



Education Report: Teacher Workforce Border Exception Scheme

To:	Hon Chris Hipkins, Minister of Education		
Date:	01 July 2021	Priority:	Medium
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Messaging seen by Communications team:	Yes	Round Robin:	No

Purpose of Report

The purpose of this paper is to update you on the work the Ministry of Education (the Ministry) is doing to implement the Teacher Workforce Border Exception.

This paper follows an Education Report forwarded to you on March 2021 (METIS 1246391 refers) and an agreement from Cabinet to the Teacher Workforce Border Exception.

Recommended Actions

The Ministry of Education recommends you:

1. **Note** the work underway to implement the Teacher Workforce Class Border Exception (the Exception).

Noted

2. **Note** an Education Report will be provided in mid-July following sector engagement to confirm the application criteria and prioritisation.

Noted

3. **Note** that schools can register an expression of interest for existing teachers (those already working in New Zealand but overseas when the border closed) with the Ministry and will remain open for around eight weeks. Timing is subject to the announcement.

Noted

4. **Note** that applications for “new” overseas trained teachers be open from September 2021.

Noted

5. **Agree** that financial assistance be provided to support schools and/or teachers use an approved border exception, equal to the cost of one teacher in MIQ per border exception place.

Number of Border Exemption places	Value of Support for each Border Exception place	Total Border Exemption Support for schools	FY 2021/22
300	\$5,500	\$1,650,000	\$1,650,000

Agree Disagree

6. **Note** that the Ministry will provide further advice on how the funding will be provided in the mid-July Education Report.

Noted



Ellen MacGregor-Reid
Deputy Secretary
Early Learning and Student Achievement

01/07/2021



Hon Chris Hipkins
Minister of Education

15/7/2021

Background

- 1 On 1 March 2021, you received an Education Report recommending that the Ministry apply for a class border exception for teachers (METIS 1246391 refers).
- 2 On 1 June 2021, Joint Border Ministers considered a paper that included two class exceptions for the education sector: teacher workforce (up to 300 teachers) and family reunification for teachers on temporary visas. Cabinet confirmed these decisions on Tuesday 8 June 2021. (MBIE briefing 2021-3654 refers).
- 3 The eligibility criteria for the border exceptions will appear in Immigration Orders to be signed by the Minister for Immigration. These eligibility criteria were agreed by Cabinet.
- 4 Implementation of these class exceptions will be rolled out progressively between announcement and September 2021. We continue to work with your office on finalising communications and the announcement.
- 5 There is potential for demand from Early Learning Services (ELS), school and kura to exceed the 300 places, meaning there is a risk of the exceptions being allocated quickly and not equitably distributed across priority services, school and kura. We are now working with a number of education sector leaders to priorities within the criteria agreed by Cabinet. In mid-July we will provide you with detailed advice on how these eligibility criteria will be applied in the education sector.
- 6 Immigration New Zealand (INZ) is leading the Family Reunification exception. The Ministry of Education is not involved in this work and will pass any inquiries about this process to Immigration New Zealand.

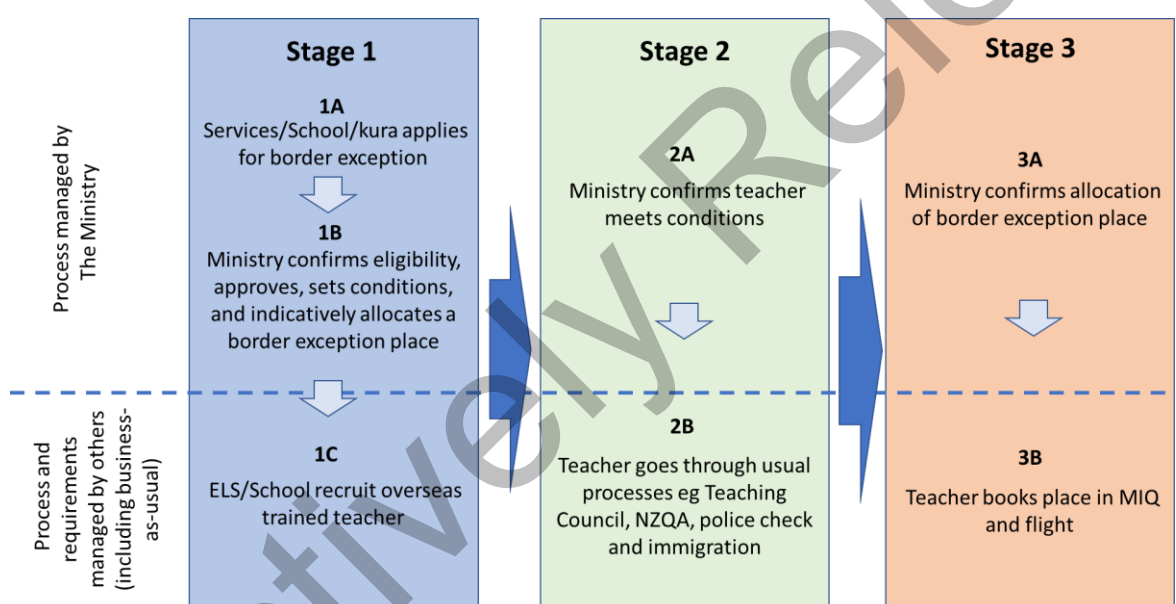
Operation Plan

- 7 The following section sets out details of how the planned border exemption will operate.
From announcement to September
- 8 Cabinet agreed to enable overseas trained teachers who were already working in New Zealand and who were out of the country when the border closed in March 2020 to return to their teaching position. We anticipate these numbers being relatively few.
- 9 Services, school and kura (the employer) will be asked to register an expression of interest ("EOI") with the Ministry to signal that:
 - a. they have a teacher who had an employment agreement as at 19 March 2020 when New Zealand borders were closed.
 - b. that this employment agreement is still active (they will therefore have a valid visa), and that
 - c. this teacher wishes to return to New Zealand to their existing teaching position
- 10 Once all information is received from the employer, the Ministry will assess the application and approve or otherwise. The employer will be advised of the decision, and if approved, INZ will also be advised.
- 11 INZ will ask the employer to submit an EOI to them in order to process the teacher's visa. INZ will also advise on any visa applications for dependents.
- 12 Applications for these teachers will close before applications are opened for new overseas trained teachers. This process will help ensure teachers who were already working in New Zealand secure a place before applications open for schools to recruit new teachers.

From September to mid-2022

- 13 Diagram one below shows how the process for new overseas trained teachers will operate and where the responsibility for various parts of the border exception and recruitment process sits.
- 14 The recruitment process will remain the responsibility of the employer and candidates for example: advertising overseas, relocating, registration, certification, police checking, and liaising with immigration.
- 15 The Ministry will be responsible for allocating the border exception place - developing a process for schools to apply, approving those applications and setting any conditions, confirming the overseas trained teacher meets those conditions, and approving the final allocation of the border exception place. Being part of the Ministry's process will see the teacher put into a separate queue for assessment by, for example: Teaching Council, NZQA and INZ.

Diagram one: Scheme Roles and Responsibilities



- 16 The employer will recruit the teacher but under current settings the teacher will only be able to enter New Zealand if part of the Exception.
- 17 A place will only be confirmed once the teacher gets approved by INZ and an employment agreement is signed. Until that time there is no guarantee that a place will be used – this is consistent with what is happening on other class exceptions.
- 18 The Ministry will need to manage the number of invalid applications it must assess. In comparable situations, invalid applications can be well over 60% and even as high as 90% of the total number of queries and applications made. Receiving good quality applications will improve processing times and the experience of those making an application. The design of the process aims to reduce the number of invalid applications and improve their quality.
- 19 There is potential for demand from services, schools and kura to exceed the 300 places, meaning there is a risk of the Exception being allocated too quickly or it not being

distributed equitable across the sector. To manage this, more specific criteria will need to be in place on day one that target as a priority services, schools and kura in greatest need. They will have a greater degree of specificity such as, for example, only accepting one application per school or having a focus on services that struggle to meet their 50% ECE registered teacher requirement and where they are critical to the network¹.

- 20 We are currently refining and testing these criteria with targeted stakeholders and will include advice on this in our mid-July Education Report.
- 21 If demand is lower than anticipated, these more specific criteria can be relaxed or removed. We will review the criteria no later than December 2021.
- 22 During the last Ministry of Education Overseas Trained Teacher recruitment scheme several initiatives were established to support international recruitment activity. These initiatives were important when the teacher supply gap was significant. As outlined in earlier advice (METIS 1246391 refers) we will not be reintroducing initiatives such as finders' fees and relocation allowances.
- 23 We are however recommending that financial assistance be provided to support the extra costs associated with the border exception. These additional costs largely come about because of the requirement for mandatory quarantine. The financial assistance would be equal to one place in MIQ and is currently allocated in the Ministry's budget as follows.

Number of Border Exemption places	Value of Support for each approved Border Exception place	Total Border Exemption Support for schools	FY 2021/22
300	\$5,500	\$1,650,000	\$1,650,000

- 24 We are currently working through how this funding can be provided and will update you in the July Education Report.

Next Steps

- 25 Over the coming weeks work will continue to:
- Finalise the design of the service, including engaging with the education sector on the Border Exception criteria and on the implementation approach.
 - Build the systems and processes needed to receive Eol's for *Teacher Over the Border Applications* and, on a longer lead time, online *New Teacher Applications*.
 - Work with other agencies to implement the changes necessary for them to support the Exception (e.g. technology systems).
 - Engage stakeholders and test systems prior to go live.
 - Appoint and train people to assess the EOIs, applications, and answer queries.
- 26 We will keep you and your office informed on progress and advise on any further decisions required.

¹ Network criticality was a criterion established as part of the COVID Financial Sustainability Grant for ELS.

Risks

27 The programme will identify risks, issues and mitigation throughout the design and implementation stages. Currently identified risks include:

- a. **Not knowing what demand will be from services, schools and kura.** We are addressing this through the design of the system (including additional day-one criteria and a three-phase roll-out) and clear communications.
- b. **The risk of teachers not wanting to come to New Zealand meaning the demand from services, schools and kura cannot be met.** This will be addressed through general communications for those looking to come to New Zealand. We will monitor how this issue is impacting on schools being able to use the Exception and may need to consider other interventions at some point.
- c. **The Ministry being seen to get in the way of recruitment processes** or stepping into the shoes of those who usually make decisions associated with bringing in overseas trained teachers. We will be paying particular attention to the design of the system to ensure this does not happen unless required to implement the Exception.
- d. **Some Services, schools or kura feeling they have unfairly missed out** – either because they are not eligible or because they are unable to make an application due, for example, to capability and capacity constraints. Communications will need to be clear as to why the Exception is focused the way it is, and the approvals process will need to be transparent and consistent.
- e. **Disappointment when current border settings stop a service, schools and kura bringing a teacher into New Zealand.** Having to prioritise entry to New Zealand, not only within the Exception but across the economy, means that anomalies will be created, or people will consider they have unfairly missed out. While the Ministry is not in control of these wider settings, the sector will want it to address these anomalies either individually or in aggregate. In these situations, the Ministry will forward queries to INZ to ensure that the Ministry's Exceptions team focus on timely and effective processing of eligible applications.
- f. **That services, school and kura expect the former level of financial or other help.** Support has previously been provided for relocation costs and recruitment agents. While we are not proposing that this support be reinstated, we are proposing that some form of assistance be provided in recognition of the additional cost they will have to bear due to MIQ.

Financial Implications

28 The cost of implementing the programme is being managed within baseline.

Conclusion

29 We need to be prepared for there to be a high level of demand from early learning services, schools and kura, even if there is no reciprocal demand from overseas teachers to come to New Zealand. Day one criteria can help manage demand for places in the near term and can be modified/removed at any time.

- 30 Phased implementation will ensure that applications can be made in advance of some systems being ready to process them, while giving time for the more complex systems to be designed and some testing undertaken.
- 31 Some support will be needed to help services, school and kura access the Exception. Advice will be provided in mid-July on what this could be.

Proactive Release

- 32 We recommend that this Education Report not be released at this time as further decisions are required to design and implement a workable system.