	<b>Human Resources Policy Document</b>	
		Effective Date:
	Joining ESF Policy	16 June, 2009


Title : **Joining ESF Policy**

Status : ***New policy***

Approval Date : **16 June, 2009**

Date for Next Review : **June, 2010**

Originator : **Keith Tucker, Director, Human Resources**


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Originator: *Human Resources, ESF Centre*

Originator:  Keith Tucker Director, Human Resources  Date:	Reviewed by:  SMT  Date:	Approved by :  Functional Director/ Chief Executive  Date:
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**REVISION STATUS TABLE**

Revision No	Effective Date	Summary of Revision	Reviewed		Approved	
			By	Date	By	Date
A		New Policy	Keith Tucker	16 June 2009	SMT	

**POLICY DOCUMENT ANNUAL REVIEW**

This Policy document is subject to an Annual Review by ESF that is formally documented to ensure its continuing suitability, adequacy and effectiveness. Areas subject to review include, but are not limited to, follow-up action from previous reviews, policy conformity, review of complaints, status of corrective and preventive actions, and improvements for the forthcoming year. ESF reserves the right to amend this Policy by notice following such review in circumstances in which it considers such change to be necessary or appropriate.

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## 1. PURPOSE

The English Schools Foundation (ESF) understands the importance of newly recruited Staff Members obtaining relevant information in a timely manner to enable them to comply with the regulations of Hong Kong (as required by the Immigration Ordinance, Education Ordinance, and other relevant Ordinances) so that they are able to work in Hong Kong. This Policy provides guidance to newly recruited Staff Members, particularly those from the overseas, for obtaining visas and other required information:

- guidelines for foreign nationals to apply for the appropriate visa to stay or work in Hong Kong legally
- guidelines for teaching staff to apply for the teacher registration
- Mandatory Provident Fund (MPF)
- salary payment
- taxation
- banking


## 2. SCOPE

This Policy applies to all Staff Members in all ESF and ESL entities, namely: -

1. Primary Schools;
2. Secondary Schools;
3. Private Independent Schools;
4. Kindergartens;
5. ESL Head Office;
6. ESF Centre.

## 3. DEFINITIONS / ABBREVIATIONS

ESF	- the English Schools Foundation
ESL	- ESF Educational Services Limited
Senior Managers	- Members of the Senior Management Team of ESF or the management team of ESL
Staff Member	- Any employee of ESF and/or ESL
Principal	- Principal of an ESF School or ESL School or kindergarten
Board	- Board of Governors of ESF
Director HR	- Director Human Resources of ESF
HR Department	- The Human Resources Department of ESF
Teaching Staff	- An inclusive description for all teachers; Full-time, Part-time and Supply.
Full-time Teaching Staff	- Teaching Staff with a contract duration of more than one year and working hours meeting school timetable requirements
Part-time Teaching Staff	- Teaching Staff with working hours of less than the school timetable requirement
Support Staff	- An inclusive description for all non-teaching roles in ESF, including but not limited to; Support Staff in schools and ESF Centre, Education Assistants and Senior Managers.
Full-time Support	- Support Staff with a contract duration of more than one

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| <p>Staff</p> <p>Part-time Support Staff</p> <p>Temporary Staff</p> <p>MPF</p> | <ul style="list-style-type: none"> <li>- year and working hours of 39 hours or above per week</li> <li>- Support Staff with working hours of less than 39 hours per week</li> <li>- Any Staff Member with a contract duration of one year or less, either hourly or monthly paid</li> <li>- The statutory Mandatory Provident Fund as stipulated in the Mandatory Provident Fund Ordinance</li> </ul> |
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#### **4. RESPONSIBILITIES**

##### **4.1 HR Department**

The HR Department will provide support and proforma and a reference noting ESF or ESL's intention to employ a teacher to facilitate the application process of employment visa and teacher's registration of newly recruited Staff Members to enable them to legally work in Hong Kong.

##### **4.2 Staff Members**

It is a pre-requisite of their employment that Staff Members should obtain the necessary visas allowing them to work for ESF or ESL. Staff Members should ensure the validity of their visas throughout the duration of their employment with ESF or ESL.

#### **5. PROCEDURES**

##### **5.1 Employment Visas**

This Section applies to Staff Members who are not holders of permanent Hong Kong resident status.

In general, ESF or ESL sponsors the employment visas of full-time Staff Members who are employed for one year or more. Staff Members working on Part-time, Temporary, or contract duration of less than one year, are qualified for employment only they have appropriate legal status to work in Hong Kong.


Staff Members should provide an updated copy of their employment visa and dependants' visas to the HR Department for record.

##### **5.1.1 Applying for an Entry Visa**

The HR Department will assist newly recruited Full-time Staff Members who are foreign nationals in applying for their first employment visas. They will also assist Staff Members with visa applications for their dependant(s).

Staff Members holding employment visas sponsored by companies other than ESF or ESL and who will continue in the employment of the other company must obtain a sideline visa from the Immigration Department to enable them to work for ESF or ESL.

Detailed information including application forms and required supporting documents for employment visas and dependant visas is available on the Hong Kong Immigration Department's web site: <http://www.immd.gov.hk/>.

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The cost of applying for a first employment visa will be borne by ESF or ESL, the cost of applications relating to dependants is to be borne by the Staff Member.

### **5.1.2 Conditions of Visa**

Staff Members who hold employment visas sponsored by ESF or ESL should note that that the conditions of their visa require them to obtain the permission of ESF or ESL and the Immigration Department to undertake work outside of ESF or ESL. As ESF and ESL are separate legal entities, Staff Members sponsored by ESF are required to follow these rules to enable them to work for ESL and vice versa.

### **5.1.3 Extension of Visa**

HR Department shall provide documentation to Staff Members for the extension of employment visas. The extension application must be submitted to the Immigration Department by the Staff Member personally one month prior to the expiry of their visas. Staff Members who have plans to travel outside Hong Kong before the expiry of their visas are advised to submit the application before they leave Hong Kong. They should explain to the Immigration Department the reason for the early submission. The cost of applying for any subsequent employment visa extension will be borne by the Staff Member.

## **5.2 Applying for Teacher's Registration or Teaching Permit for Teaching Staff**

### **5.2.1 Hong Kong Council for Accreditation of Academic and Vocational Qualifications (HKCAAVQ)**

Teaching Staff Members are required to obtain teacher's registration or a teaching permit issued by the Hong Kong Education Bureau. A Staff Member holding non-local qualifications must obtain a qualification assessment from the Hong Kong Council for Accreditation of Academic and Vocational Qualifications (HKCAAVQ).

Staff Members should provide all necessary academic records (e.g. transcripts, certificates, teaching practicum, etc.) which are requested by the HKCAAVQ for assessment.


Information about the qualification assessment by HKCAAVQ can be obtained from its web site: <http://www.hkcaa.edu.hk/en/main.asp>.

### **5.2.2 Teaching Permit and Teachers' Registration**

It is necessary for Teaching Staff to obtain a Teaching Permit or a Teachers' Registration to be legally appointed to a teaching position in Hong Kong.

ESF or ESL will provide assistance for Full-Time Teaching Staff to obtain these professional qualifications. However, for Temporary Teaching Staff, Part-Time Teaching Staff and Supply Teachers, they should obtain such professional qualifications by themselves to be qualified for employment.

Staff Members should provide a copy of their teaching permit / teacher's registration to the HR Department for record.

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**5.3 Mandatory Provident Fund (MPF)**

Staff Members will be enrolled in ESF's MPF Scheme. ESF/ESL and the Staff Members are required to make contributions to the Scheme, the amount of which will not exceed the minimum contribution as stipulated in the MPF Ordinance. There is a minimum contribution required by both the employer and the Staff Member.

**5.4 Salary Payments**

Salaries are paid monthly in arrears in Hong Kong currency directly into the Staff Member's bank account. Staff Members who do not hold Hong Kong Bank accounts will be provided with the necessary supporting documentation to enable them to open a Hong Kong bank account.

**5.5 Taxation**

The Hong Kong Tax year is from 1<sup>st</sup> April to 31<sup>st</sup> March of the following year. A person who works in Hong Kong is liable to pay the amount of tax due under the law. Salaries Tax is not deducted from a Staff Member's salary by the employer. Therefore Staff Members are advised to save for their tax bills which become payable at the end of each tax year.

Information about taxation in Hong Kong is available on the Hong Kong Inland Revenue Department's web site: [www.info.gov.hk/ird](http://www.info.gov.hk/ird)

**6. COMPLIANCE**

Any matters concerning the implementation of this Policy in a particular school/organisation should be raised with the Principal or Senior Managers with a view to reaching a mutually workable solution. Any matters of non compliance should be raised with the Director, Human Resources, ESF Centre.