

## Cabinet Paper material

### Proactive release

Minister & portfolio    Minister Hipkins, Education  
Name of package        Continuation of International Education in Primary and Intermediate Schools  
Date considered         19 April 2022  
Date of release         3 June 2022

**These documents have been proactively released: paper, minute cab, minute swc**

**Cabinet Paper: Continuation of International Education in Primary and Intermediate Schools**

Date considered: 19 April 2022  
Author: Minister of Education

**Cabinet Minute CAB-22-MIN-0136**

Date considered: 19 April 2022  
Author: Cabinet Office

**Cabinet Minute SWC-22-MIN-0069**

Date considered: 13 April 2022  
Author: Cabinet Office

#### **Material redacted**

Some deletions have been made from the documents in line with withholding grounds under the Official Information Act 1982. Where information has been withheld, no public interest has been identified that would outweigh the reasons for withholding it.

The applicable withholding grounds under the Act are as follows:

Section 9(2)(f)(iv)    to protect the confidentiality of advice tendered by Ministers of the Crown and officials

Some deletions have been made from the documents as the information withheld does not fall within scope of the Minister's portfolio responsibilities, and is not relevant to the proactive release of this material.

You can read the Official Information Act 1982 here:

<http://legislation.govt.nz/act/public/1982/0156/latest/DLM64785.html>

**In Confidence**

Office of the Minister of Education

Cabinet Social Wellbeing Committee

**Continuation of international education in primary and intermediate schools**

**Proposal**

- 1 This paper provides an update on the review of enrolment policy for international fee-paying students under Year 9.

**Relation to Government priorities**

- 2 This paper aligns with Reconnecting New Zealand, as it provides clarity on the Government's future regulatory settings as New Zealand reopens. It supports the International Education Strategy 2018-2030 to move from international education as a revenue generating export industry, to focussing on quality of education, and higher value.

**Background**

- 3 As discussed at the Cabinet Business Committee meeting on 14 June 2021, I had concerns with the current settings for international education for primary and intermediate age children [CBC-21-MIN-0058 refers]. Concerns included international students possibly diverting the focus of New Zealand schools away from their core responsibilities to domestic students, wellbeing concerns of young international students, inequity between schools and the impact on wider migration pressures like housing and infrastructure.
- 4 I asked the Ministry of Education to review the current enrolment policy settings in the Education and Training Act 2020, as New Zealand's borders are re-opening this year. Before borders re-open for international education, I am planning a reset for the international education sector which includes a refresh of the International Education Strategy 2018-2030 and changing the regulatory immigration settings as part of the Immigration Rebalance. Both will be discussed at Cabinet in separate papers.

**Consultation with the public**

- 5 I consulted the public on the proposal to restrict the enrolment of international fee-paying students under Year 9. This included schools, education peak bodies and the Regional International Education Network Aotearoa.
- 6 The Ministry of Education received 177 written submissions, of which 81 percent of submitters were against this proposal. 147 submitters (strongly) disagreed and 12 (strongly) agreed with this proposal.

- 7 Submitters told us that multiple benefits of international education at primary and intermediate schools. They indicated international students:
- 7.1 are valuable for our education system as they support domestic students in the development of global citizenship skills, help students understand other cultures and create a personal connection to the world.
  - 7.2 provide extra revenue to primary and intermediate schools which is beneficial for all students as it is used to provide additional support to students sometimes beyond what a school can offer within its normal operations grant.
  - 7.3 provide a critical pathway into local secondary schools which provides immediate and long-term economic benefits. Students who come to New Zealand at a younger age will develop a stronger English Language proficiency and assimilate into the New Zealand culture more seamlessly.
  - 7.4 help strengthen New Zealand's international relations and reputation, which can have positive effect on international trade and relations.
  - 7.5 support local businesses and the local community economically, culturally and socially.

#### **Maintaining the status quo of international education enrolment policy**

- 8 Young international fee-paying students (under Year 9) are a small proportion of total international education provision of school-aged students (5,225 enrolments – equivalent to 2,020 full time students – at 324 schools in 2019). The volume of international students is relatively low in comparison with, for example, the total amount of New Zealand short-term visa holders or total number of students in primary schooling. This makes the risks of creating additional migration pressure relatively low.
- 9 The pastoral care requirements for students in schools is set out in the Education (Pastoral Care of Tertiary and International Learners) Code of Practice 2021. To ensure the wellbeing of very young international students, the Code of Practice requires children under the age of 10 to live with a parent or legal guardian unless they are accommodated in a school hostel. The number of pastoral care incidents relating to international students under Year 9 is small and there have been no findings of failure to comply with the Code.
- 10 I acknowledge the advantages that international fee-paying students provide our education system. The current settings provide a range of social benefits for international students, domestic students and the wider community, such as supporting domestic students to become global citizens.
- 11 International fee-paying students also provide additional revenue to schools which benefits all students at that the school. In 2019, schools received a total amount of \$29.7 million in revenue from international students, of which around \$8 million was used specifically for international education expenses and \$21.7 million was available for other educational opportunities that could

benefit domestic students. The additional revenue is used, for example, for additional:

- 11.1 English language support for students with English as a second language,
  - 11.2 specialist teachers of literacy, mathematics, science, Te Reo Māori, and other curriculum areas,
  - 11.3 teacher aides to support learning and mental health and counselling services, and
  - 11.4 resources for property improvements.
- 12 I have taken the public consultation feedback into account and based on the further analysis, I am not proposing to make any changes to the current policy settings. I recognise the benefits the international education sector has raised with us and believe the benefits outweigh the risks associated with the current policy settings.
- 13 As part of the refresh of the International Education Strategy 2018-2030, I have asked officials to provide further advice on how we can support the international education schooling sector in rebuilding the sector, including enabling more schools to participate.

#### **Financial Implications**

- 14 There are no financial implications.

#### **Legislative Implications**

- 15 There are no legislative implications.

#### **Impact Analysis**

##### **Regulatory Impact Statement**

- 16 There are no regulatory proposals in this paper, and therefore Cabinet's impact analysis requirements do not apply.

##### **Climate Implications of Policy Assessment**

- 17 The Climate Implications of Policy Assessment (CIPA) team has been consulted and confirms that the CIPA requirements do not apply to this proposal, as the threshold for significance is not met.

#### **Population Implications**

- 18 There are no direct implications for specific population groups.

#### **Human Rights**

- 19 The paper appears to be consistent with the rights and freedoms affirmed in the New Zealand Bill of Rights Act 1990 and the Human Rights Act 1993.

## Consultation

- 20 Department of the Prime Minister and Cabinet, Ministry of Foreign Affairs and Trade, Ministry of Business, Innovation and Employment, New Zealand Qualifications Authority, Education Review Office, and Education New Zealand have been consulted.

## Communications

- 21 I plan to communicate the decision of not changing the current policy settings to the international education sector once discussed at Cabinet.

## Proactive Release

- 22 I intend to proactively release this Cabinet paper subject to redaction as appropriate under the Official Information Act 1982.

## Recommendations

The Minister of Education recommends that the Committee:

- 1 **note** that the Ministry of Education has publicly consulted, particularly with the international education sector, on the proposal to restrict the enrolment of international fee-paying students under Year 9
- 2 **note** that the policy proposal was intended to:
  - 2.1 address a range of societal and economic issues, such as the increased pressure on housing and infrastructure aligned with the immigration rebalance.
  - 2.2 ensure the wellbeing of young international students when living in New Zealand.
  - 2.3 strengthen the education sector and ensure that schools with young students focus on delivering the best possible education for domestic students. This includes decreasing the pressure on the teacher workforce and decreasing the inequity between schools.
- 3 **note** that international fee-paying students under school Year 9 are a small proportion of total international education provision and that there are regulations in place, like the Code of Practice 2021 to ensure the wellbeing of young international students.
- 4 **note** that the benefits to our education system outweigh the risks and therefore, I will be making no changes to the current policy settings for the enrolment of international fee-paying students under Year 9.

**IN C O N F I D E N C E**

Authorised for lodgement

Hon Chris Hipkins

Minister of Education

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# Cabinet

## Minute of Decision

*This document contains information for the New Zealand Cabinet. It must be treated in confidence and handled in accordance with any security classification, or other endorsement. The information can only be released, including under the Official Information Act 1982, by persons with the appropriate authority.*

### Report of the Cabinet Social Wellbeing Committee: Period Ended 15 April 2022

On 19 April 2022, Cabinet made the following decisions on the work of the Cabinet Social Wellbeing Committee for the period ended 15 April 2022:

Out of scope



SWC-22-MIN-0069


**Continuation of International Education in  
Primary and Intermediate Schools**  
Portfolio: Education

CONFIRMED

Out of scope



Out of scope



Michael Webster  
Secretary of the Cabinet

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# Cabinet Social Wellbeing Committee

## Minute of Decision

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### Continuation of International Education in Primary and Intermediate Schools

**Portfolio**                      **Education**

On 13 April 2022, the Cabinet Social Wellbeing Committee:

- 1        **noted** that in June 2021, the Cabinet Business Committee directed the Ministry of Education to commence policy work to address concerns with the current settings for primary and intermediate age children to enter New Zealand as international students [CBC-21-MIN-0058];
- 2        **noted** that the Ministry of Education has publicly consulted, particularly with the international education sector, on a proposal to restrict the enrolment of international fee-paying students under Year 9;
- 3        **noted** that the policy proposal was intended to:
  - 3.1      address a range of societal and economic issues, such as the increased pressure on housing and infrastructure aligned with the immigration rebalance;
  - 3.2      ensure the wellbeing of young international students when living in New Zealand;
  - 3.3      strengthen the education sector and ensure that schools with young students focus on delivering the best possible education for domestic students, including decreasing the pressure on the teacher workforce and decreasing the inequity between schools;
- 4        **noted** that international fee-paying students under school Year 9 are a small proportion of total international education provision and that there are regulations in place, like the Code of Practice 2021, to ensure the wellbeing of young international students;
- 5        **noted** that the benefits to New Zealand's education system outweigh the risks, and therefore the Minister of Education does not intend to make changes to the current policy settings for the enrolment of international fee-paying students under Year 9 at this time;
- 6        9(2)(f)(iv) [REDACTED]

Rachel Clarke  
Committee Secretary

**Attendance: (see over)**

**Present:**

Rt Hon Jacinda Ardern  
Hon Grant Robertson  
Hon Kelvin Davis  
Hon Dr Megan Woods  
Hon Chris Hipkins  
Hon Carmel Sepuloni (Chair)  
Hon Andrew Little  
Hon Nanaia Mahuta  
Hon Poto Williams  
Hon Damien O'Connor  
Hon Kris Faafoi  
Hon Peeni Henare  
Hon Dr Ayesha Verrall  
Hon Priyanca Radhakrishnan

**Officials present from:**

Office of the Prime Minister  
Officials Committee for SWC

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