

Policy on Recruiting Professional Expatriates

1. Introduction:

(a) This is a policy written for recruiting professional expatriates from abroad for employment purpose by the Ministry of Education.

(b) This policy is labeled as "The policy to be followed, in principle, to recruit professional experts"

2. Objective:

The main objective of this policy is to ensure the quality of professional expatriates recruited; and define, through a transparent system, the regulations to be adopted, in recruiting professional expatriates, to meet the requirement needs of the schools.

3. The committee that coordinates the work of recruiting professional expatriates:

(a) A committee named as "Coordinating Committee for Recruitment of Professional Expatriates", in short 'Coordinating Committee', comprising 5 members has to be formed to monitor and coordinate the recruitment process.

(b) Members for the Coordinating Committee will be appointed by the Minister of Education.

(c) While selecting members for the Coordinating Committee, officials working in the section of the Ministry that is directly involved with the employment work should not be included.

(d) When appointing members to the Coordinating Committee, it has to be made sure that the members appointed have no share in an employment agency or have no blood relations to a person belonging to an employment agency.

(e) The Coordinating Committee should be formed with members selected from the following areas:

1- One from among the school principals

2- Four from among the officials working in the Ministry, of rank Executive Level 1 (Ex1) and above.

(f) The list of names short-listed for the Coordinating Committee should be prepared and proposed to the Minister by the Permanent Secretary (PS).

(g) While appointing the members for the Coordinating Committee, a Chair and a Co-chair to lead the committee should also be appointed.

(h) A meeting of the Coordinating Committee should be held only to decide on matters related to the work of professional expatriate recruitment. The secretariat will decide on the manner, date and venue of the Coordination Committee meetings with the consent of the chairperson.

(i) The secretariat of the Coordination Committee will be maintained by HRMD

(j) The quorum of this Coordination Committee is 3 members.

- (k) Decisions of the Coordinating Committee meeting will be taken based on the vote of the majority. In case the voting ended in a draw, a decision will be made by the vote of the chairperson.
- (l) The responsibility of the Chairperson is to arrange and coordinate all matters related to professional expatriate recruitment.
- (m) The responsibility of the Co-chair is to arrange and coordinate all matters related to professional expatriate recruitment when the chairperson is absent.

4. The responsibilities of the Coordinating Committee:

- (a) Monitoring the work of recruiting professional expatriates.
- (b) Approving the requirement list of the professional expatriates, stated in part (a) of point no. 12
- (c) Forming the interview panels.
- (d) Doing the selection on the professional expatriates to be recruited from abroad, based on the results of the interview panels.
- (e) Shortlisting the applicants to be interviewed and giving the approval to the HRMD to interview, after considering the applications sent.
- (f) Ensuring that the list of candidates shortlisted for interviewing does not include a candidate stated in No.16 of this policy who could not be employed.
- (g) Ensuring that the venues have been fixed in the country/countries overseas by the agencies for conducting the interviews; and the approvals for conducting the interviews within the premises of the venues, have been sought before the interview panels depart from Maldives.
- (h) Ensuring that the schedules of the interviews and venues for the interview sessions have been fixed; and the list of candidates to be interviewed have been prepared and disseminated to the interview panels to conduct the interview sessions of the various agencies.
- (i) Deciding the measures to be taken, in consultation with the concerned parties, to resolve issues that arise before sending the recruited professional expatriates to their designated work stations.
- (j) Deciding the number of recruiting agencies required for the upcoming year.
- (k) Deciding the processing fee for the recruitment work.

5. Procedures involved in recruiting professional expatriates:

- (a) Professional Expatriates will be recruited according to the following ways:
 - 1- Recruiting professional experts by the Ministry without involving a recruiting agency.
 - 2- Recruiting professional expatriates through a recruiting agency.
- (b) The work of recruiting professional expatriates can be carried out at one time, in either way, as mentioned above in statement 5, part (a).

6. Conditions to qualify a recruiting agency:

- (a) The recruiting agencies should meet the following conditions in order to be qualified for recruitment:

- 1- Has the license to operate as a recruiting agency during the period of contract for recruitment.
- 2- Have been in operation of recruitment for last 3 years.
- 3- Should have recruited minimum 300 expatriates in the professional category during the last 3 years.
- 4- Should not be an agency against which an action has been taken by the Maldives Immigration or Maldives Police Service for the last 5 years.
- 5- If an action had been taken by Ministry of Education against the agency for recruiting expatriates, the term of that action should have been expired.

(b) In addition to the conditions mentioned above, the agency should meet the conditions relating to the stated bid.

7. Responsibilities of the Recruiting Agency:

(a) The recruiting agencies should shoulder the following responsibilities:

- 1- Ensuring that the candidates that have been sought by the agencies to propose for interview process meet the academic qualifications and merits set by the Ministry.
- 2- Working honestly and sincerely, in line with the directions given by the Ministry through this policy, as well as fulfilling the conditions laid down in the agreement that has been signed to deliver the service of recruitment.
- 3- Not taking unfair advantages from the candidates, in the process of recruitment and ensuring that the third parties allowed into the recruitment process do not attempt it either.
- 4- Preparing the list of candidates proposed for interview process, in line with the example shown in table 2 of this policy, and submitting it to the Human Resource Management Division (HRMD) of the Ministry.
- 5- Instructing the candidates who attend for interview to bring the originals of their academic certificates and other documents; ensuring that they bring these documents; and submitting them to the interview panel for verification.
- 6- Arranging a place to conduct interviews; inviting the list of candidates shortlisted by the Ministry; and making all necessary arrangements for conducting the interviews.
- 7- Stating clearly on the advertisement that the professional expatriates applying for employment will not be entitled to any payment; and getting the advertisements approved by the Ministry before sending them out for publishing.

- 8- Informing the Ministry about the newspapers on which the advertisements are published and sending copies of the advertisements to the Ministry.
- 9- Arranging accommodation and food for the professional expatriates at the rates proposed by the Ministry when they arrive in Maldives.
- 10- Assisting the schools in transporting the professional expatriates to the schools where they are posted by the Ministry.
- 11- Arranging accommodation and food during the period of their stay in Male' on probation and providing air ticket on the agencies' expense for those who are dismissed.
- 12- Ensuring that the agreement between the agency and the third party has no statement that contradicts with any of the points stated in the agreement made between the Ministry and the agency, in case a third party is employed for recruitment work, and submitting the agreement copy to the HRMD of the Ministry.
- 13- Ensuring that the third party closely follows the directions given on this policy.
- 14- Arranging the air ticket to fly to Maldives from their home country for the professional expatriates recruited; arranging food and accommodation during their stay in Male' till they are posted to their work station; and arranging work permit, visa fee and medicals for them.
- 15- Providing food and accommodation while in Male' till they are sent to their workstations and arranging work permit, visa fee and medicals for the professional expatriates recruited by the Ministry, will be carried out by the agency to which the Ministry assigns this responsibility.

8. Selecting the agencies:

- (a) Agencies to recruit professional expatriates should be selected in line with the Public Finance Act of Maldives; the regulations made under the Codes of the Public Finance Act; and the policies of the Ministry of Education.
- (b) A maximum of 5 agencies will be selected to assign the work of recruiting professional expatriates.
- (c) The Coordinating Committee should decide on the number of recruiting agencies, not exceeding five, to be selected for recruitment work for the year ahead.

9. Assigning a third party to carry out the recruitment work:

- (a) If the agency contracted by the Ministry, wishes to employ a third party in the recruitment work, the agency should write to the Ministry and get the Ministry's permission.
- (b) When writing to the Ministry to seek the aforementioned permission, the following documents should be submitted:

- 1- A copy of the agreement made between the agency and the third party.
- 2- An official document that guarantees that the third party has the license to carry out recruitment work.

10. Recruiting expatriates by Ministry of Education:

- (a) When Ministry of Education wishes to do the recruitment of professional expatriates (without involving a recruiting agency), the Ministry has to propose this to the Coordination Committee and carry out the recruitment work in line with the rulings given by the Coordinating Committee.
- (b) Professional expatriates recruited by the Ministry should also be selected in line with this policy, after evaluating their level of competency based on their academic qualifications; experience gained; job related skills; and ultimately based on the interviews conducted by the interview panel.
- (c) The professional expatriates mentioned in (b) above should be selected for employment in line with the procedures described in point no. 15 of this circular.

11. Prohibiting the charging of recruitment fees:

- (a) If any fee is to be involved in the recruitment process, as stated in the Maldivian Employment Act, Code 70, the agency should submit the details of it to the Ministry and get approval.
- (b) In addition to the fee stated in part (a) of this point above, as stated in the Maldivian Employment Act, Code 67, an agency or a third party chosen for recruitment work of the Ministry, following the procedures described on this circular, should not charge a fee of any kind directly or indirectly, from the candidates applying for professional expatriate recruitment of the Ministry of Education.
- (c) If found guilty of having committed a crime stated in part (a) of this point above, the agreement that has been made with the particular agency will be terminated without any prior notice.

12. Responsibilities of HRMD at the Ministry:

- (a) Submitting the list of professional expatriates required to teach specific subjects in each of the schools, to the Coordinating Committee pertinent to the annual staff requirement.
- (b) Sending the lists mentioned in (a) above, to the recruitment agencies according to the instructions given by the Coordinating Committee, and procuring the documents from the agencies that gives proof on the delivery of the lists, and filing them at HRMD.
- (c) Making all administrative arrangements needed to carry out the work of recruiting professional expatriates; arranging and administering the main tasks involved in the recruiting work in agreement with the procedures in this circular; and seeking all approvals pertaining to the recruitment tasks.

- (d) Arranging the recruitment work of the candidates confirmed by the Coordinating Committee from among those proposed by the agency, in line with no. 4, part (a) of point no. 7.
- (e) Managing and administering the work of professional expatriate recruitment as per the directions given by the Coordinating Committee, in reference to point no.7 of this circular.
- (f) Establishing the record of the categories of all people stated in point no.16 of this circular; maintaining the records duly; and sending it to the Coordinating Committee.
- (g) Carrying out the following 3 categories of recruitment work on professional expatriates through 3 different staffs of HRMD:
 - 1- Confirming that the employment post is vacant.
 - 2- Preparing the list of candidates shortlisted from the interviews
 - 3- Releasing offer letter
- (h) Arranging accommodation, food, travel and other admin requirements for the interview panel members from Ministry budget.
- (i) Not seeking any source of assistance from the agencies except for those mentioned on part (h) of this point.
- (j) Claiming the expenditure report on the things mentioned in part (h) within 7 days after completion of the trip and sending it to the Finance Division.
- (k) Filling out the A2 form (form for determining the employee's skills and capabilities) for the lists proposed by the interview panels, within 5 working days after the completion of interviews; and submitting a list of candidates to the Coordinating Committee, arranged in order of merit, separately for each of the subjects interviewed.
- (l) Arranging meetings of the Coordinating Committee and performing all tasks of the secretariat.

13. Forming interview panels and selecting members:

- (a) For the recruitment of professional expatriates, the interview panel will be formed by the Coordinating Committee.
- (b) A new panel of members has to be formed for each of the trips made abroad for the interview purpose. Once the work of interviewing is over, the panel will be dissolved.
- (c) A member appointed for an interview panel to conduct interview abroad, could be appointed to another panel only after having fixed 5 such panels.
- (d) An interview panel can be formed with minimum 3 members.
- (e) Members will be appointed to the interview panel in line with table 1 of this policy.

14. Arrangements made for conducting interviews:

- (a) The decision to send an interview panel abroad will be made if the number of applicants exceeds the requirement by 50%.
- (b) Arrangements should be made by the agencies, to conduct interview for the candidates who had been proposed by the respected agency, when the list of candidates shortlisted for interviewing, as mentioned in part (e) of point no. 4, is sent to the agencies. The expenses involved in these arrangements will not be made from the Ministry's budget.
- (c) Arrangements for conducting interviews for the professional expatriates recruited by the Ministry as in Point No.10 will be made by HRMD of the Ministry.

15. Finalizing the candidates for employment:

- (a) The list of professional expatriates to be employed will be decided by the Coordination Committee, after confirming that the list of applicants, mentioned in Part (k) of point No. 12, proposed by the interview panel, has been prepared in line with Maldivian Civil Service rules, and the employment regulations.
- (b) The professional expatriates from the list of applicants, mentioned in Part (k) of point No. 12, should be employed based on the hierarchical order of their scores.
- (c) In case, a candidate from the hierarchical order, mentioned in part (b) above, cannot be employed, the reason as to why s/he could not be employed, should be sought in written form, and submitted to the Coordinating Committee, and then, the approval should be sought to employ the next in rank.

16. The candidates who could not be employed:

The following applicants shall not be employed under this policy:

- (a) Those who had been employed in Maldives before and terminated for their underperformance.
- (b) Those who had been suspected for acts of sexual harassment/ harm, assault or pestering.
- (c) Those who had been suspected for acts of child-abuse.
- (d) Those who had shared job related confidential information with students.
- (e) Those who had communicated talks against the principles and beliefs of Islam with students or conversed immoral talks with them.
- (f) Those who had been involved in acts of national disputes; involved in planning them; or spreading talks that would cause threat to the freedom, liberty and independence of the country.
- (g) Those who had been dismissed for either not returning for work following an approved holiday or those who had been dismissed for leaving the work station or leaving from Maldives without seeking an approval.

- (h) Those who had been dismissed for not obeying/following the orders/directions given by their immediate supervisors.
- (i) Those, against whom corrective measures had been taken, for going against: the regulations of Maldives Civil Service; rules and regulations of Ministry of Education; Moral/Ethical conducts of teachers.

17. Ensuring the quality of professional expatriates:

- (a) The quality of the applicants recruited, after having been shortlisted by the interview panels and selected for employment by the Coordinating Committee, as stated in Point No.15, should be ensured within a three-month probation period.
- (b) The head of school where the professional expatriate is posted, should evaluate his/her teaching within 2 months, of the three-month probation period, and inform with details to the HRMD of the Ministry in writing, if s/he is found unfit.
- (c) The HRMD of the Ministry should make the necessary arrangements to send off those expatriates, stated in part (b) above, to their countries before the probation period is due.
- (d) Arrangements, to bring down the expatriates to Male' for dismissal within the probation period as stated in part (b) above, should be made by the Ministry.

18. Sending offer letter:

- (a) The HRMD should send the offer letter to the list of applicants selected, in line with part (d) of point no. 4 of this policy, within 7 working days.
- (b) While sending the offer letters to the applicants to be recruited, they should be informed to submit all documents required for their employment approval within 5 days. Also, they should be informed that their offer letter will be cancelled if they failed to submit the documents without having notified the HRMD about the reason for the delay within this period.

19. Sending for employment approval:

- (a) The HRMD will send for employment approval for the professional expatriates recruited by the Ministry.
- (b) When the employment approvals of the applicants recruited through the agency have been received, a copy of the employment approval should be sent to the agency by the HRMD.

20. Making arrangements for Visa and such like:

- (a) The request for work permit should be submitted by the HRMD within 7 working days when their acceptance letter and the required documents have been received.

- (b) The HRMD should send for visa cards for the recruited professional expatriates, through the respective agencies, within 7 working days when they arrive in the Maldives.
- (c) The air ticket to fly from their country to Male', accommodation and food for the stay in Male' till they reach their work stations, work permit, medical and visa fee, for the professional expatriates who are given the offer letter, will be arranged by the agency they recruited. The expenses that are made in this way should be refunded by the Ministry with reference to the agreement signed between the Ministry and the Agency.
- (d) Before the professional expatriates recruited are dispatched to their workstations, the HRMD should conduct an orientation program for them, on the areas such as: cultural aspects of Maldives; the framework of teaching learning activities in the Maldives; policies made to protect the rights of children; civil service regulations; job contracts; and the aspects needed to be made aware of for carrying out the responsibilities of their designated posts.
- (e) The professional expatriates have to be sent to the assigned duty stations only after getting their signatures on their job descriptions as well as their employment contracts.
- (f) The accommodation for the professional expatriates to stay in Male', would be arranged on the basis of two for a room. However, for expatriates from the opposite sexes should be arranged separate rooms except for husband and wife. This information has to be shared with the expatriates by the interview panels before they come down to Maldives.
- (g) The HRMD has to make arrangements in a way that the professional expatriates need not stay in Male' for more than 7 days unless for an unavoidable cause.
- (h) Candidates who come to apply for walk-in-interview have to bear the expense of the air ticket, food and accommodation themselves.

21. General Statements:

- (a) Agreement should not be made with any agency stating that the agency would recruit a specific number of candidates.
- (b) The agreements made with an agency should not last longer than a year and the agreements should be made to recruit professional expatriates for a term of one year of the academic calendar.

22. Breach of the Policy:

- (a) Professional experts should not be employed against this policy in any institution or organization under the Ministry.
- (b) Agencies that go against this policy should be blacklisted for 2 years.

- (c) Minister of Education has the authority to send off any professional expatriate recruited against this policy.
- (d) If a Ministry staff involved in the professional expatriate recruitment is found to have acted against this policy, action should be taken against him/her.
- (e) If a complaint has been logged against a recruiting agency or an agency affiliated with the recruiting agency, the particular agency should be suspended temporarily till the issue has been solved.
- (f) If the agency assigned for recruitment or the affiliated agency was found to have gone against this policy, the agreement made with the agency will be brought to an end and the agency will be suspended.

23. Terminology:

‘child-abuse’ refers to the acts of abusive behavior against children as stated in the laws and regulations of Maldives in effect, as well as the guidelines followed in the schools of Maldives.

‘Professional Category’ refers to ‘professional Occupational Category’ revealed by Maldives Immigration.

‘Agency’ refers to the body that carries out the recruitment work assigned by the Ministry. (It has to be a registered body that has the license to operate as a recruitment body).

‘Ministry’ refers to the Ministry of Education, Republic of Maldives.

‘walk-in-interview’ refers to the interview attended in Maldives.

‘Coordinating Committee’ refers to the committee that has been formed to coordinate the work of recruiting professional expatriates.

‘Third party’ refers to the group or company which is affiliated to the recruiting agency.

24. Effective date of this Policy:

(a) This policy will be put into effect from Sunday, the 22nd of September, 2019.

(b) When this policy is put into effect, the recruitment policy that has been in effect since 30th August, 2019 will be considered void.

22 September 2019

Annex:1

Forming the Interview Panel

1. Finding panel members:

To find members for the panel, schools have to be approached to see if there are people interested. This would be done through a mail sent to the schools by the HRMD. The interested parties should respond to the HRMD through mail.

2. Credentials for panel members:

- (a) The panel members should have minimum, a certificate of level 7 (Bachelor's degree) and should have minimum three-years of teaching experience; or
- (b) Have a Master's level certificate with minimum three-years of teaching experience.

3. Awarding points to the applicants for the interview panel:

- (a) Points will be awarded to the applicants for the interview panel as follows:
 - 1- Bachelor's degree acquired (on the required subject) **15 points**
 - 2- Master's degree acquired **5 points**
 - 3- Points awarded for the number of years of service in the education sector **10 points**
(1 point for each year)
- (b) In case the applicants scored equally, the selection would be done with reference to the grades they obtained in the GCE O'level and A'level exams.

4. Organizing Interview Panels:

- (a) When organizing and arranging the interview panels, each of the panels should comprise members from the following categories:
 - 1- One to evaluate the English Language competency level
 - 2- One from the area of Business Studies subjects
 - 3- One from the area of Science subjects
- (b) Professionals from the category of Mathematics could be included.

5. Selecting the interview panel members:

- (a) The HRMD should propose to the Coordinating Committee, the applicants' list, prepared in reference to the categories of professionals listed below, arranged in order of the score obtained, when points are awarded according to the criteria set.

Categories of Professionals:

- 1- Teachers
- 2- Leading Teachers
- 3- Deputy Principals/Principals
- 4- Education Development Officers (EDO)/Education Officers (EO)

- (b) When selecting applicants from the professional category of teachers, priority should be given to teachers teaching the subject relevant for the interview.
- (c) When selecting applicants from the professional category of leading teachers, priority should be given to leading teachers teaching/supervising the subject relevant for the interview.
- (d) When selecting applicants from the professional category of Deputy Principal/Principal/EDO/EO s/he should have acquired a certificate of Bachelor's degree from the subject area relevant for the interview.

6. Assigning leaders to the interview panels:

- (a) The Coordinating Committee should select a leader from among those selected for each of the panels to lead the panel.

End of Policy

Annex:2

Information form of Applicants for the Posts of Professional Expatriates