



14 December 2018

Senator Louise Pratt
Chair, Senate Legal and Constitutional Affairs References Committee
PO Box 6100
Parliament House
Canberra ACT 2600
Emailed to legcon.sen@aph.gov.au

Dear Senator Pratt,

The effectiveness of the current temporary skilled visa system in targeting genuine skills shortages

In June 2017 AHISA wrote to the then Minister for Education and Training, Senator the Hon Simon Birmingham and to the Hon Peter Dutton, then Minister for Immigration and Border Protection, setting out our concerns regarding the impact on independent schools of changes to the Temporary Skill Shortage (TSS) visa program and, more generally, the impact of these changes on Australian education.

In the intervening 18 months we have continued to present these concerns to the various federal departments responsible for administering the Skilled Occupation List (SOL) or the TSS visa program. It has become apparent in that time that, while the processes to determine which occupations remain on the SOL and for how long visas will be granted may reflect broad employment trends, these processes do not account well for pockets of difference within the broader employment framework for particular occupations.

Australia enjoys a highly skilled teacher workforce and quality initial teacher education provision. Shortages of teachers in specific subject areas or with specialist pedagogical expertise are, however, being exacerbated by generational change in the teacher workforce and increases in the school aged population, plus significant losses of early career teachers due to reliance on temporary employment contracts in the larger systems. This pressure is intensified in regional and remote areas.

Below we present findings of a survey of our members undertaken in 2017, which detail the impact on independent schools of restricted opportunities to recruit staff from overseas. These findings show that these effects can inhibit not just teacher recruitment and retention but the capacity of schools to innovate and/or participate in global ventures.

AHISA therefore recommends that TSS processes adopt a more nuanced approach to determining skills shortages, such that taking account of overall employment trends does not restrict the capacity of schools to fill skills gaps or to establish pathways for future growth.



ABOUT AHISA

The primary object of AHISA is to optimise the opportunity for the education and welfare of Australia's young people through the maintenance of collegiality and high standards of professional practice and conduct amongst its members.

The membership of AHISA Ltd comprises Principals of 440 Australian independent schools. Its members lead schools that collectively account for over 443,000 students, representing 11.5 per cent of total Australian school enrolments and 20 per cent of Australia's total Year 12 enrolments. One in every five Australian Year 12 students gains part of their education at an AHISA member's school.

AHISA's members lead a collective workforce of over 40,000 teaching staff and some 27,000 support staff.

Some 82 per cent of AHISA members lead schools with a single religious affiliation, including schools affiliated with the major Christian denominations, Jewish schools, and an Islamic school. A further 16 per cent lead schools that identify as non-denominational, inter-denominational or ecumenical.

The practice of overseas staff recruitment in Australian independent schools

AHISA's 2017 member survey revealed that, as well as several appointees to the principal's role, overseas staff members with the following capacities or curriculum/subject expertise were then employed by members' schools under 457 visa arrangements (the precursor to TSS visas):

- Heads/Directors of Learning or Learning Innovation or Social Emotional Learning
- Business Manager
- Teachers in recognised difficult to staff areas, including: native speaking teachers for Languages Other Than English (LOTE) subjects; teachers of Mathematics, Chemistry, Physics, Latin and Music; teachers of Special Education
- Staff with experience in international schools
- Leaders of International Baccalaureate (IB) programs (primary, middle years and senior secondary) and teachers in all IB subject areas
- Religious Studies teachers and ministers/pastors/rabbis or others with specialist religious qualifications
- Boarding supervisors and Heads of Boarding.

In addition to information on current staff employed under temporary visas, the survey also showed that, in the 10 years prior to the survey, 53 per cent of respondents' schools had recruited staff under temporary visa arrangements.

Some 53 per cent of respondents to AHISA's survey reported that, in the 15 years prior to the survey, their school had conducted international searches for principals or senior leaders.

THE VALUE OF OVERSEAS RECRUITMENT TO AUSTRALIAN INDEPENDENT SCHOOLS

The opportunity to recruit staff overseas is critically important for Australian independent schools:

- For leadership positions, it helps attract a broad pool of appropriately qualified and experienced applicants. The opportunity to widen the pool of applicants for principal/senior leadership roles is appreciated by independent schools, even if the final appointee is Australian.
- It may be the only opportunity for independent schools to attract applicants with specialised experience, especially those staff who have worked in:
 - international schools
 - schools offering international curricula such as the Montessori, Waldorf, International Baccalaureate or Cambridge International Examinations programs
 - schools with affiliations to international co-curricular program associations or groups, such as Round Square (outdoor education)
 - schools with a focus on internationalism
 - schools with boarding facilities.
- It may be the best opportunity to attract specialist staff to regional, remote or difficult recruitment areas such as Darwin. Non-systemic schools do not have the ability to offer guaranteed postings to major metropolitan areas as an inducement for staff to apply for initial postings in less favoured areas.
- It supports global mobility in the education sector, which enriches professional exchange and innovation in practice.
- Overseas appointments may be essential for independent schools wishing to engage in innovative, global ventures.

Changes to the 457 visa subclass within the Temporary Skill Shortage Visa program and, in particular, the shift of key occupations – including that of ‘School Principal’ – from the medium-term and long-term occupation list to the short-term list, have therefore had a broadly negative effect on independent schools, including:

- An immediate impact on those principals and staff members in independent schools then employed under 457 visas in an occupation category that made them ineligible for four-year visas
- Narrowed the options of many independent schools in the process of recruiting specialist staff
- Increased the risk for schools engaging in strategic development both onshore and offshore.



For schools seeking to appoint Principals from overseas, the impact of changes to visa arrangements for the 'School Principal' occupation has since been mitigated by the return of the occupation 'Chief Executive or Managing Director' to medium-term status (MLTSSL).

Recruitment barriers remain, however, for other school leadership positions, with the potential to destabilise schools' leadership and hamper strategic development initiatives.

Leadership positions such as Director of Teaching and Learning, Director of Research and Innovation, Director of Curriculum, Head/Deputy Head of Senior School, Head/Deputy Head of Junior School, Head/Deputy Head of Middle School and Head of Boarding do not always carry a teaching load. Often the more appropriate occupation classifications for non-principal leadership positions in schools are 'Education Managers', 'Specialist Managers' or 'Education Adviser'; however, these occupations are now short-term listed occupations (STSOL). Even if such positions were to include a teaching load, the occupations 'Primary School Teacher' and 'Middle School Teacher' are also designated as STSOL. Only 'Secondary School Teacher' remains listed as MLTSSL.

In the May 2018 Draft Traffic Light Bulletin issued by the Department of Jobs and Small Business, the occupations 'Middle School Teacher' and 'Residential Care Officer' were listed as 'OFF'. While both remain STSOL as at November 2018, the instability in determining the visa status of occupations in the education sector is concerning and undermines long term human resource planning and therefore course offerings in schools.

As already noted, schools often look overseas to recruit teachers with International Baccalaureate training and experience, and this applies to the IB primary and middle years programs as much as to the senior secondary program. Schools, especially those in rural and remote areas, often look overseas – particularly to the UK – to recruit staff with relevant experience in boarding houses.

Even though the occupations referred to above retain their STSOL status, it must be recognised that the cost and upheaval associated with two-year placements can be inhibitors for both employers and prospective employees. AHISA continues to recommend that the status of these occupations be rated MLTSSL.

A further concern is removal of the occupation 'Minister of Religion' from the TSS visa program. This occupation is now linked only to the 407 visa subclass, which applies to training or professional development, not employment. This severely limits the pool of candidates for chaplaincy positions in schools with a religious affiliation.

The case for global mobility in education

AHISA is also concerned that the current approach to targeting skills shortages is having a negative impact on the entrepreneurial capacity of schools.

The Australian Government's *National Strategy for International Education 2025*¹ lists enhancing mobility as its sixth strategic goal, to be achieved by Actions 6.1 and 6.2:

Arrangements that expand mobility opportunities allow students, professionals and researchers to take advantage of education, training, research and employment in other



countries. This can enhance learning and experience, as well as future career and collaboration opportunities.

The *Strategy* notes the role of scholarships in promoting this form of mobility. It also notes that welcoming 'international students, academics and researchers from around the world' lifts Australia's 'capacity for world-class education, training and research' and that the mobility of international students, academics and researchers is facilitated by 'competitive visa settings' (page 24).

The case for mobility has equal application for leadership positions in Australia's school sector. Mobility supports the capacity of Australian independent schools to compete among international school providers, and helps the sector to adopt internationalism in education provisioning and develop innovative ventures to support Australia's international education effort.

Action 9.3 of the *Strategy* – identifying and responding to new opportunities – notes that Australia will be 'agile and responsive to opportunities to increase the number of international students and international partnerships, capitalising on identified growth areas such as schools' (page 31).

It is worth noting that the *Strategy* highlights initiatives at two independent schools whose Heads are members of AHISA:

- A program launched by St Stephen's School in WA for the international delivery of Australian VET courses is promoted as an example of innovation in international education (page 18)
- The relationship between Scotch Oakburn College in Tasmania and Jingshan School in Beijing, initiated by an invitation from Scotch Oakburn students to Chinese President Xi Jinping, is promoted as an example of how international education fosters global relationships (page 20).

Deloitte Access Economics' report for Austrade, *Growth and opportunity in Australian international education*², notes the international initiatives of Victorian independent school, Haileybury, as examples of how Australian schools can innovate to capture 'borderless opportunities' for Australian education (pages 34-35).

AHISA's 2017 member survey revealed the 457 visa changes would affect at least two innovative ventures that capture the spirit of the *Strategy*: one pertaining to the development of online curricula; and the other a parallel Australia-China training venture.

The survey further revealed that mobility of educators is valued by Heads for their professional development:

- 26 per cent of Heads who responded to the survey and who were born in Australia reported they had worked overseas as an educator at some point in their career
- 37 per cent of respondents who were born in Australia or who have permanent resident status in Australia reported they have undertaken certified post-graduate courses of study in overseas institutions during their career in education.

It is also worth noting that if Australian independent schools are an 'importer' of educational leadership expertise, they are also a significant 'exporter':



- Nearly 30 per cent of respondents' to AHISA's survey reported former principals/senior staff in their schools had taken up educational leadership roles overseas (including in New Zealand) in the past 15 years.
- Some 8 per cent of respondents' schools had Australian staff working in their school's overseas campuses or working overseas in some other capacity.

AHISA recognises the intent of the Australian Government in determining the visa status of SOL occupations is to 'put Australian workers first' by restricting TSS visa opportunities to 'critical skills shortages'.³ As argued above, some critical skills gaps in the education sector – such as those relating to specialist curriculum areas – are not apparent in broad employment data.

Attempting to 'balance' the intent of the Government and the specific needs of some employers within industry sectors by restricting the visa status of some occupations to STLSOL is not a solution. If the skills gaps we have outlined in this submission are to be met in cost-effective ways and with least disruption to employees and their families, then several occupation classes must be restored to MLSTSSL:

Occupation title	Occupation number	Current status	AHISA's recommendation
School Principal	134311	STSOL	MLTSSL
Middle School Teacher	241311	STSOL	MLTSSL
Primary School Teacher	241213	STSOL	MLTSSL
Residential Care Officer	411715	STSOL	MLTSSL
Education Managers	134499	STSOL	MLTSSL
Specialist Managers	139999	STSOL	MLTSSL
Education Adviser	249111	STSOL	MLTSSL
Student Counsellor	272115	STSOL	MLTSSL
Counsellors	272199	STSOL	MLTSSL
Minister for Religion	272211	STSOL (407)	MLTSSL

Yours faithfully,

(Ms) Beth Blackwood

AHISA Chief Executive Officer

NOTES

¹ Commonwealth Department of Education and Training (2016) *National Strategy for International Education 2025*. Accessed at <https://nsie.education.gov.au/>.

² Deloitte Access Economics (2015) *Growth and opportunity in Australian international education*. Accessed at <https://www2.deloitte.com/au/en/pages/economics/articles/growth-opportunity-australian-international-education.html>.

³ 'Putting Australian workers first'; media release issued by the then Prime Minister, the Hon Malcolm Turnbull and Minister for Immigration and Border Protection, the Hon Peter Dutton, 18 April 2017. Now available at <https://pmtranscripts.pmc.gov.au/release/transcript-40892>.