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4. Revisiting the implementation of the Commonwealth Teacher Recruitment Protocol: Furthering implementation and addressing critical steps in the recruitment process

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Abstract

This paper revisits the 2008–2009 review of the implementation of the Commonwealth Teacher Recruitment Protocol, commissioned by the Commonwealth Secretariat in response to a directive by Commonwealth education ministries in 2006 (Ochs and Jackson, 2009). With a view towards informing activities and policies that further the implementation of the protocol, this paper first presents key findings from the review. It then reports on research conducted in 2011 that revisited the migrant teachers from the 2008–2009 study to explore their situation further, as well as on key developments at the international level regarding teacher migration. A systems analysis of teacher mobility is presented, which identifies key actors, contextual factors and critical steps in the recruitment and migration process. In conclusion, recommendations for further protocol implementation are recommended.

Key words

Teacher, Migration, Recruitment, Commonwealth, Commonwealth Teacher Recruitment Protocol

4.1 Introduction

The Commonwealth Teacher Recruitment Protocol (CTRP) was adopted by Commonwealth ministers of education in the United Kingdom on 1 September 2004, with the main objective to:

... balance the right of teachers to migrate internationally, on a temporary or permanent basis, 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 (Commonwealth Secretariat, 2004: 7).

In a presentation at the 16th Conference of Commonwealth Education Ministers (16CCEM) in 2006, it was reported that the level of implementation of the protocol varied greatly among Commonwealth nations. Ministers therefore requested a review of the implementation in preparation for the 17th Conference in 2009 to assess the:

- *quality, content and impact of initiatives, policies, programmes, practices and procedures that countries developed and implemented as a requirement of the adoption of the CTRP;*
- *effectiveness of organisations and institutions, such as international and civil society organisations and teachers' organisations, in advancing the implementation of the CTRP;*
- *extent and effectiveness of the Commonwealth Secretariat in implementing the Future Actions of the Protocol and in conducting advocacy for the CTRP implementation (Ochs and Jackson, 2009: ix).*

The subsequent review, conducted between September 2008 and March 2009, explored the implementation of the protocol with regard to five dimensions: (1) Commonwealth ministries of education; (2) Commonwealth Secretariat; (3) civil society organisations and institutions (including partners); (4) teacher recruiters; and (5) teachers. Eighteen of the 53 Commonwealth countries responded to the survey sent to ministries of education. Interviews were conducted with 12 civil society organisations and ten recruitment agencies. A survey was administered to more than 3,000 migrant teachers, yielding 64 surveys that were included in the analysis.¹ In addition, in-person focus groups were held in Barbados and Trinidad and in-depth interviews were conducted with 16 of the 64 teachers.

Key findings from the 2008–2009 review were as follows:

- *The vast majority of the 64 migrant/recruited teachers in the study (82.5 per cent) were unaware of the protocol.*
- *Teacher recruitment and migration are global phenomena.* In addition to intra-Commonwealth recruitment, teachers are being recruited at significant levels to non-Commonwealth countries (including the US, the Republic of Korea, Japan and Middle Eastern countries such as Bahrain, Oman and Saudi Arabia).
- *Context is central to the implementation of the protocol.* Macro-level issues determine migration flows, demand for teachers and teachers' individual choices to migrate.
- *Data on teacher movement, recruitment agencies and recruited teachers are not being captured by ministries of education.* A subsequent recommendation, agreed by the Meeting of the Commonwealth Working Group on Teacher Recruitment, suggested that:

emphasis should be placed on strengthening existing data management systems and monitoring data and information at regional/international and country level to address issues relating to tracking teacher turnover, recruitment, deployment and relevant information about each foreign recruited teacher (Ochs and Jackson, 2009: xi).

This paper sets out to revisit the key findings of the implementation of the Commonwealth Teacher Recruitment Protocol with a view towards informing further implementation initiatives. The first section reports on research conducted in Spring 2011 that revisited the experiences of the recruited teachers from the first study and explored possible changes that might have, or might not have, occurred since 2009. Subsequently, a systems analysis of teacher migration is presented as a tool for the discussion of key actors in future implementation initiatives. This analysis also highlights the importance of context in examining teacher migration.

4.2 Revisiting the issue of teacher migration

In Spring 2011, the 64 teachers who provided responses to the 2008–2009 study were contacted again to explore their current situation. Twelve of the original 64 teachers, residing in the Caribbean, UK and South Africa, provided further information that helped to clarify their migration stories, particularly as it related to their serial migration:

- Between 2009–2011, teachers had changed jobs and/or countries of location. In the case of one teacher, she had moved on to two additional countries since she responded to the first survey in 2009.
- None of the teachers had either received any information related to, or heard any more about, the Commonwealth Teacher Recruitment Protocol since the last study.
- In subsequent moves, recruitment agencies did play a role both in making teachers aware of opportunities to teach abroad and in placing the teachers in teaching positions.

- The most important factors for teachers in deciding to take up a position abroad were compensation (salary in relation to living expenses) and opportunities for professional development.
- Teachers reported having their qualifications screened before taking up a new position.

The findings suggest that general teacher mobility could be both a challenge to implementation and/or an asset to further implementation, if mobile teachers themselves are engaged in awareness-raising activities among colleagues.

One of the findings of the 2008–2009 study was that teacher migration patterns were highly dependent on context and had changed since the 2003 study (Ochs, 2003) commissioned by the Commonwealth Secretariat to inform the development of the Commonwealth Teacher Recruitment Protocol. During that period, there was strong evidence in the data indicating that schools in Middle Eastern countries, such as Qatar, United Arab Emirates (UAE) and Bahrain, were particularly attractive to teachers given and offering generous compensation packages, tax breaks and/or subsidised accommodation. In 2011, the same recruited teachers reported that their most important factors in selecting a position were compensation and professional development opportunities. Therefore, an understanding of the compensation and development opportunities for teachers could be helpful in refining and further developing protocol implementation strategies to reach mobile, talented teachers who are actively seeking the ‘best’ opportunities.

This most recent study also confirmed earlier findings regarding the importance of both qualification agencies – that review, monitor and grant qualifications – and recruitment agencies. Arguably, focused strategies that could raise awareness of the protocol in these organisations could benefit the overall implementation. As outlined in the protocol:

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. The recruiting countries should ensure compliance. Where agencies do not adhere, they will be removed from the list of approved agencies (Commonwealth Secretariat, 2004: para. 3.7).

And:

The recruiting agency has an obligation to contact the intended source country in advance, and notify it of the agency’s intentions. Recruiting countries will inform recruiting agencies of this obligation. Recruiting countries should inform source countries of any organised recruitment of teachers (Commonwealth Secretariat, 2004: para. 3.8).

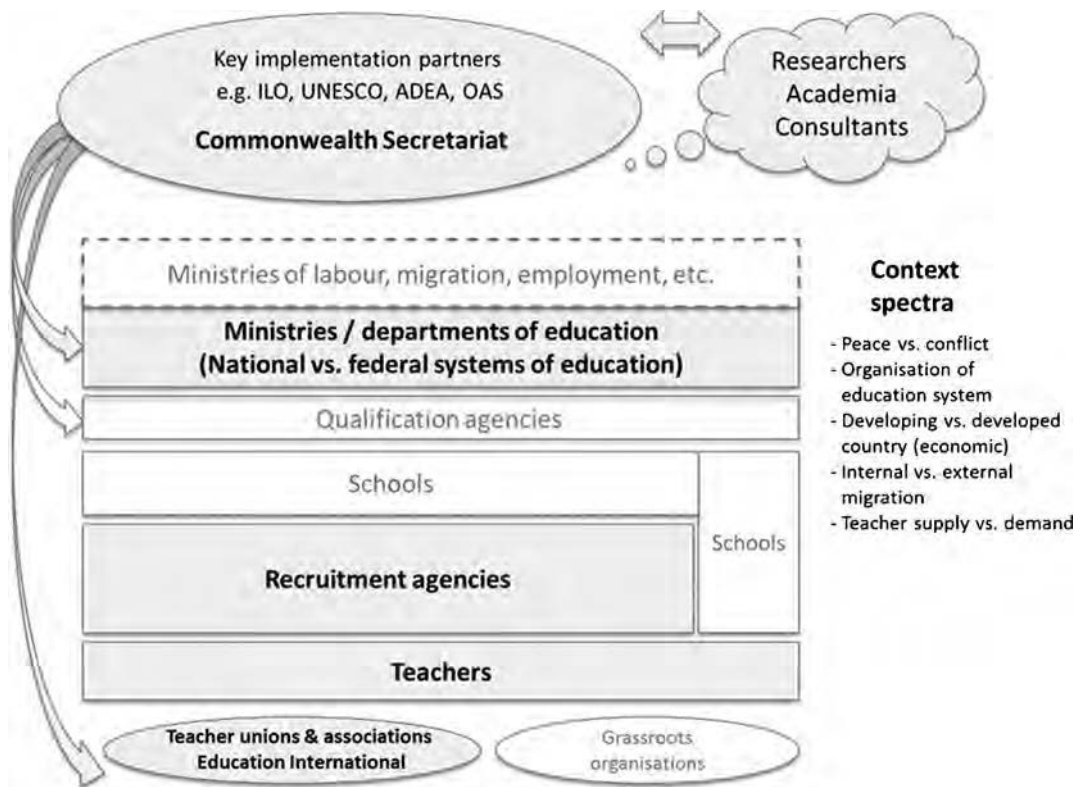
4.3 The system of teacher mobility

Given the importance of recruitment and qualifications organisations in the overall migration and recruitment process, and the evidence suggesting a continued lack of awareness of the protocol among teachers, this section revisits the implementation of the protocol from a systems perspective. As Levin points out:

the [research-practice] relationship is a complicated one that typically proceeds slowly in fits and starts as the implications of research become clearer, and as practice settings find those implications to be meaningful and feasible – or not! (2009: 528).

As reflected in the methodology of the 2008–2009 review, the main agents in the implementation of the protocol were identified as: ministries (or departments) of education; civil society organisations and partner institutions (e.g. teacher unions and associations); teacher recruiters; the Commonwealth Secretariat; and the teachers themselves. In exploring these dimensions, however, additional stakeholders were

Figure 4.1 System of teacher mobility: recruitment and migration



identified that were important to understanding the overall system of protocol implementation. These included: researchers (including academics, consultants and independent researchers); other government ministries at the national and local level (such as ministries in charge of labour, migration and employment); qualification agencies; schools; and grassroots organisations (which are distinct from unions or international civil society organisations) (see Figure 4.1).

4.4 Protocol dissemination

The review of the implementation found significant evidence of collaboration between the Commonwealth Secretariat and its partners in 'advocating the promotion and advancement of the Protocol and its implementation' (Ochs and Jackson, 2009: 51), including unions (e.g. the All Indian Federation of Teachers' Organisations [India], American Federation of Teachers [US], National Education Association [US], National Union of Teachers [UK]), Education International, international organisations (e.g. Association for the Development of Education in Africa, ILO, UNESCO, Organization of American States [OAS]) and consortia and researchers (e.g. Commonwealth Consortium for Education, Commonwealth Policy Studies Unit). The work of many of these organisations extends to countries beyond the Commonwealth, but in doing so they represent countries in which Commonwealth teachers are working (e.g. United States, Cuba etc.).

The work of the South African Qualifications Authority (SAQA) as a partner is notable on two levels. In the context of the implementation of the protocol, SAQA might be considered as research partner, as it undertook a series of studies for the Commonwealth Secretariat, including a cross-national comparison of teaching qualifications across the Commonwealth (Morrow and Keevy, 2006; Keevy and Jansen, 2010). Therefore, SAQA's role arguably differed from that of other qualification agencies in the system of teacher mobility, given that its role was not solely in the screening and evaluation of qualifications of foreign teachers. This point will be addressed in more detail in the next section.

4.5 Revisiting protocol dissemination and implementation

In implementing the protocol, the Commonwealth Secretariat worked with its partners (and in particular the Association for the Development of Education in Africa in the translation of the protocol into French and Portuguese) to disseminate the protocol widely to ministries/departments of education across the Commonwealth, as well as to teacher unions both directly and in partnership with Education International. Key implementation partners (e.g. ILO, UNESCO, OAS etc.) also facilitated distributing the protocol within their networks, through meetings and presentations that included working groups, high-level consultations and academic conferences. A series of research symposia, convened by the Commonwealth Secretariat and its partners, also served to disseminate research into teacher migration with a view towards informing further implementation of the protocol.

The 2008–2009 review of the protocol implementation examined the role of the main actors (indicated in grey in Figure 4.1) that are ultimately involved in the system of teacher mobility, including both recruitment and migration. It is notable that school administrators were not included in the review, although schools arguably play an essential role in the overall implementation. The lack of awareness of the protocol among teachers, which was again confirmed in the 2011 follow-up research, suggests that the dissemination and the protocol could be improved. This section revisits and analyses the system of teacher mobility with a closer look at the additional actors, with a view towards informing future approaches to implementing the protocol itself and the underlying principles within the document.

4.5.1 Teachers

Ultimately, teachers have the right to migrate internationally on a temporary or permanent basis. Successful implementation, therefore, means that teachers are aware of their rights and responsibilities, and ultimately also have a system of recourse (e.g. through a union or their school) should there be exploitation. In addition to being aware of the protocol, teachers need to know how to act in line with the principles. As an example, and informed by the 2008–2009 study, Ochs (2010: 6) suggested a list of ten questions that teachers could ask themselves *before* teaching abroad, which reflect the principles outlined in the protocol:

- 1) *Who is telling you about the opportunity to teach overseas?*
- 2) *Do you know the expectations of your employer in the recruiting country before departure?*
- 3) *Are qualifications assessed before departure and/or arrival?*
- 4) *Do you have a written employment contract prior to departure?*
- 5) *Are your terms and conditions of employment consistent with teachers who are nationals of similar status?*
- 6) *Will you work under the labour laws and rules of the recruiting country?*
- 7) *Do you have a complaints mechanism in the recruiting country?*
- 8) *Do you anticipate returning home?*
- 9) *Have you looked at the total cost of teaching abroad?*
- 10) *In addition to posts at schools overseas, are there other opportunities to consider for short-term professional development (e.g. teacher-to-teacher exchanges, critical subject exchange)?*

Arguably, further work could be carried out to develop a toolkit for teachers and stakeholders to educate them about practical steps to take to know their rights, make informed decisions about teaching elsewhere and act responsibly to secure their rights in their position of employment.

4.5.2 Teacher unions and associations

Teacher unions play a strong role in providing resources to and securing the rights of all teachers, including migrant teachers, in countries where teachers can unionise. As an example in the United States, in 2010 the American Federation of Teachers (AFT) and Louisiana Federation of Teachers jointly filed a lawsuit to secure proper compensation for migrant teachers who had been recruited by an unethical agency (AFT, undated).

In 2010, Education International (EI) announced its development of a Teacher Migration and Mobility Campaign and the creation of a task force to spearhead the initiative, which includes the creation of a global network of migrant teachers using the EI website (Sinyolo, 2010). If marketed to and used effectively by teachers, such an online network has the potential to empower and connect teachers and ultimately promote decent working conditions.

4.5.3 Grassroots organisations

Teachers' connections to each other and the schools where they work are important to the implementation of the protocol, as ultimately teachers themselves determine the quality of education in the classroom. In many countries, teachers also have a multifaceted role in their community, serving as a resource to parents and community members, taking on a pastoral role in the community or sometimes working closely with health organisations. Engaging local, grassroots organisations in the implementation of the protocol is arguably important both to raise awareness among teachers and further mobilise and support teachers to spread awareness of their rights and responsibilities further.

4.5.4 Recruitment agencies

When recruitment agencies are involved in the migration process, they may often play a key role in selling the placement and opportunity to teach, helping to secure visas for the teacher, providing orientation and addressing any problems that might arise when there is a failed placement (i.e. the teacher does not stay for the full term of employment). In the 2008–2009 study, which was one of the first to explore the role of cross-national recruitment agencies in the migration process, the majority of agencies were unaware of the protocol. Given their role at different states in the recruitment and placement process, recruitment agencies could potentially be good partners in the implementation process if their business needs are aligned with international education policy objectives. The successful placement of teachers in schools is a shared interest of both policy-makers and recruiters, which ultimately results in the recruitment fee paid to the agencies. However, the education of recruitment agencies is also necessary, particularly with regards to complaints mechanisms for teachers and issues that might relate to the tax status of the foreign teacher.

4.5.5 Schools

In some cases, schools engage directly in the recruitment of overseas-trained teachers. Paths to obtaining further qualifications (e.g. qualified teacher status) or further professional development are often determined by school administrators, as they relate to their budgets and plans for staffing and training. As factors important to the teacher's personal decision-making process, schools are also important to the implementation of the protocol.

4.5.6 Qualification agencies

Both the lack of cross-national comparability and lack of equivalency of teaching qualifications remain obstacles to the successful recruitment and placement of teachers (Keevy and Jansen, 2010). Historically – and arguably currently – the limited recognition of teaching qualifications obtained in sending developing countries by receiving (and usually more developed) countries poses challenges for the teacher seeking employment abroad and the school in making a successful placement. Yet, qualification agencies play a key role in screening a teacher's qualification and ultimately making the placement.

Without international standards in comparability and equivalency, brain waste can be one outcome – when an experienced teacher is given a position that does not make use of the teacher’s skills or prior experience. While the South African Qualifications Agency (SAQA) has carried out pioneering research in this area on the issue of Commonwealth teacher migration, working towards developing wider comparability frameworks, much work has yet to be done on the global landscape. Efforts in Europe to harmonise higher education qualifications (e.g. bachelor’s and master’s degrees), with the Bologna Process, might serve as an example that could be applied in streamlining teacher qualifications.

4.5.7 Government ministries

The review of the implementation of the protocol noted that ministries and government bodies beyond the ministry of education were intimately involved in the system of teacher mobility. In particular, those responsible for changing immigration laws, including asylum laws in some countries, played a key role in determining teacher migration flows. In addition, changing administrations and election cycles can result in a loss of institutional memory; while one administration might be aware of the protocol, it cannot be assumed that the knowledge will carry on to the next administration. Thus, the political process itself – at the national, regional and local levels – can challenge effective implementation.

4.5.8 International organisations

As evidenced in the review, international organisations served as key partners for the Commonwealth Secretariat, and indeed individual country ministries, in the implementation of the protocol in the form of joint meetings, formation of working groups and research symposia. The Commonwealth Teacher Recruitment Protocol itself has served as a model document for work towards a Continental Teacher Recruitment Protocol in Africa. However, proceeding down the path from policy discourse to policy implementation requires careful consideration of the surroundings – the context in which the policy will be adopted and implemented.

4.6 The central importance of context

As the 2008–2009 study revealed, the implementation of the protocol varied significantly across the Commonwealth member states; fundamentally, context is central. Some of the implementation partners of the Commonwealth Secretariat made the distinction between the protocol itself and the principles and good practices reflected in the protocol. The implication is that context may very well determine necessary language and implementation strategies. As a starting point, it could be said that there are five fundamental contextual factors to consider in implementation, each of which reflects a spectrum: (1) organisation of education system; (2) teacher supply vs. teacher demand; (3) developing vs. developed country (economic, social, political); (4) peace vs. conflict/disaster vs. post-conflict/disaster; and (5) internal vs. external mobility. Beyond these five, which might be seen as a basis for an analysis, a variety of other contextual factors needs to be considered, such as the state of the labour market, migration regulations and the presence of same country nationals in overseas destinations.

4.6.1 Organisation of education system

Although all Commonwealth member states formally adopted the Commonwealth Teacher Recruitment Protocol, it cannot be assumed that all systems of education were represented equally. This is the challenge of implementing policy in countries where education is organised federally, such as in India, Canada or the United States; one nation does not equal one system of education. As such, implementation needs to be considered for each state/provincial system within the federal system, and the level of co-ordination that can be expected.

4.6.2 Teacher supply vs. teacher demand

The gap between teacher supply and teacher demand ultimately drives recruitment or, in the case of India and Kenya for example, the export of teachers. A serious challenge emerges when teachers opt to leave countries where there are already teacher shortages, in particular in small states where teacher exodus (loss) will have a greater impact because it represents a proportionately larger loss (due to the difficulty in replacing staff). A serious problem that exists in many countries is the lack of fundamental data on teacher supply, demand and attrition – which might be due to retirement, death or leaving the profession. Recommendations at the national and international levels have called for improved methods and procedures for data collection, monitoring and sharing, as yet with few concrete results.

4.6.3 Peace vs. conflict/disaster vs. post-conflict/disaster

Conflict and/or disaster in either a sending and/or receiving country impacts teacher migration patterns, including the movement of refugee teachers. Evidence also suggested new trends in recruitment patterns. In 2009, recruitment agencies reported the movement of teachers to the Middle East, who might have opted for the UK or Canada a few years earlier, following the lure of excellent compensation. However, the very different Middle Eastern landscape in 2011 has inevitably prompted some recruited teachers to consider returning home and/or teachers' individual evaluations of taking up a position in some of the countries that have been affected by recent unrest. Following the South Asian tsunami in 2004, migrant teachers working in the Maldives returned to their homes. In recent years, areas of South Africa have become destinations for Zimbabwean teachers who chose to leave their home country in search of other opportunities (Manik, 2011). Yet, a placement for the teachers is not a guarantee upon arrival. Thus, the implementation of the protocol and principles within it needs to take into account the spectrum of peace, conflict and personal security, which might also influence the teacher's plans with respect to duration of stay.

4.6.4 Developing vs. developed country

The level of economic development of the country is essential to consider. This affects the working conditions, as well as the purchasing power of the teacher with respect to salary. Another dimension that is relevant to migrant teachers is the value of the currency, particularly for those who plan to remit money to support those at home.

4.6.5 Internal vs. external mobility

Although the focus of the protocol is on cross-national teacher migration and recruitment, the movement of teachers across regions, cities and even schools must also be considered. In some countries, for example where education systems are federally organised, it is difficult to move to a different region or state to teach. This can exacerbate the urban–rural gap in teacher supply. Research evidence suggests that many countries do not track or maintain data on internal mobility, which might include attrition and reasons for leaving the profession altogether. Such issues affect supply and demand, as well as teachers' choices actively to seek positions elsewhere.

4.7 Discussion and conclusions

This paper set out to revisit the review of the implementation of the Commonwealth Teacher Recruitment Protocol, which was carried out in 2008–2009, with a view towards analysing the system of teacher mobility, actors within the system and the wider context, in order to inform the future implementation of the protocol. Research that followed up with teachers in the 2008–2009 study confirmed that teachers remain largely unaware of the protocol and that recruitment agencies are key actors in communicating both opportunities to teach elsewhere and in placing teachers in their new jobs. Upstream dialogue should go beyond the national level, extending to the local level and involving all the relevant stakeholders. The role of all actors within the system should also be