and Registration Board Bill 2026*

Comments relating to consultation processes

1. The consultation processes regarding both the *Review of the Northern Territory Board of Studies and the Teacher Registration Board* and the subsequent Bill have been manifestly inadequate.
2. We note that the report from the review indicates that consultation was undertaken, but limited to members of the Teacher Registration Board, the Northern Territory Board of Studies, the Non-Governmental Ministerial Advisory Council and the School Education Advisory Group [2].
3. As the union representing teachers and support staff in non-government schools, the IEU-QNT was not approached during the review, and was first made aware of the impending changes upon receipt of the draft Bill via email on Thursday 23 July 2026.
4. This is despite the IEU-QNT having communicated with the TRB on Wednesday 28 January, advising of a change to the organisation's nominee to the Board.
5. No response to that communication was received until Wednesday 29 July, when the IEU-QNT was informed, via email, that "Considering these proposed reforms and the forthcoming transition to the new board structure…" the TRB was …"unable to progress the nominations".
6. Clearly the Northern Territory Government has been working toward the proposed changes for some time and it would have been possible to consult with IEU-QNT earlier in the process.
7. Even where the Government did engage in consultation with the AEU NT, it is clear that the Bill is a substantive deviation from what was discussed in earlier consultations.
8. The progression to legislation, with only five business days for stakeholders to read and provide a written response to a fully drafted Bill that is substantively different from what was presented in preliminary consultation, shows extraordinary disregard for the insights brought by stakeholders.
9. In the case of practising teachers and school leaders, and the unions who represent their professional and industrial interests, this is particularly egregious because these are the very workers who will be asked to work with the new structure, systems and processes.
10. It is unacceptable to make decisions to radically alter those structures, systems and processes without providing meaningful opportunities for the profession to respond.

Comments relating to composition of the proposed Board

11. Efficacy and efficiency of regulatory and support functions is clearly and demonstrably linked to the relationship of the authority to the profession.
12. Provisions in the bill that specify a Board consisting exclusively of seven members appointed by the Minister [Division 2, Clause 6] are highly problematic.
13. Given the objectives of the Bill are framed in terms of the promotion of improved student learning outcomes [1, 3], it is hard to understand why practising teachers would be excluded from the Board.

14. While the Bill [1] puts parameters around the skills and expertise that should be possessed by appointees [Division 2, Clause 6 (2)], the lack of any explicit requirement that Ministerial appointees will have experience in schools undermines the centrality of teachers to the very systems and processes that are to be regulated.
15. Given the provision for the Minister to appoint alternate members [Division 2, Clause 8] also fails to acknowledge the importance of obtaining advice from practising teachers, it is all the more important that the core composition of the Board reserves space for practitioners.
16. In other jurisdictions, it is recognised that practitioner and union representation is essential to ensure that those working within the education system have input into systems, structures, policies and processes.
17. This is essential to ensure that both the day-to-day operations of the authority, and the policies and processes that affect how teaching and learning is undertaken is schools, are informed by the views and experiences of teachers.
18. Although all members of the TRB are already appointed by the Minister, their nomination by the teachers' unions and other stakeholder groups is what ensures the Board's independence. Removing this nomination process and stakeholder representation is a threat to the independence of the TRB.
19. By removing the ability of the profession to select its own representatives to the Board, the Bill constrains the ability of the Board to consider the full educational impact of its decisions and the impact those decisions have on the work of teachers and other school staff.
20. We would indicate that practitioner and union representation should be mandated in the legislation, as is the case in other jurisdictions.

Comments relating to handling of disciplinary matters and investigations

21. We are concerned that the proposed clauses allowing broad delegation of the functions and powers of the Director (Clause 26) and the Board (Clause 28) weaken the integrity of disciplinary proceedings.
22. In reading the draft Bill, it appears that teachers in government schools, for example, could find themselves subject to investigations by departmental staff, rather than a truly independent body.
23. Although the intent may be to ensure scalability and resilience in regularity decision-making, and reduce administrative burden, this cannot undermine the integrity of investigations undertaken by the regulator.
24. We assert the right of teachers to fairness and impartiality in disciplinary matters.
25. We note that Clause 58 would replace Section 55 of the Teacher Registration (Northern Territory) Act 2004 [4], which says an investigation panel must consist of the Director and/or 2-3 board members.

26. The Explanatory Statement [3] makes it clear that members of the new combined board will no longer be involved in preliminary investigations and this function will be delegated to a 'qualified person'.
27. More concerning is Clause 59, which amends the existing Section 60, describing the composition of an inquiry committee.
28. Currently an inquiry committee consists of a lawyer (who is the chair) and two board members, one of whom, if practicable, must be either an AEU or IEU appointee (i.e. "a Board member appointed under section 7(1)(b) or (f)").
29. The proposed change would remove the current requirement for a practising teacher - and union appointee - to be involved in an inquiry for the purposes of placing conditions on, suspending or cancelling, a teacher's registration, and/or disqualifying them from registration.
30. The involvement of a current practitioner is essential to ensure the contextual understanding of complaints necessary to establish standards around what is reasonable.
31. The explanatory notes pertaining to Clauses 58-60 [3] make it clear that Board members will no longer be involved in most preliminary investigations or inquiries, merely the final decision.
32. Further, the new Board need not even be involved in the final decision, as Clause 28 of the Bill [1] allows any of the board's powers to be delegated to the Director, a member, a committee, or a public sector employee.
33. This is a drastic change from Section 15(1) of the current Act [4] , which states:

> *The Board may delegate to a Board member, a committee or the Director any of its powers and functions under this Act, other than this power of delegation, the power to grant registration or the power to take disciplinary action under Part 6.*

34. At the very least, decisions to suspend or cancel a teacher's registration or disqualify them from future registration should require a decision of the full Board, and should not be able to be delegated to a single public service employee.

Comments relating to amalgamation of the Teacher Registration Board and the Board of Studies

35. While we understand the argument that there will be little functional change to the interactions teachers have with either entity, we have concerns regarding the operational reality of having the curriculum and teacher registration authorities combined in a single Statutory Board.
36. The Teacher Registration Board and the Board of Studies clearly have different functions.
37. The business of regulating and supporting curriculum delivery is clearly separate to the function of regulating the individuals and schools authorised to deliver that curriculum.

38. It is also notable that the Bill gives little consideration to the fact that the TRB also has responsibility for accreditation of ITE programs, which also requires adequate funding and resourcing.
39. Further, there exists, both among stakeholders and within the broader community, a diversity of views about how each body should achieve their unique function.
40. Ensuring that diversity of views is given meaningful consideration requires dedicated consultative structures and processes that are unlikely to be achieved in four meetings per year [Division 6, Procedures of Board, Clause 19] of seven Ministerial appointments [Division 2, Clause 6] with skills and expertise that may or may not relate to the specific issue under consideration.
41. While we acknowledge that there may be some intention to establish sub-ordinate committees and working groups, responsible decision making requires engaged and informed Board members with a deep and broad understanding of the issues and the full impact of Board decisions.
42. Decisions and processes concerning curriculum are also fundamentally different from decisions and processes concerning registration.
43. While registration matters are primarily concerned with compliance and child safety, which requires consistency and reproducibility regarding legislative and policy requirements, curriculum matters require an understanding of pedagogical approaches and their relationships to highly contextualised, and increasingly diverse, student and teacher cohorts.
44. To suggest that the expertise required to make sound decisions about regulation of the profession are the same as those required to make sound decisions about curriculum development and delivery is to misunderstand the character, and underestimate the complexity, of both.
45. To ensure the best decisions for teachers, schools and students, it is preferable to have two separate entities.
46. It is also likely that amalgamation of the two entities will create unnecessary operational challenges through a narrowing of resources.
47. Issues such as a lack of staff with sufficient knowledge and experience in either general or specific matters related to each function will limit the capacity of the authority to provide meaningful, quality advice and support to teachers and schools.

Concluding comments

IEUA-QNT and AEU NT welcome the opportunity to provide feedback to the Legislation Scrutiny Committee's inquiry into the *Education Standards and Registration Board Bill 2026*.

We strongly object to the disregard of practitioner voice during the consultations that preceded the Bill, the substantive deviation from what was presented in the consultations that were conducted, and the extraordinarily contracted period for provision of feedback on the Bill.

Submission: *Education Standards and Registration Board Bill 2026*

We strongly oppose the removal of union and practitioner representation on the proposed Board.

Further, the changes in procedures for dealing with registration and disciplinary matters are not consistent with a regulatory posture that promotes and supports teachers to deliver optimal educational programs to students.

Ultimately, fulfilling the functions of the new authority is dependent on constructive, collaborative relationships among stakeholders. To remove the capacity of the regulatory authority, or authorities, to readily receive feedback and advice from those stakeholders is not in the best interests of teachers, schools, students or the education system of the Northern Territory.

Kind regards,

Terry Burke
Branch Secretary
Independent Education Union of Australia - Queensland and Northern Territory Branch

Brian Gray
President
Australian Education Union Northern Territory

4 August 2026

References

1. *A Bill for an Act to establish the Northern Territory Education Standards and Registration Board and for related purposes*.
2. Department_of_Education, *Review of the Northern Territory Board of Studies and the Teacher Registration Board*. 2026, Northern_Territory_Department_of_Education_and_Training.
3. *Explanatory Statement EDUCATION STANDARDS AND REGISTRATION BOARD BILL 2026*.
4. *Teacher Registration (Northern Territory) Act 2004*.