

Impact of Temporary Skill Shortage visa program on Independent schools

About ISCA

ISCA is the national peak body representing the Independent school sector. It comprises the eight state and territory Associations of Independent Schools (AISs). Through these Associations, ISCA represents a sector with 1,104 schools and 594,200 students, accounting for approximately 16 per cent of Australian school enrolments. ISCA's major role is to bring the unique needs of Independent schools to the attention of the Australian Government and to represent the sector on national issues.

Independent schools are a diverse group of non-government schools serving a range of different communities. Many Independent schools provide a religious or values-based education. Others promote a particular educational philosophy or interpretation of mainstream education.

Independent schools include:

- Schools affiliated with Christian denominations for example, Anglican, Catholic, Greek Orthodox, Lutheran, Uniting Church, Seventh Day Adventist and Presbyterian schools
- Non-denominational Christian schools
- Islamic schools
- Jewish schools
- Montessori schools
- Rudolf Steiner schools
- Schools constituted under specific Acts of Parliament, such as grammar schools in some states
- Community schools
- Indigenous community schools
- Schools that specialise in meeting the needs of students with disabilities
- Schools that cater for students at severe educational risk due to a range of social/emotional/behavioural and other risk factors.

Many Independent schools have been established by community groups seeking to meet particular needs. Examples include the Independent community schools for Indigenous students in remote areas, special schools for students with disability and boarding schools to educate children from rural and remote areas. There are also schools that seek to reflect the religious values of a particular community or that seek to practise an internationally recognised educational philosophy such as Rudolf Steiner or Montessori schools. Independent Catholic schools are a significant part of the sector, accounting for eight per cent of the Independent sector's enrolments.

Most Independent schools are set up and governed independently on an individual school basis. However, some Independent schools with common aims and educational philosophies are governed and administered as systems, for example Lutheran systems. Systemic schools account for 18 per cent of schools in the Independent sector. Four out of five schools in the sector are autonomous non-systemic schools.

Introduction

ISCA appreciates that the Australian Government is committed to ensuring Australian workers are given the first priority for jobs while ensuring that there are sufficient provisions to bring in overseas workers when there is a genuine skill shortage. We also understand that the reforms to the Skilled Migration Program are not intended to be barriers to the entry of highly skilled workers not available in Australia.

However, changes to the Short-term Skilled Occupation List (STSOL) and the Medium and Long-term Strategic Skills List (MLTSSL), which have replaced the Consolidated Sponsored Occupation List (CSOL) and the Skilled Occupation List (SOL) previously used for 457 visas, have caused significant concern to the sector given the potential impact on the recruitment of highly skilled school principals and other school staff.

Background

On 18 April 2017, the Hon Malcolm Turnbull MP, Prime Minister of Australia and the Hon Peter Dutton MP, Minister for Immigration and Border Protection jointly announced that the Temporary Work (Skilled) visa (subclass 457 visa) would be abolished and replaced with the completely new Temporary Skill Shortage (TSS) visa. The intention of the new visa is to strengthen the integrity and quality of Australia's temporary and permanent employer sponsored skilled migration programmes.

It was announced that the TSS visa programme would be comprised of a Short-Term stream of up to two years and a Medium-Term stream of up to four years. One of the key elements of the changes to the 457 visa program was the introduction of new "targeted occupation lists which better align with skill needs in the Australian labour market"¹.

ISCA's concerns relate specifically to the school related occupations which are no longer listed on the Medium and Long-term Strategic Skills List (MLTSSL), including school principals. When ISCA became aware of this issue we, and other Independent sector organisations such as Independent Schools Victoria (ISV) and the Association of Heads of Independent Schools (AHISA), wrote to both Ministers Dutton and Birmingham regarding our concerns on the potential impact on schools. In our letter ISCA put forward a series of recommendations which are included at the end of this submission.

The effect of changes on Independent schools

It is ISCA's understanding that under these changes, school principals will no longer be eligible for the medium-term (4 year) visas under the MLTSSL; they will only be eligible for the short-term (2 year) visas, with a possible two-year renewal as prescribed by the STSOL. This change is already having an adverse impact on the Independent school sector as a significant number of schools utilised the medium-term 457 visa type for the international recruitment of school principals.

Through ISCA's communications with the Australian Heads of Independent Schools Association (AHISA), we have become aware that several Independent schools are cancelling current international recruitment processes and the changes are also causing difficulties for school principals that are currently in contract renewal processes.

The recruitment and relocation costs involved for the recruitment of a successful international applicant are almost impossible for a school to justify for a two-year visa, particularly with a renewal process which is not guaranteed. Generally Independent schools are looking at five-year contracts as stability and consistency are highly prized elements of school leadership.

¹ <https://www.border.gov.au/Trav/Work/457-abolition-replacement>

It is imperative for Independent schools to be able to access a wide range of candidates to fill leadership positions in schools. In an increasingly globalised context, it is also natural that Independent schools would wish to recruit highly skilled principals with international experience and skills.

We also have concerns that similar changes which have been made for a range of other school related professions will also inhibit the hiring of qualified and professional staff in Independent schools. These include primary and middle school teachers, student counsellors, residential care officers and other senior staff who are no longer considered to be eligible.

A recent survey undertaken by AHISA of its members showed that in addition to school principals, Independent schools currently employ a range of staff under the 457 visa program. These include the following:

- Heads/Directors of Learning or Learning Innovation or Social Emotional learning
- Business Managers
- Teachers in recognised difficult to staff areas including: native speakers 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.

The employment of overseas staff enables Australian Independent schools to bring into this country a range of expertise in international curricula, high priority learning areas such as science, technology, engineering and mathematics (STEM), experience in boarding schools and also experience in schools with an international focus.

The Independent sector is by far the largest provider of boarding school education for Australian school students which means that sometimes to engage highly qualified staff, Australian Independent schools must look overseas to other countries which also have a strong boarding school tradition.

It is also important to note that similar employment opportunities in other countries are taken up by Australian teachers, senior staff and principals, greatly enhancing Australia's international reputation and bringing back to Australia enhanced expertise and cross-cultural understandings when these professionals return.

Conclusion and recommendations

It is ISCA's understanding that the occupations lists will be regularly updated based on labour market analysis and stakeholder feedback and that there will be an update on 1 January 2018.

We hope that the views of ISCA put forward in this submission, and the views of the Independent sector more broadly, will be taken into consideration in this process.

In ISCA's initial letter to Ministers Dutton and Birmingham regarding these changes, we put forward three main recommendations. These are listed below with some additional comments.

1. The inclusion of the following occupations to the Medium and Long-term Strategic Skills List (MLTSSL):

- ‘School Principal’ – 134311
- ‘Education Managers’ – 134499
- ‘Specialist Managers’ – 139999
- ‘Primary School Teacher’ – 241213
- ‘Middle School Teacher’ – 241311
- ‘Education Adviser’ – 249111
- ‘Student Counsellor’ – 272115
- ‘Counsellors’ – 272199
- ‘Minister of Religion’ – 272211
- ‘Residential Care Officer’ – 411715

For as long as the ‘school principal’ occupational category remains on the STSOL, it is highly likely that schools will bring school principals in under the Chief Executive or Managing Director (111111) or the ‘Corporate General Manager’ (111211) occupational categories which are both currently listed on the MLTSSL. The ANZSCO description for both roles are well suited to the school principal.

However, ISCA views this as a short-term solution and would strongly support ‘school principal’ being moved back on the MLTSSL.

The inclusion of the ‘Minister of Religion’ occupational category (272199) will help Independent schools recruit school chaplains and other religious staff. This is important to the sector as 85% of Independent schools are faith-based schools.

The inclusion of ‘Residential Care Officer’ and ‘Student Counsellor’ occupations will help Independent schools with boarding facilities recruit suitably experienced staff.

2. ISCA urges government to implement these changes at the earliest opportunity. However, If these changes are not possible for 2017-18, the Government to immediately establish case by case review and exemption procedures for individuals and organisations negatively impacted by these changes.

It is ISCA’s hope that the Department of Immigration and Border Protection will work with individual Independent schools to facilitate the obtaining of temporary work visas for staff recruited internationally where these staff are not able to be employed locally.

3. Inclusion of the Independent Schools Council of Australia as a stakeholder for bilateral consultations when SOL arrangements are reviewed.

ISCA notes that the Hon Karen Andrews MP has written to ISCA assuring us that ISCA will be engaged in the next annual review of the MLTSSL undertaken by the Commonwealth Department of Education and Training.

ISCA also hopes to continue to work collaboratively with the Department of Immigration and Border Protection to ensure genuine skills shortages in Australian Independent schools can be met with appropriately qualified staff recruited internationally for an appropriate period.