

# Education Legislation (Registration of Early Childhood Teachers) Amendment Bill 2026

## Statement of Compatibility

### Prepared in accordance with Part 3 of the *Human Rights Act 2019*

In accordance with section 38 of the *Human Rights Act 2019*, I, John-Paul Langbroek MP, Minister for Education and the Arts, make this statement of compatibility with respect to the Education Legislation (Registration of Early Childhood Teachers) Amendment Bill 2026 (the Bill).

In my opinion, the Bill is compatible with the human rights protected by the *Human Rights Act 2019* (HR Act). I base my opinion on the reasons outlined in this statement.

### Overview of the Bill

The Bill amends the *Education (Queensland College of Teachers) Act 2005* (QCT Act) and *Education (Queensland College of Teachers) Regulation 2016* (QCT legislation) to implement mandatory teacher registration for early childhood teachers (ECT) and related obligations for employing authorities of approved centre-based education and care services (ECS).

The intent is to strengthen child safety in ECS and uplift the status of ECTs in the teaching profession. This will also meet Queensland's commitment under the nationally agreed commitment to registration of ECTs in the *National Children's Education and Care Workforce Strategy (2022–2031)* (national strategy).

This is achieved by amending the QCT legislation, principally to:

- make it mandatory for ECS employing authorities to employ registered teachers as an ECT;
- broaden eligible qualifications for teacher registration to include ECT qualifications approved, or assessed as equivalent, by the national authority responsible for approving ECT qualifications (Australian Children's Education and Care Quality Authority (ACECQA));
- require a condition on registration limiting a person to teach in an ECS if they do not hold qualifications to teach in a school (ECS condition);
- require ECS employing authorities to notify the QCT: if there is an allegation of harm or risk of harm to a child because of the conduct of a registered teacher they employ; of the outcome if they deal with such an allegation; or if they dismiss a teacher where their competency to be employed as a teacher is in question.

The QCT legislation provides a framework for teacher registration. Registration ensures that only appropriately qualified and suitable persons may be approved as teachers in Queensland. It is mandatory for a person to be a registered teacher or hold a permission to teach (collectively referred to as approved teachers), to teach in a Queensland state or non-state school.

Registration has not been mandatory for ECTs in ECS. Persons employed as ECTs may be registered if they meet the eligibility requirements, including qualifications. The majority of ECTs with eligible qualifications are already voluntarily registered teachers.

State Delivered Kindergarten (SDK) programs in prescribed state schools already require ECTs to be registered teachers as they operate within school settings, and so are not impacted by the amendments.

A person may retain registration even if they are not currently teaching. They may be required to meet currency of practice requirements if they return to teaching (for example, completing a QCT-recognised return to teaching course if they have not taught for a prescribed period).

The Bill requires that a person employed as an ECT in a Queensland ECS must be a registered teacher under the QCT legislation, in an equivalent way to teachers in Queensland schools.

The reforms in this Bill support the Queensland Government's objectives of investing in skills and educating for the future by providing for a contemporary and robust legislative framework for the early childhood education and care sector by supporting ECTs, ECS and communities.

### **Human rights relevant to the Bill (Part 2, Division 2 and 3 *Human Rights Act 2019*)**

In my opinion, the following human rights are relevant to the Bill:

- Privacy and reputation (section 25, HR Act); and
- Protection of families and children (section 26, HR Act).

## **Human Rights Issues**

The proposed mandatory teacher registration for ECTs positively engages section 26 of the HR Act by strengthening the protection of families and children.

In my opinion, the proposed requirement for ECTs to be registered may limit their right to privacy under section 25 of the HR Act with regulated information held on a public register and personal information shared across or within agencies.

### **(a) the nature of the right**

#### *Right to privacy and reputation*

The *right to privacy and reputation* provides that every person has the right not to have their privacy, family, home or correspondence unlawfully or arbitrarily interfered with; and not to have the person's reputation unlawfully attacked.

Unlawful interference means it cannot take place except in cases envisaged by law. An arbitrary interference refers to conduct that is capricious, unpredictable or unjust, as well as interferences that are unreasonable and not proportionate to the legitimate purpose that is sought.

Privacy relates to the personal aspects (i.e. personal information, data collection and correspondence) broadly across the person's private life. While the right to privacy is broad, it must be balanced against other rights and competing interests.

The *right to privacy and reputation* is relevant as teacher registration requires the disclosure and sharing of information about persons applying to be registered teachers, and persons who hold teacher registration.

To ensure persons are suitable to be registered teachers, information sharing is necessary with agencies such as the police commissioner, interstate agencies and the chief executive for working with children employment screening under the *Working with Children Check Act 2000* (WWC Act). Limited prescribed information is also retained on a register under the QCT Act.

Persons who will be required to hold teacher registration for ECS are already required to have a blue card under the WWC Act, which necessitates disclosure of personal information.

- (b) the nature of the purpose of the limitation to be imposed by the Bill if enacted, including whether it is consistent with a free and democratic society based on human dignity, equality and freedom

The proposed amendments potentially limit the *right to privacy* because they provide for the disclosure of personal information about a registered teacher, or a person applying to be registered. The information is required for the safety of children and to uphold the integrity of the profession.

ECTs will only be subject to the same disclosure requirements as school teachers. As noted above, persons who will now require teacher registration already must hold a blue card under the WWC Act, which requires disclosure of personal information.

The potential limitation is consistent with a free and democratic society based on dignity, equality and freedom as it requires only sufficient personal information to ensure persons are suitable to be registered teachers, to strengthen the safety of children in ECS and uplift the professional status of ECTs.

- (c) the relationship between the limitation to be imposed by the Bill if enacted, and its purpose, including whether the limitation helps to achieve the purpose

The disclosure of information is only for the purposes of teacher registration, including ensuring registered persons are suitable to work with young children, which is the core role of ECTs.

- (d) whether there are any less restrictive (on human rights) and reasonably available ways to achieve the purpose of the Bill.

There is no less restrictive and reasonably available way of achieving the purpose of the amendments. Teacher registration is applied to individuals. Relevant identifying information about the individual is necessary to be shared and stored to ensure the integrity of the registration framework.

- (e) the balance between the importance of the purpose of the Bill, which, if enacted, would impose a limitation on human rights and the importance of preserving the human rights, taking into account the nature and extent of the limitation

An appropriate balance has been reached between human rights and the importance of the purpose. The amendments incorporate ECTs into the existing teacher registration framework, providing an additional layer of protection for young children who attend ECS, and uplifting the professional status of ECTs in the teaching profession.

Any information shared or stored under the legislation is necessary to ensure the integrity of the registration framework. Public officials with access to the information are bound by confidentiality provisions under the legislation (such as Chapter 11, Part 1 of the QCT Act).

On this basis, the potential limitation on the *right to protection of privacy and reputation* is reasonable, justified and compatible with the HR Act.

- (f) any other relevant factors

Nil.

## Conclusion

In my opinion, the Bill is compatible with human rights under the *Human Rights Act 2019* because it limits human rights only to the extent that is reasonable and demonstrably justifiable in a free and democratic society based on human dignity, equality and freedom.

**JOHN-PAUL LANGBROEK MP**  
MINISTER FOR EDUCATION AND THE ARTS

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