



Education Report: Teacher Workforce Border Exception – Stakeholder Feedback, Prioritisation and Funding

To:	Hon Chris Hipkins, Minister of Education		
Date:	31 August 2021	Priority:	Medium
Security Level:	In Confidence	METIS No:	1268189
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Messaging seen by Communications team:	Yes	Round Robin:	No

Purpose of Report

This Report seeks decisions on two key design choices within this Border Exception:

- how we will prioritise new teacher applications (in addition to the eligibility criteria agreed by Cabinet) and when these priorities will change.
- how the previously agreed \$1,650,000 funding will be allocated.

This report also seeks your agreement to our recommended approach and go-live date.

Summary

1. This paper follows an Education Report forwarded to you on 1 July 2021 (METIS 1263721 refers). That report summarised how the border exception will operate.
2. Over the last few months, we have worked with the sector as we design this Exception. Their feedback has informed our advice to create an application process that is equitable, while remaining relatively simple and quick. This feedback has been incorporated into the prioritisation that we've developed.
3. While actual demand for border exceptions remains unclear, feedback indicates it could be high with some employers preparing to make multiple applications. If this were to happen there is a risk that some employers could miss out even though they are themselves in great need. To balance these competing interests, we plan to limit the number of applications that a service or school can make early on to initially one

application in the first month and a second after that. This will support distribution of border exceptions across the sector. We will report to you in December on whether this limit on the number of applications should be removed.

4. We have made several design decisions that will affect the operations of the program:
 - Eligible service/schools can apply if they employed a teacher prior to lockdown but the teacher was unable to come to New Zealand before the border closed. This will save both time and money and deliver some early wins for the sector.
 - We have confirmed several key concepts including how STEM and hard to staff are defined. This will give clarity on who is eligible to apply.
 - We have defined the scheme as only being open to those teachers who were outside New Zealand on the date when the Border was closed, in order to ensure the scheme remains focused on its original policy objective of attracting new teachers to New Zealand.
5. We recommend that each employer who successfully brings a teacher over the border should be eligible for a \$5,500 grant to help cover the cost of recruitment (including MIQ costs). The grant would not be available to an employer who recruits a teacher who subsequently does not arrive in New Zealand. This grant forms part of the \$1,650,000 previously agreed to [METIS 1263721] and will be funded from within baselines.
6. We have considered the impact of the recent changes in Alert Level and how they may impact this Exception. We still plan to 'go live' with applications for New Teachers at the end of September 2021, reflecting the ongoing need from the sector. We will work with your office on the details of communicating 'go live'. We will also keep in touch with your office as applications are received to ensure that our design settings remain appropriate.
7. We will provide a review of the Exception to you in December, to enable both operational and policy settings to be reviewed and changes to be made if needed.

Recommended Actions

The Ministry of Education recommends you:

1. **Note** we have engaged with stakeholders during July as we implement the eligibility criteria and application process.

Noted

2. **Note** decisions in this paper will enable us to finalise the build of the border exception process.

Noted

3. **Note** that prioritising places requires finding an appropriate balance between ensuring equitable access to places with the need for speed and simplicity in the application process.

Noted

4. **Agree** we limit the number of applications per school/kura/centre to achieve the result in three above to one application per school/kura/centre in the first month of the scheme, with a second application allowed in the following month.

Agree Disagree

5. **Agree** that advice will be provided no later than December 2021 on whether the limit of two applications per school/kura/centre can be removed.

Agree Disagree

6. **Note** we have defined STEM subjects based on the new curriculum learning areas, and learning strands of Science, Technology, Mathematics and Statistics;

Noted

7. **Note** we will define the hard to staff eligibility criteria as those state and state integrated schools on an isolation Index of three and above (119 schools); this will be reviewed no later than December 2021.

Noted

8. **Agree** that the only teachers *not* currently in New Zealand when the Border was closed will be eligible to participate in the exception

Agree Disagree

9. **Agree** the Ministry provide a \$5,500 grant to employers who bring a teacher into New Zealand under the Teacher Workforce Class Border Exception and that the grant is to be:

- used as partial or full reimbursement of recruitment costs (including MIQ)
- paid once, to the employer, when their teacher has completed their stay in Managed Isolation Quarantine (MIQ).

☒ **Agree** ☐ **Disagree**

10. **Note** funding for the grant is within the \$1,650,000 allocated from the Ministry's baseline funding.

Noted

11. **Agree** in principle that applications for New Teachers go live at the end of September 2021 (target date: on 24 September) and that this date will be communicated to the sector accordingly.

☒ **Agree** ☐ **Disagree**



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31/08/2021



Hon Chris Hipkins
Minister of Education

2 / 9 / 2021

Background

1. On 1 June 2021, Joint Border Ministers considered a paper that included two exceptions for the education sector - teacher workforce (up to 300), and family reunification for teachers who are in New Zealand on temporary visas. Cabinet confirmed these decisions on 8 June 2021 (MBIE briefing 2021-3654 refers).
2. On 1 July you received an Education Report [METIS 1263721] setting out how the Teacher Workforce Border Exception will be progressively implemented, and how applications for border exceptions will be managed. The report noted the Ministry would establish a border exception process to support schools to fill hard to staff vacancies with overseas trained teachers.
3. In that report you agreed to a budget of \$1,650,000 being allocated from the Ministry's baseline funding to support schools / kura / centres and/or teachers use of a border exception; this equates to \$5,500 for each of the 300 border exceptions.
4. Applications for teachers who were teaching in New Zealand but who were out of the country when the border closed on 19 March 2020 ('Teachers over the Border') opened on 3 July 2021. As of 24 August, we have approved three applications and nominated the teachers to Immigration New Zealand. The small number of applications is consistent with our expectations.

Stakeholder feedback and the wider context

5. In July we engaged with stakeholders in both the ECE and compulsory sectors to help us refine the design of the border exception. We have also received over 140 queries to the dedicated border exception email. The key themes to emerge include:
 - the need to clarify that the border exception is not a quick passage through MIQ or a longer-term fix for a range of issues with registration and immigration. New Zealand citizens or permanent residents have also assumed the border exception would give them priority and a guaranteed place in MIQ.
 - concern about the attractiveness of coming to New Zealand for foreign teachers - the cost of coming to New Zealand, the uncertainty from only having a Critical Purpose Visa (CPV)¹ 12-month visa, and the lack of a clear pathway to residency were identified as key reasons teachers may not want to come to New Zealand. There was no consensus about whether there will be sufficient suitable people applying for roles.
 - a desire for the application process to be simple and easy to understand
6. Throughout our stakeholder engagement, we heard significant concern about the current immigration settings including the inability to apply for a residency visa for those already in the country, pending visa expiries, and work and schooling challenges for

¹ The CPV is the visa category used for all class border exceptions. If a teacher has no current visa, the CPV will be used. If they have an existing visa, then INZ may decide to vary the conditions on that visa instead of issuing a CPV.

partners and dependents. While some stakeholders saw them as insurmountable, others felt that using the border exception remained attractive given the current recruitment situation.

7. We will continue to monitor immigration policy settings and assess what their impact might be on the 300 border exceptions. We will report back to you further if any relevant changes are announced in this week's forthcoming immigration announcement.

Design choices: – prioritisation, definitions, and funding

Applications will be assessed as we receive them

8. Completed, valid applications will be assessed on a first-come first-served basis: they will not be assessed as a group or relative to each other, only against the eligibility criteria. The alternative was to consider applications in tranches and approve those that had greatest merit. We chose not to do this because it could put an unnecessary delay on processing valid applications.
9. It is likely that requests will be made directly to the Ministry for a border exception on compassionate grounds, including in cases where the applicant may fall outside the Cabinet-agreed eligibility criteria. We will keep a record of queries that do not meet the eligibility criteria, and therefore may not be able to apply through the planned process. We will keep your office informed of these cases, and if needed, we will provide advice to you on whether changes should and can be made to the current settings.

While demand remains uncertain, we still need to prioritise within the eligibility criteria set by Cabinet.

10. Given the first-come first-served approach we are following, setting appropriate priorities is crucial. We have considered a wide range of potential priorities including those suggested by the sector. Our aim is to create a process that is equitable while also being relatively simple and quick.
11. Our view is that limiting the number of applications a schools / kura / centres can make in the first month to one and then increasing to a total of two applications per school/kura/centre from the following month will;
 - give more employers a chance to put in an application not just those who are ready early, potentially improving distribution across the sector, and allowing those with less capability and capacity to apply (including smaller and less resourced centres).
 - reduce competition between employers to make as many applications as possible as soon as possible.
 - help manage the flow of applications and the risk of too many applications slowing down the approvals process early on. We are aware that some employers want to make multiple new teacher applications as soon as they open. This means that early on the application system can still operate effectively as we test, fail, learn, and improve our processes in real time.
12. The limit on numbers would not include Teacher Over the Border applications as we expect the number of these to remain limited.

13. We recommend this setting be reviewed with advice provided no later than December 2021 on how this may need to change. This will enable us to respond if demand from schools / kura / centres is low in the first few months.

There are potentially some early wins to be had for employers who already have contracts or employment offers with teachers

14. Bringing in an overseas trained teacher is a complex process, requiring cross agency coordination and communications. The border exception and current settings make this more complex. We are working with agencies to address existing pain points to the extent that we can. However even with these efficiency gains it will remain a complex and for many a slow process. Appendix 1 sets out estimated timelines for recruitment, registration, and immigration. Our current estimate is that for a teacher without a New Zealand registration and job offer it would take between 4 to 8 months for the teacher to be classroom ready. When combined with the challenge of booking a place in MIQ, our view is that it will be likely that many teachers will not be in New Zealand at the start of term 1 2021.
15. However, there are a number of eligible employers who already have contracts or offers with overseas teachers. Where there is a pre-existing commitment there could be both time and effort saved in applying to bring these teachers into New Zealand using the border exception. It could take as little as four weeks for a single teacher with current registration and an existing job offer to get approval for a Critical Purposes Visa². This compares to around eight to 16 weeks or more if the teacher needs to be registered, and a further four to 10 weeks if the recruitment process has not already been started.
16. While we are unable to confirm the exact number of pre-existing commitments, our best estimate is that there could be around 100 early learning service teachers in this situation. This number is a compilation from recent stakeholder engagements, queries to the dedicated border exception email, and discussions with various recruitment companies. It is unclear how many of their employers will be eligible for the border exception and how many of the teachers will still want to come to New Zealand.
17. A suggestion was made by several stakeholders that a dedicated application cycle, in advance of the general scheme opening in September be held for schools / kura / centres that have made pre-existing commitments to foreign teachers. As it is likely that many of these teachers will be eligible to apply for the scheme in September and a dedicated application round could disadvantage schools in immediate need of the scheme we have not picked up this suggestion in the scheme design.

² The four weeks excludes the time it takes for the employer to prepare the various applications including to Immigration New Zealand and to the Ministry of Education and for the Ministry of Education to assess the application. It assumes a single teacher (no partner or dependent) and that applications are complete, accurate and of good quality.

Providing clarity on the eligibility criteria

18. As we implement the border exception, we are working to provide clarity on the precise operational definitions to be used. Two of the areas where we have done this relate to defining STEM and Hard to Staff.
19. We will be using a definition of STEM based on the New Zealand curriculum learning areas and learning strands of Science, Technology, Maths and Statistics accompanied by a list of subject areas.
20. For Hard to Staff we will use the isolation index as it picks up on a group of schools that face significant challenges because of their location. We will set eligibility at level three on the Isolation Index, which reaches 119 schools predominantly in e.g. Northland, Tairāwhiti, and Westcoast. There is no specific basis for where this level is set other than the number of schools covered.
21. Several stakeholders have sought clarification on whether a currently employed teacher who is in New Zealand would be eligible to participate in the scheme. This would enable these teachers to leave and then return to New Zealand, notwithstanding the otherwise closed Border. Previous advice agreed that the aim of the border exception is to increase the supply of new teachers to New Zealand. We propose to limit eligibility in the scheme only to those teachers who are outside New Zealand at the time of when the Border was closed. Defining eligibility in this way ensures that the border exception remains consistent with this policy intent also keeps it consistent with a range of border settings across government around limiting and/or managing entry to New Zealand.

Funding to support the sector to use the border exception

22. In the 1 July Education Report [METIS 1263721] you agreed that the Ministry should set aside \$1,650,000 to cover some of the costs associated with schools / kura / centres and/or teachers using the approved border exception. In that report and previous advice [METIS 1246391], we noted that we do not propose to reintroduce initiatives such as finders' fees or relocation allowances and that schools / kuras / centres would be responsible for any additional costs from their own resources.
23. As previously advised, the \$1,650,000 is based on \$5,500 per border exception – roughly the cost of a single stay in MIQ. We recommend providing the \$5,500 grant to each successful employer to cover part of the costs associated with bringing a teacher over the border under the Teacher Workforce Class Border Exception. This approach maximises flexibility in how the funding is applied and does not disadvantage an employer who already has contracted a teacher compared to one who has not yet started the recruitment process.
24. The employer will not receive the grant until the teacher has arrived in New Zealand.

Other initiatives may be required to support the border exception

25. Should demand for border exceptions be low, further initiatives may be required to ensure the 300 border exceptions are used. Initiatives may focus on increasing interest amongst overseas teachers or supporting schools / kura / centres with recruitment efforts.

26. We have had initial conversations with the sector about providing support for the teacher to prepare information for and navigate the registration and immigrations processes. There has been little interest from the sector in being able to access this kind of service unless it was also funded.

27. We will provide further advice on these as required.

We can start receiving applications for New Teachers at the end of September

28. We have made good progress on getting the systems and processes in place and are now targeting a 'go-live' date of Friday 24 September 2021. We expect to have the online application process built and tested by that date but have prepared a manual system as a fall-back if required. While not ideal we can run an application process using more manual processes.

Communications

29. We will use the Ministry of Educations core communications channels (e.g. the School and Early Learning bulletins and stakeholders) and work with your office on any other communication required.

30. We will also engage with the sector to ensure messages are effective. Some of the key messages will be that:

- New Zealand citizens and permanent residents do not require a border exception to be able to enter New Zealand.
- the border exception enables the Ministry to nominate a teacher to Immigration New Zealand who then decides if the teacher can enter New Zealand while the border remains closed.
- if the teacher is issued with a special purpose visa it will be valid for 12 months. When the teacher arrives in New Zealand they can apply for another visa. Immigration New Zealand will advise what the best options is.
- the border exception does not exempt the teacher from any of the quarantine requirements or provide them with any priority or privileges when it comes to booking a place in MIQ.

Next steps

31. We will keep your office informed about any issues with going live and on the communications approach.

32. As noted in previous advice, we plan to conduct a review of the design and operation of this scheme and any potential modifications required once it has been operating for a short time. We now plan to report back to you once the scheme has been in operation for a few months, and we are better able to gauge demand for the exception from both potential employers and employees.

Proactive Release

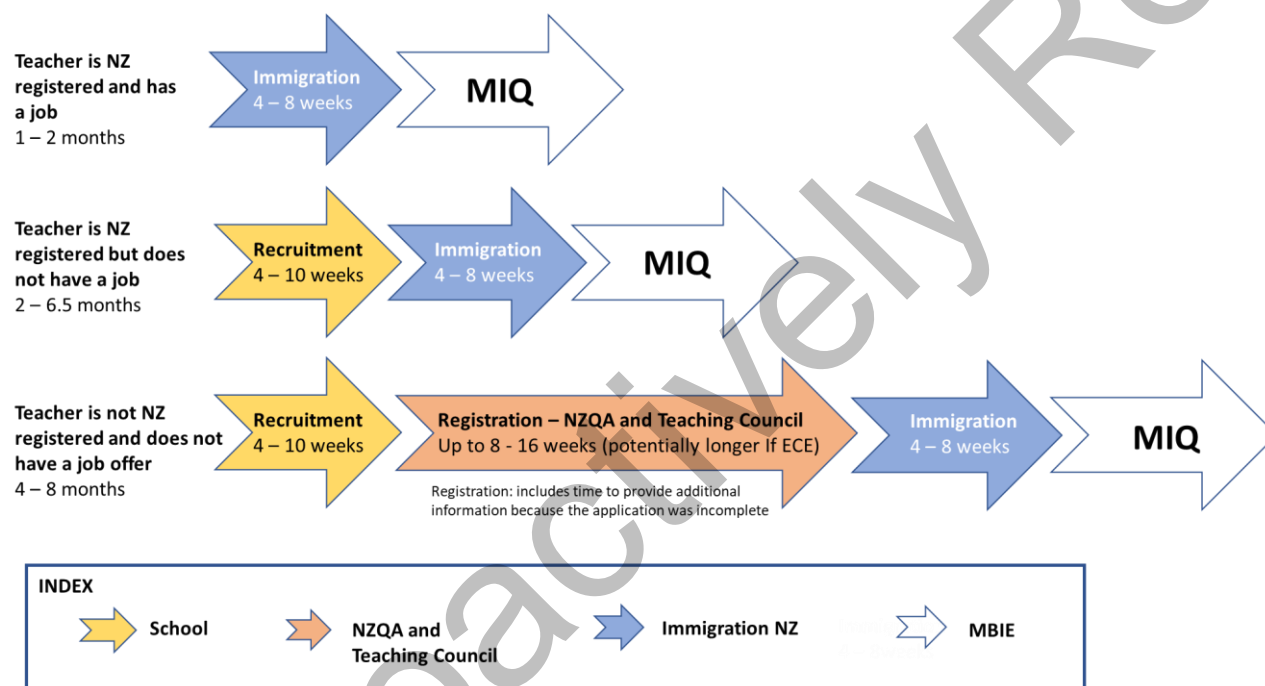
33. We recommend the full suite of education reports and briefings related to this exception be released once the exception is operational in September 2021. For that reason, we recommend delaying proactive release of this advice until this time.

Appendix 1 Estimated timeline to get an overseas trained teacher in New Zealand

The following diagram estimates the amount of time it takes to bring in an overseas trained teacher, depending on whether they are registered, appointed or neither. There are many factors that can impact the timeline, the key ones are outlined below. These timelines are compiled from various sources including stakeholder feedback.

The following assumptions apply:

- The Critical Purpose Visa is used by Immigration New Zealand
- Does not account for efficiency improvements that are being tested in the Registration process
- Does not include the border exception process



What can impact the length of time it takes to get an overseas trained teacher into New Zealand?

- How effective the recruitment process is.
- Whether all the information is provided with an application (NZQA, TC and INZ).
- Whether the teacher is registering to be an ECE teacher (NZQA has no approved list).
- Whether the teacher has any dependents (more people have their information assessed and verified for the visa)
- The availability of MIQ places. It is possible to book an MIQ place before all of the previous stages are completed.