MEMORANDUM CIRCULAR NO. 07
Series of 2002

TO: ALL CONCERNED

SUBJECT: Guidelines on the Deployment of Filipino Teachers to the United Kingdom

In view of opportunities for the employment of Filipino teachers in the UK, the following guidelines are hereby prescribed as follows:

I. Hiring Requirements

1. Filipino teachers registered with the Professional Regulation Commission (PRC) who have at least 2 years full time teaching experience and who possess a UK National Academic Recognition Information Center (NARIC) equivalent degree which is defined as having a master's degree in any Philippine University or a bachelor's degree holder for colleges/universities recognized by NARIC, may qualify for deployment as teachers in the UK.

2. Under the UK regulations, teachers shall initially work as instructors or temporary teachers for a certain period of time. Upon meeting the minimum qualifications, the teacher upon assuming the job with UK school must eventually gain Qualified Teacher Status (QTS).

II. Verification of Recruitment Documents

1. Government and private educational institutions and licensed placement organizations/employment service providers in the UK recruiting Filipino teachers for the said country shall have the following recruitment documents verified by the Philippine Overseas Labor Office (POLO) in the United Kingdom:

1.1 For government and private educational institutions which act as direct employers of teachers

   a. Special Power of Attorney in favor of the Philippine agency which has undergone notarization by a Commissioner of Oaths in the UK and legalization by the Foreign Commonwealth Office (FCO).

   b. Manpower request of the school-employer indicating the number of teachers required, salary and specialization requirements which has undergone notarization by a Commission of Oaths in the UK and legalization by the Foreign Commonwealth Office (FCO).
c. Master employment contract, signed by the authorized representative of the school employer which has undergone notarization by a Commissioner of Oaths in the UK and legalization by the Foreign and Commonwealth Office (FCO) stipulating the following basic provisions:

- Position of Instructor upon commencement of employment and during the Qualified Teacher Status (QTS) assessment period and Qualified Teacher upon registration with the UK-GTC;

- Basic salary not lower than the equivalent of Scale Point 7 for instructors upon commencement of employment and during the assessment period and immediately adjusted to the appropriate Spine Point in the pay structure for qualified teachers upon UK-GTC registration;

- Contract period of 2 years;

- Payment of teacher's airfares to and from the UK by the employer. Cost of ticket should not be subject to reimbursement by the teachers;

- Repatriation of teachers' remains and property to point of origin, in case of death, at the foreign principal's expense;

- Just causes for termination;

- Applicability of UK laws in the implementation of the employment contract, especially in the resolution of any disputes;

d. Written description of the process to be followed by the employer in granting QTS to the employee;

e. Business license/registration/articles of incorporation or equivalent document, if applicable;

1.2 For employment service providers/placement organizations in the UK

a. Special Power of Attorney in favor of the Philippine agency which has undergone notarization by a Commissioner of Oaths in the UK and legalization by the Foreign and Commonwealth Office (FCO).

b. Manpower request of the employment service provider/placement organization indicating the number of teachers required, salary and specialization requirements which has undergone notarization by a Commissioner of Oaths in the UK and legalization by the Foreign and Commonwealth Office (FCO). In support of the manpower request, the job order of the client school/employer issued to the employment service provider/placement organization should be appended to the above cited document.

c. Master Employment Contract signed by the authorized representative of the client-school employer which has
undergone notarization by a Commissioner of Oaths in the UK and legalization by the Foreign and Commonwealth Office (FCO), stipulating the basic provisions cited in item 1.1.c.

d. Written description of the process to be followed by the employer in granting QTS to the employee.

e. Business license/registration/articles of incorporation or equivalent document, if applicable.

III. Registration of Principals

All verified documents shall be submitted to the POEA through the licensed agency for registration of the principal.

Registration of the principal shall be valid for a maximum of 4 years, unless sooner revoked or cancelled by the Administration on any of the following grounds:

a. expiration of the principal's business license
b. upon written mutual agreement by the parties to pre-terminate the agreement
c. false documentation or misrepresentation in connection with the application for registration; and

d. final judgement in a disciplinary action against the foreign principal

IV. Additional Manpower Request

Subsequent manpower requests from the registered principals shall be verified by the Philippine Overseas Labor Office prior to its submission to POEA. Agencies may submit valid work permits in lieu of verified manpower requests.

In the case of new client-school/employer of previously accredited employment service provider/placement organization, the following shall be submitted for registration:

a. Manpower request of the employment service provider/placement organization indicating the number of teachers required, salary and specialization requirements which has undergone notarization by a Commission of Oaths in the UK and legalization by the Foreign and Commonwealth Office (FCO). In support of the manpower request, the job order of the client-school/employer placement organization should be appended to the above cited document.

b. Verified master employment contract signed by the authorized representative of the client-school employer which has undergone notarization by a Commissioner of Oaths in the UK and legalization by the Foreign and Commonwealth Office (FCO), stipulating the basic provisions cited in item 1.1c.

c. Written description of the process to be followed by the employer in granting QTS to the employee.

V. Renewal of Registration

The registration of the principal shall be renewed provided that all the documents submitted during the initial registration are still valid and the principal has confirmed its intention to renew its registration with the concerned agency.
VI. Open Registration

A principal that acts as direct employer may be registered to more than one agency provided that

a. A uniform compensation package shall be adopted by the principal and the agency and

b. The principal has a verified job order of at least 50 workers; or

c. That the principal must have hired at least 50 workers within a period of one year immediately preceding the registration.

VII. Dual Registration

A foreign placement agency or service provider may be registered to a maximum of two (2) Philippine agencies, provided a uniform compensation package is adopted by the principal and agency.

a. A uniform compensation package is adopted by the principal and agency;

b. The principal has a verified job order at least 50 workers; or

c. That the principal must have hired at least 50 workers within a period of one year immediately preceding the registration.

VIII. Employment Briefing

Employment briefing of teacher-applicants by the principals or their local licensed agency must include specific market information.

IX. Requirements for Contract Processing

1. Request for processing;

2. Individual employment contract based on the approved Master Employment Contract;

3. Accomplished OFW Info Sheet

X. Name Hiring

1. Processing of Filipino teachers hired without the assistance of recruitment agencies shall be allowed provided that:

   a. The employment contract stipulating the basic provisions cited in 1.1.c and business license/registration certificate/articles of incorporation are verified by the Philippine Overseas Labor Office after notarization by a Commissioner of Oaths in the UK and legalization by the FCO;

   b. A written description of the process to be followed in granting QTS to the teacher provided by the school-employer is submitted;

   c. Work permit/entry visa is available.
2. The Administration may allow limited name hiring subject to all the provisions of item 1.

XI. Onsite Monitoring

Employers and/or employment service providers/placement organizations shall inform the Philippine Embassy in the UK of the teachers' arrival. They shall always provide the Embassy the opportunity to visit the Filipino teachers.

This Circular takes effect fifteen (15) days after publication.

VICTORIA C. BERCILES
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and Officer-in-Charge

/LBC
19 July 2002