



Pursuant to section 37 of the *Teachers Registration and Standards Act 2004* (the Act) employers/former employers have an obligation to submit a written report **within 7 days** to the Teachers Registration Board of South Australia (the Board) under the following circumstances (please tick ✓ to indicate the type of notification you are making):

### Employer Notification

Pursuant to section 37(1) of the Act employers of practising teachers have an obligation to submit a written report to the Board **within 7 days** if the employer dismisses or accepts the resignation of a teacher for one or more of the following reasons:

- the teacher is a prohibited person pursuant to the *Child Safety (Prohibited Persons) Act 2016*.
- a working with children check has not been conducted in relation to the teacher within the preceding 5 years.
- in response to an allegation of unprofessional conduct made against the teacher.
- incompetence (however described).

Pursuant to section 37(2) of the Act employers of practising teachers have an obligation to submit a written report to the Board **within 7 days** if the employer becomes aware of any of the following in relation to the teacher:

- the teacher's capacity to teach is, or may be, seriously impaired by an illness or disability affecting the person's behaviour or competence as a teacher.
- that an allegation of unprofessional conduct is made against the teacher.
- the teacher is not, in the opinion of the employer, a fit and proper person to be a registered teacher.
- the teacher has undergone an incompetence (however described) process

### Former Employer Notification

- Pursuant to section 37(3) of the Act a former employer of a practising teacher has an obligation to submit a written report to the Board **within 7 days** if they become aware that an allegation of unprofessional conduct is made against the teacher within 12 months of the teacher's cessation of employment.

A person who, without reasonable excuse, refuses or fails to comply with a requirement under section 37 is guilty of an offence and subject to a maximum penalty of \$10 000.

Pursuant to section 37(7) of the Act the above requirements apply to employers of holders of a Special Authority under part 6 of the Act (whether or not the Special Authority has expired).

**To:** The Registrar, Teachers Registration Board of South Australia

By post (marked "Private & Confidential"):

The Registrar  
Teachers Registration Board  
PO Box 3649  
RUNDLE MALL SA 5000

By email:

[investigations@trb.sa.edu.au](mailto:investigations@trb.sa.edu.au)

# EMPLOYER'S OBLIGATION TO REPORT SECTION 37

<b>Reporting Persons Name:</b>	
<b>Position Held:</b>	
<b>Contact Details: Telephone:</b>	<b>Email:</b>
<b>Signature:</b>	<b>Date of Report:</b>

## PRESCRIBED INFORMATION

Section 37(4)(c) of the Act stipulates that a notification under section 37 “*must include such information as may be reasonably required by the Teachers Registration Board in respect of notification of the relevant kind*”. Therefore employers must advise the Board of the following, pursuant to section 37(4)(c) of the Act:

<b>Name of Teacher:</b>
<b>Registration Number:</b>
<b>Address:</b>

<b>Name of Teacher's Employer:</b>
<b>Employer's Address:</b>
<b>Names and addresses of all persons who the employer believes may be able to give material evidence relevant to the notification:</b> (If you do not have enough space below, please attach a separate sheet)

# EMPLOYER'S OBLIGATION TO REPORT SECTION 37

**Provide full details describing the circumstances leading to the notification:**

(If you do not have enough space below, please attach a separate sheet.)

**Employment status of the teacher\*:**

**Status of employer investigation and/or disciplinary process:**

\*If the teacher has separated from employment or been suspended from teaching, please provide a copy of the letter of dismissal/resignation and/or the letter of teacher suspension.

**Please note:** Additional records/documentation may be requested by the Registrar pursuant to section 27 of the Act or for the purpose of an investigation by a person authorised by the Registrar, pursuant to section 34 of the Act.