



Queensland Music Teachers' Association

Private Music Teachers

# **Guidelines and Code of Ethics**

(Updated December 2019)

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# QUEENSLAND MUSIC TEACHERS' ASSOCIATION INC.

The Queensland Music Teachers' Association, hereinafter referred to as 'The Association,' has published these notes in order to give guidance in professional matters to music teachers in private practice.

## The Standard Conditions

Many points raised in these Notes are covered by the Standard Conditions for Private Music Tuition set out in Appendix I. The use of these Conditions is strongly recommended as it will forestall many possible difficulties. A copy of these Conditions should be given to new students and their parents before lessons are commenced, preferably at the first interview. In the case of present students, a copy should be sent with the first account rendered.

## Terms of lessons

The state school system in Queensland is divided into four terms of roughly the same number of weeks, giving approximately 40 lessons per year. Some teachers prefer to follow the state school terms; others have their own way of determining the number of weeks per term. In any event, the teacher should advise parents or students of the term structure before tuition is commenced.

Some teachers may consider that private music tuition should be entirely separated from the school term. It could be given by the term of 10 lessons, each term to commence one week after the end of the previous one or as soon as possible thereafter, allowing for holiday periods. Under this system each student may receive 40 to 45 lessons per annum.

For the greater benefit of teacher and student, lessons should be of a duration that the teacher, in consultation with the student or parents, considers appropriate to each student's age and capacity, and the fee should be adjusted accordingly. Available lesson durations and fee structures should be clearly stated on the teacher's prospectus.

## Fees

The amount a teacher is able to charge is governed by several factors, such as the district in which the teacher practises and the demand for his/her services. However, there is an economic limit below which no teacher can afford to teach, irrespective of district.

MTAQ sets annual minimum rates as a guideline for private music teachers. Some teachers charge more, others slightly less.

It is recommended, and now usual, to make fees due and payable in advance, except by special arrangement or at the discretion of the teacher. This should be made clear in the teacher's prospectus and statement of account. An appropriate standard account form should be issued in

Recommend minimum teacher fees are set at four different levels:

Professional: accredited and experienced teacher

Associate: not accredited and/or with less than five years' teaching experience

Student teacher

Group Instrument lesson or Theory (based on 6 students)]

### Theory and Musicianship

The Association sees no reason why private theoretical tuition should be charged at a lower rate than instrumental tuition. However, there is often insufficient time for both theoretical and practical instruction to be given in the same lesson. The teacher should not hesitate to tell the student or parents that theory cannot be covered by the payment for practical instruction. If the teacher is unable to give separate theory lessons, another accredited teacher should be recommended. Group theory lessons may be given at a lesser, individual cost for which recommended minimum charges are set annually by the Association.

### Missed Lessons

When a student does not attend a lesson, with or without notice; this usually causes direct financial loss to the teacher. The Association, therefore, recommends that all accredited MTAQ members charge for such missed lessons, unless the circumstances, in the teacher's opinion, warrant some special concession. (See (c) and (d) in Standard Conditions.)

### Notice to Discontinue Lessons

Before any lessons are commenced, the student (or parent) should be expressly informed that half a term's notice of discontinuance is required, preferably at the beginning of a term of lessons, and that failing such notice, payment of fees for the period will be requested. (See (g) in Standard Conditions.)

### Fee Recovery

If fees are not paid in advance, a teacher occasionally may experience difficulty in obtaining payment. Action through a Court is not well adapted to comparatively small claims, as the legal expenses may far exceed the amount of debt and are not usually fully recoverable from the debtor. Even when judgment has been obtained it is often hard to enforce payment. It is therefore important that fees are paid in advance each term.

### Specialisation

Accredited Teachers should only accept students for musical subjects in which they have been accredited.

### Progress Reports

Many teachers find it useful to give a report on the student's progress, half yearly or annually. It is suggested that the report be sent to the student or parent at the time the account is forwarded for the following term.

### Examinations and Competitive Festivals

Examination or Competition entry decisions should be made by the teacher in consultation with student and parent.

### Publicity and Advertising

The private music teacher should lose no legitimate opportunity of publicity, and this may take the form of personal contacts, concert work, participation in the musical life of the community, advertising in the press and in local magazines, etc. The teacher should have a prospectus printed stating the terms upon which he/she is willing to teach.

Press advertisements should be confined to facts such as name, degree and diploma qualifications, address and telephone number and subjects taught.

Accreditation and Membership of a Music Teacher's Association should be mentioned, using the words "Accredited as a Private Music Teacher, for (instrument) through the Association."

Examination, eisteddfod, competition and festival results may be published from time to time in the local press.

After considering all these suggestions the teacher must remember that private recommendation is the best and most satisfactory of all advertisements. One's own good work will ultimately achieve most in publicising one's professional activities.

### The Teacher's Records

There are three sets of necessary records:

A record sheet for each student, on which should be entered name, address, telephone, age, fee, date of starting tuition, usual lesson day and time, notes of examination results and other achievements, and the teacher's assessment of progress made. It must also give dates of all lessons set out in courses of ten lessons (or alternative structure), giving name and cost of all music supplied, examination fees paid etc.

An Appointments Diary, one week to a page, or an electronic device diary.

- (c) A cash record with two cash columns for receipts and payment. The dates of rendering accounts and receiving payment should be noted, and short particulars given of all professional expenses incurred.

### Noise Abatement

A teacher who teaches in a home studio is duty bound to take all reasonable steps to prevent music teaching and playing from becoming a nuisance, or interfering with the comfort or convenience of the occupiers of adjoining property. The studio should be in the part of the house where the sound is least likely to be heard by the neighbours, and instruments such as a piano should not be placed against a division wall.

Teaching and playing should not be carried on late at night; discretion should be used about leaving windows open; and some form of soundproofing can be used if necessary. In short, teachers should be careful not to lay themselves open to accusations of being inconsiderate to their neighbours. If these precautions are of no avail and an action for nuisance is threatened, a solicitor should be consulted.

Check local council ordinances with regard to noise restrictions in your local area.

### Parking Limitations

Check local council ordinances with regard to permitted local traffic parking.

### Restrictions on the Use of Property

When buying or renting a house or studio where it is proposed to teach, a solicitor should be asked to make sure that there are no enforceable regulations or Town Planning provisions preventing or restricting such use of the property. This should be done before any contract is signed or deposit paid.

### Sale of Teaching Practices

Seek up-to-date legal, accounting and property advice.

### The Teacher's Prospectus

A prospectus can be kept very brief if the Standard Conditions mentioned in paragraph 1 are adopted in a prospectus. The prospectus should contain the necessary details of the teacher's name, address, qualifications, subjects taught, fees, and the notification that Mr./Mrs./Ms/Miss accepts students on the Standard Conditions of the Association, together with term dates and any other information pertaining to the individual teacher's annual running of his/her studio. It can be mentioned that the teacher's Blue Card is available for inspection.

The prospectus should be reviewed on an annual basis in September/October.

Teachers who do not adopt the Standard Conditions must incorporate into their Prospectus the provisions which will apply to their business.

### Income Tax Allowances

A Schedule of deductions from private teachers' professional incomes which are usually allowed by the Taxation Department is given in Appendix IV.

### Insurance

Private teachers, like all self-employed persons, should make some provision for retirement pensions. The younger they start, the lower the premium; but middle-aged people also will find that something useful can be done at a moderate cost. Insurance Companies will provide personal quotations to teachers who give their date of birth, age at which a pension is to start, and any desired provision for dependents.

There is a risk of a teacher being held responsible for injuries caused to the students through accidents arising on the teacher's premises. The Association has arranged a Master Policy for Public Liability Insurance, in which MTAQ members may participate for a small annual fee.

**Please note:** Home and content insurance does not cover public liability or musical instruments unless they are listed separately in the policy with their monetary value.

### Social Media interactions between a teacher and student

The QMTA does not encourage teachers to befriend students under the age of 18 on social media sites, it is at the teacher's discretion as to with which students and how they communicate and interact on social media sites.

### Health & Safety: Blue Cards and Risk Management Strategy.

Members must be aware of their responsibility to students in the areas of mandatory care.

**Blue Cards** are necessary before teaching, volunteering or working with any child under 18 (see <https://www.bluecard.qld.gov.au> or ring toll-free 1800 113 611).

Information on the Commission for Children and Young People website states that 'A person will need a blue card if they propose to work, in a paid or voluntary capacity, or to carry on a business, in a child-related area regulated by the Commission for Children and Young People and Child Guardian Act 2000.'

A **Risk Management Strategy** must be prepared and updated by 1<sup>st</sup> January each year. For teaching members of this Association, we can provide a template of a Risk Management Strategy which can be tailored to an individual teacher and workplace.

In accordance with information obtained from the Commission for Children and Young People website please note the following legal requirement for persons working with children:

'From 1 January 2007, employers and businesses regulated by the Commission's Act must have a written risk management strategy in place which complies with the minimum requirements specified in the *Commission for Children and Young People Amendment Regulation (No. 1) 2006*.

Although employment screening is a vital child protection mechanism, the blue card is not a guarantee of a child's safety and is no substitute for an appropriate range of risk management strategies.

Risk management allows organisations to identify and assess possible sources of harm, and take steps to decrease or prevent it from occurring. It must include evidence of procedures, processes and documents which show an organisation's commitment to maintaining the safety and wellbeing of children and young people.'

## APPENDIX I

The sample forms given in these Appendices can be modified as the teacher desires. It would often be appropriate to add encouraging remarks about the student's progress.

### Standard Conditions for Private Music Tuition

- a) TUITION will be given by the term of ten consecutive weekly lessons, each term to commence in the week following the end of the previous term, except where ten week terms coincide with school holidays. HOLIDAYS: Lessons will be suspended for periods in the summer and for public holidays as announced by the teacher.
- b) FEES are payable per term **in advance** or no later than the second lesson of that term.
- c) LESSONS missed through the student's non-attendance will be charged for, unless the circumstances, in the teacher's opinion, warrant a special concession. Lessons cancelled by the teacher will be carried forward.
- d) A PROGRESS REPORT should be given by the teacher from time to time.
- e) EXAMINATIONS AND COMPETITIONS: The teacher will not enter the student for any examination or competition without the student's consent; but the teacher's opinion as to what examinations and competitions are suitable at each state of the student's progress should be accepted by the student and parent.



f) NOTICE to discontinue lessons must be given not later than the first lesson of a Term; otherwise the fees for half of the Term will become payable. If a student does not intend to continue lessons in the new year, written notice should be given by the final lesson of the current year. Where no such notice is given, teachers are entitled to charge a half-term's fees in lieu thereof.

Except in cases of sudden emergency (e.g. illness), teachers are expected to give a half-term's notice of their inability to accept students in the following term.

(NOTE: Reference to students in these Conditions includes the parents or guardians of a child/student where the context allows).

## **APPENDIX II**

### **Draft of suggested letter announcing change-over to continuous lesson system.**

Dear .....

I am making some changes in my teaching arrangements as from next (September). Tuition will be given by the term of ten..... lessons, each term to begin the week after the previous term ends.

The fee per term will be \$ ..... payable in advance.

Lessons will not be given during (January) or for short periods at the usual public holidays, and I would like you to inform me well beforehand of any other periods when you (your child) will be away on holiday.

These changes will result in still better progress being made by students, since they ensure greater continuity of teaching. I regret to have to ask you to meet an increase in the fees, but I am sure you will realise that the continuing increase in the cost of living makes it inevitable.

Please do not hesitate to contact me if you would like to discuss the matter.

Yours sincerely,

## APPENDIX III

### Draft of suggested letter regarding increase in fees.

Dear .....

Re: Increase in Tuition Fees:

This is to advise that Term Fees will increase to \$ ..... From .....

(then insert your own personalised statement in line with your studio aims and objectives e.g.:)

Please be assured of my continuing commitment to encouraging your child to reach his/her full potential in the pursuit of musical excellence.

Yours sincerely,

# APPENDIX IV

## **Schedule of permissible deductions from the professional income of private music teachers for income tax purposes.**

NOTE: It must be understood that the following is presented only in general terms and much depends on actual circumstances and negotiations with the Taxation Department. In cases of difficulty the assistance of a qualified accountant will often be found to be of great help.

Expenses entirely incurred in carrying on the teaching practice:

### 1. Studio Costs

- a) Rent of studio or portion of house in which the income is derived. All other rents must be omitted including living accommodation.
- b) Local rates, lighting, heating, cleaning, telephone, insurance of a studio – or proportional if the teaching practice is carried on at home.
- c) Expenses incurred in travelling from one studio to another, but not between the teacher's residence (if one does not teach there) and the studio.

### 2. Repairs and Maintenance Costs

- a) Of instruments and studio furniture.
- b) Tuning of instruments.
- d) Losses and theft within the teaching practice (including fire and burglary) if not recoverable under insurance.
- d) The cost of renewing instruments or depreciation for wear and tear (but not both) and not the cost of buying a new instrument unless it is in replacement of an old one. Depreciation percentages are available from the Taxation Office.
- e) The costs of creating a music library, music etc. cannot be deducted, but an allowance may be claimed for the cost of replacing worn-out music.
- f) Motor car wear and tear where the vehicle is used in running the practice (or proportionately if there is private use), plus the expense of running a car on a similar basis.

### 3. Administration of the Teaching Practice

- a) Postage, printing, stationery, telephone and advertisements concerning the teaching practice. Complete records and receipts are necessary.
- b) Insurance against fire, burglary, theft, together with Public Liability. Proportional rates based on the area of the home used if under a house policy and the practice is carried on from home.

#### 4. Payments

- a) Interest on bank overdraft necessary to implement the purchase of an asset used for teaching purposes only, e.g. piano.
- b) Salary of any assistants within a music school.
- c) Subscriptions to professional organisations, e.g. MTAQ and Music Journal subscriptions.
- d) Fees for conferences, seminars, workshops etc. concerned with professional development.

#### 5. Income Already Taxed at an Institution

Those who are in salaried employment may also claim similar tax deductions. However, in such cases, the Australian Taxation Office requires that the expenditure must be absolutely essential, as well as wholly and exclusively incurred in carrying out work at the Institution, in order to be deductible.

#### 6. Incurred Bad Debts

These must be shown as existing bad debts to the Taxation Department.

## **OBJECTIVES OF THE ASSOCIATION**

### **From the MTAQ Constitution**

1. To advance and protect the interests of music teachers in general and members of the Association in particular. To represent generally the view of the music teaching profession in Queensland.
2. To advance musical culture by means of lectures, programmes of vocal and instrumental music and the discussion of all matters relating to music and musicians, especially the teaching of music.
3. To encourage the pursuit of higher standards in the teaching of music and to set a minimum educational standard with which music teachers should be equipped.
4. To set and periodically regulate minimum conditions and fees under which members may offer their services to the public.
5. To increase opportunities for personal and friendly contact amongst members.
6. To maintain friendly relationships and alliances with other professional organisations and facilitate an interchange of ideas and benefits.

# CODE OF ETHICS

This Code of Ethics is established by MTAQ so that its members may understand more clearly their duties and obligations, exemplifying them to their students, to the public, and to other teachers. The intention is that music study may be advanced, that the dignity and honour of the profession may be upheld, its standard maintained and usefulness extended. Adherence to this Code will promote cooperation, understanding and good fellowship among Members.

Therefore it is the duty of Members of the Association, to be governed by the Principles underlying this Code, namely:

- It is unprofessional and unethical for teachers to make any false claims regarding themselves or their students.
- It is unethical and unprofessional for teachers, by making misleading statements or false promises, to induce a student to study an instrument with the hope of a career, if the student's talent does not warrant it.
- It is unethical to advertise in a manner that may deceive or mislead prospective students.
- It is unethical to criticise adversely the work of fellow teachers, unless such statements can be substantiated with proof.
- It is unethical, either by inducements, innuendoes, insinuations, or other acts, to proselytise students of other teachers.
- It is unethical to exploit as one's own the results of another teacher's instruction or to allow one's students to do so. Further, it is unethical to claim as a student anyone having studied less than one year with the teacher making the claim, except where there has been no previous musical tuition.
- It is unethical for a Member to make a contract with a student demanding more than the actual price of lessons, with or without interest, as mutually agreed upon. No contract shall be made on the basis of a percentage of the student's future potential earnings, nor shall teachers accept any fee for aid in securing an engagement for a student.
- It is unethical for teachers to offer less than the best instruction of which they are capable to students under their tutelage. The moral and financial obligation of teachers is to give students the instruction, the attention and the full amount of time agreed upon.
- It is unethical for a teacher to be an adjudicator of a contest in which his/her students are competing.
- It is essential that a teacher always conduct themselves in a professional manner in their business dealings. Even in trying situations, it is important that members be respectful and use appropriate language at all times when dealing with their own students, the general public and colleagues.

(This Code of Ethics has been adapted from the ANATS Code of Ethics with their kind permission.)