

**REPORT OF THE FIRST MEETING OF
COMMONWEALTH WORKING GROUP ON TEACHER
RECRUITMENT
MASERU, LESOTHO
23-24 FEBRUARY 2004**

**I: OPENING REMARKS BY THE DEPUTY SECRETARY-GENERAL
AND
CHAIRMAN OF THE COMMONWEALTH WORKING GROUP ON
TEACHER RECRUITMENT, WINSTON COX**

In his opening remarks, the Deputy Secretary-General of the Commonwealth and Chairman of the Commonwealth Working Group on Teacher Recruitment, Mr Winston Cox, expressed his delight and appreciation at the fact that the Lesotho Deputy Prime Minister of Education and Training had agreed to host the first meeting of the CWGTR. He committed the meeting to the development of appropriate and ethical responses to international teacher recruitment in the Commonwealth as mandated by the Edinburgh Conference of Education Ministers in October 2003. He also welcomed the participating officials from Barbados, Jamaica, Lesotho, Mauritius, Nigeria, Papua New Guinea, Seychelles, South Africa, the United Kingdom and Zambia

OFFICIAL OPENING BY THE DEPUTY PRIME MINISTER
AND
MINISTER OF EDUCATION AND TRAINING,
THE HONOURABLE LESAO LEHOHLA

2: In his welcome the Lesotho Deputy Prime Minister and Minister of Education and Training, Hon Lesao Lehohla, welcomed the Deputy Secretary-General of the Commonwealth, and the participants, to the first meeting of the Commonwealth Working Group on Teacher Recruitment. He expressed his observation that the Commonwealth was a viable and valuable organisation as many of the issues about teachers and education systems that it was concerned with were shared by Lesotho. He further observed that labour mobility was an international phenomenon as the ILO's statistics showed. This presented a complex challenge for public policy in both source and receiving countries. He commended the Commonwealth for being "ahead of the game" in "recognising the importance of establishing a consensus on the issue of teacher recruitment and migration". This culminated in Ministries of Education of the Commonwealth requesting, at the 15th Commonwealth Conference of Education Ministers in October 2003, the establishment of the Working Group on Teacher Recruitment.

3: TERMS OF REFERENCE

General Comments on the Specific Guidelines

It was recommended that item 3.1 of the terms of reference should not project teacher migration only from a negative standpoint. The paragraph should be rephrased to reflect the benefits, which may in some cases be derived from professional development opportunities. The proposed protocol should recognise that there is value in teacher exchange between the Commonwealth countries; and some focus should be placed on the benefits of such exchanges or periods of secondment.

For protection of the individuals against exploitation, the recruiting country should orient teachers, providing professional guidance to sensitize them to and integrate them in the education system of the recruiting country.

4: ISSUES CONCERNING CURRENT TEACHER RECRUITMENT PRACTICES AND THE PROTECTION OF TEACHERS

4.1 United Kingdom

Mr Graham Holley of UK updated the Group on three significant developments since the 15th CCEM in Edinburgh. He indicated that the “Quality Mark” programme to address standards in recruitment businesses had been operating for over a year and had 50 members with another 30

awaiting approval. He further stated that three changes relating to overseas trained teachers were being proposed:

First, businesses would have to comply with an extra requirement restricting recruitment during the academic year in some source countries, to give such countries more time to plan for replacements.

Secondly, recruitment businesses would have to ensure that any third party supplier they dealt with abroad was vetted for suitability and would themselves abide by Quality Mark Standards.

Thirdly, the UK intends to ask recruitment businesses to inform the Education Ministries in advance in the countries where they intend to mount recruiting campaigns. Failure to comply could result in the Quality Mark being withdrawn.

On the issue of work permits, Mr Holley said that a recent change in the rules prevented businesses themselves from directly employing overseas trained teachers without work permits. Teachers were requested to secure a position in a school before coming to the UK and work permits would only be granted to the individual schools (or Education Authorities) employing them. This, according to Mr Holley, should prevent speculative recruitment and guarantee a more stable working environment for teachers.

Mr Holley pointed out that the UK had recently launched a website dedicated to overseas trained teachers. This provided familiarization material and support, and study modules aimed at newly recruited teachers.

The website provided information as to what it would be like for a teacher to live and work in England. He further noted that the UK was willing to offer space to other Commonwealth countries on the website to market their own vacancies to prospective returning teachers.

Finally, England had made substantial strides in domestic teacher recruitment. There were now 25,000 more teachers than in 1997 and vacancies were under 1% nationally. Fifty per cent more teachers were being trained than 5 years ago and there had been big increases in Maths and Science teachers being trained, recently. He said that this change was beginning to show in the work permit approval figures, which, while not the complete picture, did indicate a trend. Approvals were down by 20% overall. Mr Holley said the UK could not be complacent, because there were still issues to be resolved. But this data suggested clearly that the corner had been turned and the signs were very positive for the future.

4.2 Barbados

Ms Idamay Denny of Barbados wanted to know whether the UK had any influence on their British Overseas Territories on their systems of recruitment. She made reference to an advertisement by Bermuda, which appeared in the Daily Nation of Monday February 16, 2004, requiring teachers to start on September 1, 2004. She raised a concern that the timing of teacher recruitment should be sensitive to countries' academic years. This was a general concern of most of the officials present.

4.3 Mauritius

Mr Mahadeo of Mauritius stated that recruitment agencies should give source countries time (1 year's notice) to compensate for the impact of teacher loss.

4.4 General Discussion

Participants raised a need for transparency on the part of recruiting agencies. They agreed that the role of the agencies should be clear in terms of whether they are recruiting for government or boards and that the agencies should regularly notify Ministries of Education of numbers recruited and categories of teachers recruited. Some participants felt that to equate teacher recruitment from small states to cultural exchange is a misrepresentation. The reality is that teachers from small states are moving to recruiting countries because of the attractive economic opportunities that they offer.

It was suggested that the teacher being recruited should have a letter of release from the employer and this be captured in the protocol. However, care should be taken not to impinge on the labour rights of teachers who may wish to be recruited.

Participants also felt that recruiting countries should make provision for spouses of recruited teachers with regard to the conditions of service they offer. The issue of extended families of recruited teachers should also be considered, where applicable. It was, therefore, suggested that the number

of dependants to be brought in should be stated explicitly in the protocol.

Just at the loss of teachers to developing states is a serious issues, the protocol should also address the issue of reverse migration of teachers to ensure their re-absorption in the system. Countries' experiences have shown that some teachers do return to their country of origin.

It was further noted that teacher loss/gain existed even among countries of the south/developing countries. Papua New Guinea, for example, benefited from professionals migrating from countries like Uganda, Ghana and other small states. However, they still have great difficulty in recruiting scarce skills in some disciplines.

5:MEASURES SOURCE COUNTRIES SHOULD TAKE TO PREVENT EXCESSIVE LOSS OF TEACHERS

5.1 *The United Kingdom*

The UK project of sensitising members of their communities and teachers themselves to recognise teaching as a high status profession was one initiative proposed to retain teachers in the school system.

5.2 *Barbados*

Ms Denny noted that in Barbados teachers were the best paid civil servants. However, experienced IT, Maths and Science teachers were still leaving due

to the small size of the country, the small number of schools and limited upward mobility in the career structure. To put a cap on this large-scale migration, a policy was developed by which only 20 in every two-year cycle could leave.

It was generally felt that, as a control measure, individual countries should develop policy frameworks to prevent excessive loss of teachers.

5.3 *Mauritius*

Mr Mahadeo of Mauritius noted that they were not experiencing a high level of loss, as teachers were well-paid public servants. He said that, as a way of motivating teachers, Mauritius provided soft loans to teachers and was reviewing the career structure to allow promotion options. He further noted that regardless of their efforts to motivate teachers, they still undertook private tuition, which, in some cases doubled the teacher's income. As a result of problems emanating from private tuition, Mauritius had changed their examination system to reduce the emphasis being placed on private tuition.

5.4 *Seychelles*

Mr Selby Dora of the Seychelles said his government provided responsibility allowances and had formulated a development policy framework for teachers. Seychelles further indicated that teachers were not necessarily leaving through recruitment agencies but through other means (e.g. Internet, network of friends) irrespective of how much their country was

giving them in salaries and incentives.

5.5 Nigeria

Dr Ismaila of Nigeria reported that the teaching profession was highly paid in his country with incentives that included free accommodation, free degree programmes, and freedom to join teachers' associations that ensured the interests of teachers are taken care of. However, Nigeria was still losing teachers with 60% - 70% of teachers looking for jobs elsewhere.

6: STRATEGIES TO ASSIST COUNTRIES EXPERIENCING NET LOSS IN TEACHERS

6.1 There needs to be some form of compensation to the source country and this should be done in the context of bilateral agreements. Such compensation could take various forms such as through training teachers in the source country in order to build capacity to replenish the supply. Further examples of addressing migration of teachers included the insistence on honouring of bonds by both the individual and the recruiting country. The UK stated that it had no objection to bilateral arrangements, in principle, and already had one with South Africa. Each arrangement would need to be considered on its merits.

6.2 It was further felt that in addressing the issue of compensation, there was need to factor in differences in the size of population and economies of scale between countries since the intensity of loss/gain varies from country

to country.

6.3 It was suggested that the Commonwealth Secretariat should consider devising a mechanism or setting up a central agency to address the training of personnel in the scarce skills areas.

6.4 *Discussion*

In response to these suggestions, Mr Holley of the United Kingdom said that compensation came in many forms. The issues had been discussed in Edinburgh and the Terms of Reference no longer included reference to financial compensation. He also urged that, as a matter of principle, a professional's right to mobility could not be linked to the volume of UK development assistance, which is based on a poverty reduction strategy.

Mr Holley also could not see a system of financial compensation work practically, given the complex nature of movement, the fact that many teachers returned home and the possibility that multiple countries might be involved. A financial scheme would represent a bureaucratic nightmare.

Mr Holley recognised that small states were in a more vulnerable position and offered to ask schools not to recruit from certain low-income small states. This could also be instituted as part of the Quality Mark programme.

The main responsibility for the UK was to:

- Control recruitment businesses activities as best as it could
- Consider education as part of the general Aid package
- Do its best to solve the problem at source by meeting its own domestic needs as far as possible

7:DISCUSSION OF THE DRAFT PROTOCOL ON RECRUITMENT OF TEACHERS IN THE COMMONWEALTH DEVELOPED BY THE DRAFTING COMMITTEE ON FEBRUARY 23, 2004

The second day of the meeting reviewed various aspects of new draft document which was circulated

7.1 Definitions

The meeting felt that the difference between “international teacher” and “recruited teacher” was rather blurred and confusing. Therefore, it was agreed that “recruited teacher” was preferable and should be adopted.

It was further agreed that “teacher” referred to primary and secondary school level personnel. However, countries were free to define it as they found appropriate in the context of their bilateral arrangements.

7.2 Introduction: Background and Purpose

The meeting suggested that the Commonwealth Secretariat should provide the introduction to the proposed protocol while the Drafting Group dealt

with the purpose of the protocol.

It was proposed that the following purpose statement be included in the draft protocol document: “protection and fair treatment of the mobile, recruited teachers in the recruiting countries”. It was generally felt that with this inclusion, the purpose of the protocol was satisfactory and acceptable and not legally binding.

A suggestion was made that the status of the protocol document be defined vis-à-vis relevant international agreements in order to give it some moral authority. It was further proposed that the responsibility of countries to implement the protocol should be stated.

7.3 Responsibilities of Recruiting Countries

7.3.1 Where the Government or its accredited agent is the recruiter

Mr Holley (UK) expressed his concern with the use of the phrase “shall commit” in paragraph 2, page 4 of the draft protocol, especially given the fact that the UK was already committed to international assistance. He, therefore, suggested the kind of wording that had been used in the Commonwealth Code of Practice for the International Recruitment of Health Workers document (page 6, paragraph 21).

Ms Denny (Barbados) argued that language that was specific and clear was preferable. She proposed that there had to be a clear commitment to

“compensation” by recruiting countries as this was the most significant issue in the Savannah Meeting. This matter was discussed at length without consensus. However, it was resolved to retain “shall commit” with the provision that it would be dealt with in the context of bi-lateral agreements. Further, it was agreed that the phrase “shall commit” should apply to all categories of country (developed and developing).

In relation to paragraph 4, page 3 of the draft protocol document, it was recommended that “cultural adjustment programmes” should not just refer to countries but should also be used to refer to orientation to the schools.

7.3.2. Relationship between the Recruiting Business and the Source Country

Ms Denny (Barbados) suggested that the last paragraph on page 4 should be amended to capture the obligation for the recruiting agency/country to inform the source country not just about the numbers of teachers recruited but also of their names. The purpose of including names of recruits was to make it easier for the source countries to know if any of the teachers being recruited fall into categories of those who, for a variety of reasons and national needs, could not leave.

While the spirit of the suggestion was generally understood, the meeting felt that individuals could not be denied recruitment opportunities but rather that categories of individuals such as bonded teachers, could. Therefore, the paragraph should read to express the need for ‘categories of teachers’ and not their names. It was further agreed that any refusal of

recruitment of categories of teachers should be done with some sensitivity to international agreements and conventions. The draft protocol was to be written along the lines of the Commonwealth Code of Practice for the International Recruitment of Health Workers, paragraph 14, page 5.

b) It was proposed that there was need to explore the extent to which a recruiting business and not a school could have contact with a teacher. Mr Holley (UK) informed the meeting that since 2003, in the United Kingdom, teachers were employed by the school through local authorities. It was consequently suggested that the Protocol Drafting Committee should cover the issue of relationships of the recruiting business with teachers, and what form it might take if there was to be such a relationship. This issue was to be inserted on page 3, paragraph 2 of the draft protocol.

8. Rights and Responsibilities of Source Countries

The first paragraph was amended to read, “Any country has the right to be informed of any organised and systematic recruitment of its skilled, professional human resources”.

Ms Denny of Barbados expressed her confusion with the meaning of the sentence 2, last paragraph on page 4, especially the last part that reads, “...and to improve the recruitment and retention of qualified teachers, in areas of strategic importance to development”. The meaning was discussed at length and it was felt that the implication of the sentence was that since

the loss of teachers in some countries was inevitable, there was need for those countries to plan for the loss.

9. Rights and Responsibilities of the Recruited Teacher

It was suggested that “recruited teacher” be used in the place of “international teacher”.

In relation to the first paragraph, it was suggested that the information that the recruited teacher is provided with should include advice, guidance and counselling services, where available.

The last paragraph was to be amended to read “In return it is expected that a recruited teacher will show honesty and transparency in all dealings with the current and prospective employers and will give adequate notice of resignation or request for leave. The teacher also has a responsibility to inform him or herself regarding all terms and conditions of the contract of employment and to comply with them”.

The above consensus and issues relating to the recruitment of teachers in the Commonwealth countries, were finally incorporated in the proposed Commonwealth Teacher Recruitment Protocol (refer to the draft of the Proposed Commonwealth Teacher Recruitment Protocol).

DRAFT

COMMONWEALTH TEACHER RECRUITMENT PROTOCOL

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1. Definitions

- Recruited teacher: a teacher who is recruited for service in a country other than his/ her own
- Recruiting country: the country that is seeking to recruit, or succeeds in recruiting, teachers from other countries
- Recruiting business/agency: a business/agency that recruits teachers in one country (source country) for service in another (recruiting country)
- Source country: the country from which teachers are recruited for service abroad.

2. Introduction

2.1 Background

For some time now a number of Commonwealth member countries have been deeply concerned at the loss of scarce professionals as a result of targeted recruitment campaigns, a problem that has caused particular difficulties for small states. Such concerns, affecting the health and education sectors among others, have been voiced at Ministerial meetings and in the case of health has resulted in the *Commonwealth Code of Practice for the International Recruitment of Health Workers*, adopted by Ministers of Health in May 2003.

In May 2002 following large scale recruitment of teachers from Barbados, Guyana, Jamaica and Trinidad and Tobago, the Minister of Education of Jamaica requested the assistance of the Commonwealth in addressing the problem of teacher recruitment in the Caribbean. Caribbean Education Ministers agreed the Savannah Accord in Barbados in July 2002 and, among other things, asked the Commonwealth Secretariat to develop a draft protocol for the recruitment of teachers. The draft prepared by the Secretariat was reviewed at a subsequent meeting of six Ministers of Education of

Small States (The Gambia, Mauritius, Namibia, St. Lucia, Samoa, Seychelles) who met in the Seychelles in March 2003. That meeting recommended that the revised version of the draft Protocol on Teacher Recruitment should be tabled at the Conference of Commonwealth Education Ministers scheduled in October 2003.

Ministers of Education at the 15th Conference of Commonwealth Education Ministers held in Edinburgh, Scotland, from October 27th – 30th, 2003 discussed the critical issues of international teacher recruitment and viewed it as one of the most urgent issues to be addressed in “closing the gap”. They affirmed the unique value of the Commonwealth recognising that it is ideally placed to share expertise, resources and best practices in education as a vital component of attaining the individual and collective goals for their countries and they established a Working Group on Teacher Recruitment under the chairmanship of Deputy Secretary-General Winston Cox.

The Working Group was asked to have a clear focus on the international recruitment of teachers in the Commonwealth, taking into consideration, where relevant the related issues of teacher mobility, retention and development. The brief of the Working Group is to:

- develop appropriate and ethical codes of conduct;
- report to all Ministers by the end of April 2004; and
- finalize the document with a Ministerial Group by September 2004.

2.2 The Working Group

The countries represented at official level on the Working Group are Barbados, India, Jamaica, Lesotho, Mauritius, Nigeria, Papua New Guinea, St. Lucia, Seychelles, South Africa, United Kingdom, and Zambia.

The following Commonwealth civil society and professional organisations are permanent observers of the group: The Commonwealth Teachers Grouping, The Commonwealth Consortium for Education, and the Centre for Comparative Education Research, University of Nottingham.

At the first meeting of the Working Group in Maseru, Lesotho on 23-24 February 2004, the Terms of Reference were finalised and members were brought up to date on recent developments that had taken place to improve teacher retention and recruitment practice. An initial draft document was prepared for circulation.

2.3 Purpose of the Protocol

This Protocol aims to balance the rights of teachers to migrate internationally, on a temporary or permanent basis, in pursuit of a range of career possibilities, against the need to protect the integrity of national education systems, and to prevent the exploitation of the scarce human resources of poor countries. The Protocol also seeks to safeguard the rights of recruited teachers, and the conditions relating to their service in the recruiting country.

In doing so, the Protocol seeks to promote the positive benefits which international teacher migration can bring, and to facilitate the sharing of the common wealth of human resources that reside within the Commonwealth.

This document is similar in terms of purpose, content and status to the Commonwealth Code of Practice for the health professions. It is a protocol in a non-binding sense – a document that holds moral, but not legal, authority on the matters it addresses . Within the context of the Commonwealth principles of co-operation and consensus, and within the framework of multi-lateral agreements of the ILO and WTO, it is hoped that governments will subscribe to the Protocol and implement it.

3. Rights and Responsibilities of Recruiting Countries

It is the responsibility of the authorities in recruiting countries to manage domestic teacher supply and demand in a manner that limits the need for resort to international recruitment in order to meet the normal demand for teachers. At the same time the right of any country to recruit teachers from wherever these may be obtained is recognised. Recruiting countries and agencies should be informed about the reasons for any refusal to allow recruitment in general or of a specific category of teacher.

Recognising that large-scale international recruitment of teachers may be detrimental to the education systems of source countries, and to the costly human resource investments they have made in teacher education, recruiting and source countries should consider mutually acceptable ways of mitigating

the potentially harmful impact of such recruitment. These ways, which may be the subject of bilateral agreements, may usefully include institutional strengthening and capacity building to increase the output of trained teachers in source countries.

Acceptable recruitment processes

Recruiting countries shall make every effort to ensure that recruitment is avoided during the course of the academic year of the source country, to avoid the disruption of teaching programmes.

A recruiting country shall collect and provide to a source country, on reasonable request, all relevant information regarding the numbers and status of teachers recruited. This information should also be made available, without prejudice, to the Commonwealth Secretariat for monitoring purposes. Where such information is not available, Commonwealth countries are encouraged to develop mechanisms for this purpose.

A recruiting country shall ensure the establishment of a complaints mechanism and procedure, and make this known to all teachers at the start of the recruitment process.

The government of any country which makes use of the services of a recruiting agency, directly or otherwise, shall develop and maintain a quality assurance system to ensure adherence to this protocol and fair labour practices.

BOX TEXT – QUALITY MARK

The recruiting agency has an obligation to contact the intended source country in advance, and notify it of the agency's intentions.

Prior agreement should be reached between the recruitment agency and the government of the source country, regarding means of recruitment, numbers, and adherence to the labour laws of the source country. Recruitment should be free from unfair discrimination and from any dishonest or misleading information, especially in regard to gender exploitation.

The recruiting agency has the obligation to provide the source country and the recruiting countries with full details regarding the teachers recruited, following completion of recruitment and/or on a regular basis as agreed to.

Employment conditions for recruited teachers

Wherever appointed, international teachers shall enjoy employment conditions equivalent to those of nationals of similar status and occupying similar positions. This requires the development of systems and criteria to assess equivalencies of teacher qualifications, and of professional registration status where applicable, across the Commonwealth. Where available, a certificate of good conduct should be obtained from the professional council of the source country.

Teachers should be employed by a school or educational authority, and not by a recruitment business/agency.

A recruiting country shall ensure the provision to newly recruited teachers of adequate orientation and induction programmes, including cultural adjustment programmes, with a focus on the school and its environment. They should also provide dedicated programmes to enable such teachers to achieve fully qualified status in accordance with any domestic requirements of the recruiting country.

As a targeted and responsive mode of reciprocation, special professional development opportunities or experiences should be provided for recruited teachers, especially where they are expected to return to the country of origin after a fixed term.

4. Rights and Responsibilities of Source Countries

It is the responsibility of source countries to manage teacher supply and demand within the country, and in the context of international recruitment. The country should have effective strategies to improve the attractiveness of teaching as a profession, and to ensure the recruitment and retention of qualified teachers in areas of strategic importance.

Any country has the right to be informed of any organised systematic recruitment of its skilled, professional human resources by or on behalf of other countries.

The significance and impact of international recruitment will be different in each country, depending on the size of its teaching force, and the current teacher supply situation. Countries therefore have the right to determine

their own position in regard to the organised international recruitment of teachers.

A country may refuse to allow the recruitment of specific categories of teacher, or to disallow any organised recruitment. Any refusal by a source country to allow recruitment must be reasonable and justifiable, and within the framework of international agreements.

The source country shall endeavour to respond to requests for approval to recruit within 30 days.

The source country should include within its terms and conditions of service for teachers provisions that relate to release of teachers under international exchange and international teacher recruitment arrangements, and to their re-integration into the source-country education system on their return from abroad. These provisions should made explicit the conditions of release or secondment, and the length of absence normally allowed without loss of seniority and/or pension rights. They may also specify the rights and entitlements that a teacher would forgo by leaving the service without permission or by staying abroad beyond the agreed time. In turn, the services and inducements that are available to assist returning teachers to make a smooth re-entry to their home system should be spelled out. Wherever possible such provisions should be drawn to the attention of teachers considering working abroad. Source countries may find it useful to prepare leaflets and guidance notes summarising these sections of the overall conditions of service for teachers.

5. Rights and responsibilities of the recruited teacher

The recruited teacher has the right to transparency and full information regarding the contract of appointment. The minimum required information (see Annexure 1) includes information regarding complaints procedures.

Recruited teachers are in turn expected to show honesty and transparency in all dealings with their current and prospective employers, and to give adequate notice of resignation or requests for leave. Teachers also have a responsibility to inform themselves regarding all terms and conditions of the contract of employment, and to comply with these.

6. Monitoring and Evaluation

The Commonwealth Secretariat should monitor the status of international recruitment of teachers, including numbers, recruitment practices and effects, and evaluate the application of this protocol, including the impact on developing countries, and report to Commonwealth Conferences of Education Ministers.

APPENDICES

APPENDIX 1:

Minimum information to be provided in the course of recruitment prior to finalisation of any contract:

- Name and location of the school where the teacher is to serve
- Brief description of the school
- Accommodation arrangements for the teacher and cost implications
- Transport arrangements and responsibility for transport costs
- Work permit requirements and procedures
- Clarity about terms and conditions of employment, including any deductions (for tax, insurance, superannuation or other purposes) from the gross salary offered; and rights of access of the employed teacher to social services and welfare benefits of the host country.
- Any provisions affecting the right of the teacher to be accompanied abroad by a spouse and dependants, including any assistance and allowances offered therewith, rights of spouse to work in the recruiting country, and access of dependants to education and other services
- Orientation and induction programmes offered to recruited teachers, including assistance with cultural adjustment
- Sources of information and support
- Information regarding complaints procedures both during the recruitment process and subsequently when teachers are in employment abroad. This information should include contact details for a complaints office.

APPENDIX 2

ARTICLES 13, 26 AND 29 OF THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Article 13

1. the States Parties to the present Covenant recognize the right of everyone to education. They agree that education shall be directed to the full development of the human personality and the sense of its dignity, and shall strengthen the respect for human rights and fundamental freedoms. They further agree that education shall enable all persons to participate effectively in a free society, promote understanding, tolerance and friendship among all nations and all racial, ethnic or religious groups, and further the activities of the United Nations for the maintenance of peace.
2. the states parties to the present covenant recognize that, with a view to achieving the full realization of this right:
 - (a) primary education shall be compulsory and available free to all;
 - (b) secondary education in its different forms, including technical and vocational secondary education, shall be made generally available and accessible to all by every appropriate means, and in particular by the progressive introduction of free education

APPENDIX 3

ARTICLE 26 OF THE UNIVERSAL DECLARATION ON HUMAN RIGHTS

1. Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.
2. Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.

APPENDIX 4

ARTICLE 29 OF THE CONVENTION OF THE RIGHTS OF THE CHILD

- 1, States parties agree that the education of the child shall be directed to:
 - (a) the development of the child's personality, talents and mental and physical abilities to their fullest potential;
 - (b) the development of respect for human rights and fundamental freedoms, and for the principles enshrined in the Charter of the United Nations
 - (c) the development of respect for the child's parents, his or her own cultural identity, language and values, for the national values of the country in which the child is living, the country from which he or she may originate, and for civilizations different from his or her own.
 - (d) the preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin;
 - (e) the development of respect for the natural environment.

3. No part of the present article or article 28 shall be construed so as to interfere with the liberty of individuals and bodies to establish and direct educational institutions, subject always to the observance of the principles set forth in paragraph 1 of the present article and to the requirements that the education given in such institutions shall conform to such minimum standards as may be laid down by the State.

APPENDIX 5

EDUCATION FOR ALL COMMITMENTS – DAKAR 2000

- Expanding and improving comprehensive early childhood care and education, especially for the most vulnerable and disadvantaged children
- Ensuring that by 2015 all children, particularly girls, children in difficult circumstances and those belonging to ethnic minorities, have access to and complete free and compulsory primary education of good quality
- Ensuring that the learning needs of all young people and adults are met through equitable access to appropriate learning and life skills programmes
- Achieving a 50 percent improvement in levels of adult literacy by 2015, especially for women, and equitable access to basic and continuing education for all adults
- Eliminating gender disparities in primary and secondary education by 2015, with a focus on ensuring girls' full and equal access to and achievement in basic education of good quality
- Improving all aspects of the quality of education and ensuring excellence of all so that recognized and measurable learning outcomes are achieved by all, especially in literacy, numeracy and essential life skills.

