

Education Bureau Circular Memorandum No. 38/2020

From : Permanent Secretary for Education To : Supervisors/Heads of all aided primary schools and special schools with a primary section

Ref. : (59) in EDB(NETADM)/PNET/1/8/1(2)

Date : 30 March 2020

Native-speaking English Teacher (NET) Scheme in Primary Schools

Appointment and Re-appointment of NETs in the 2020/21 School Year

Summary

This is to inform schools and NETs currently employed under the NET Scheme in Primary Schools about appointment and re-appointment of NETs in the 2020/21 school year. **Schools are requested to bring this circular memorandum to the attention of their NETs.** This circular memorandum supersedes Education Bureau (EDB) Circular Memorandum No. 44/2019 on the same subject.

Details

Appointment and Re-appointment of NETs

2. Schools and their serving NETs with contracts due to expire at the end of the 2019/20 school year are requested to discuss and reach an initial agreement as to whether they wish to have their contracts renewed for another two years. Early discussion on contract renewal matters would enable NETs to make their own future plans and schools to arrange for recruitment or staff deployment. **All schools are requested to return the completed Form A** on “Reply Proforma on Appointment of NETs” to the EDB as detailed in **paragraph 18** to facilitate our planning for the recruitment of NETs.

3. The all-graduate teaching force policy has been implemented in public sector schools since the 2019/20 school year. In this regard, under the NET Scheme in Primary Schools, Category 5 for appointment of NETs at the Certificated Master/Mistress (CM) rank, which accepted applicants without a local bachelor's degree (or equivalent), was made obsolete in the 2019/20 school year when the said policy has been in place. This means that the newly appointed NETs under the NET Scheme in Primary Schools are only appointed at the Assistant Primary School Master/Mistress (APSM) rank according to the qualifications set out in the Appendix. Information about the arrangement for the appointment of serving NETs at the CM rank and newly appointed NETs under the NET Scheme in Primary Schools is available on the EDB webpage at www.edb.gov.hk → Curriculum Development → Resources and Support → Native-speaking English Teacher (NET) Scheme → [Frequently Asked Questions](#).

4. Schools may opt to recruit new NETs directly on their own or entrust the EDB with recruiting NETs on their behalf. In handling the recruitment and appointment of NETs, schools are required to comply with the Employment Ordinance, Education Ordinance,

Education Regulations, other relevant legislations as well as guidelines issued by the EDB from time to time. Schools are reminded to take note of the relevant requirements stipulated in [EDB Circular No. 5/2005](#) and the [School Administration Guide](#). **Schools opting to recruit their NETs directly should ensure that the qualifications of NETs meet the requirements for appointment of NETs in primary schools as set out in the Appendix.** Besides, assessment of non-local qualifications of NETs should be arranged by schools in accordance with [EDB Circular No. 1/2005](#) before offering appointments. **Schools recruiting NETs directly are requested to return the completed Form C** on “Personal Particulars of NETs Recruited Directly by Schools” to the EDB as detailed in **paragraph 18**.

5. Schools are reminded that, since the 2009/10 school year, NETs who have not served under the NET Scheme (NET Scheme in Primary Schools/Enhanced NET Scheme in Secondary Schools) before or with a break in service are required to produce documentary evidence of their having/not having been found guilty of criminal offence [e.g. Certificate of No Criminal Conviction (CNCC)] from the countries/cities where they have resided before they take up an appointment as a NET in Hong Kong. Eligible candidates who are not able to obtain the above-mentioned CNCC since they have been residing in Hong Kong are required to obtain a certificate of statutory declaration from one of the District Offices of the Home Affairs Department certifying that they have not been found guilty of criminal offence before they could be appointed as NETs. Any NETs who have been found providing false information or withholding information willfully in this respect will be disqualified for employment or liable for termination of employment even though they have already assumed duties in schools.

6. With effect from 1 December 2011, the Hong Kong Police Force has launched the Sexual Conviction Record Check (SCRC) scheme which is applicable to prospective employees seeking child-related work or work relating to mentally incapacitated persons in organisations or enterprises (including the NET posts under the NET Scheme in Primary Schools). Given the importance of protecting our students, schools are strongly advised to adopt the SCRC scheme and request prospective NETs to undergo SCRC at the advanced stage of the employment process. Schools are reminded that the scheme does not cover overseas sexual conviction records and does not apply to staff working in the same school under continuously renewed contracts without a break. Please refer to [EDB Circular Memorandum No. 179/2011](#) for details.

Provision of NETs for Schools

7. A NET is generally provided for every public sector primary school (including special schools with a primary section) operating six classes or more and implementing a mainstream curriculum. Such provision covers schools for children with intellectual disability (ID schools) implementing an appropriate school-based English Language curriculum as adapted from the English Language Education Key Learning Area Curriculum Guide (Primary 1 – Secondary 6) prepared by the Curriculum Development Council. For enquiries about the appropriate school-based English Language curriculum in ID schools, please contact the Special Educational Needs Section of the Curriculum Development Institute at 2892 5474.

8. Please note that primary schools (including special schools with a primary section) with the number of approved classes falling below six in the 2020/21 school year will normally not be allowed to recruit any new NETs. If the NETs in those schools are serving in the first year of their two-year contract in the 2019/20 school year, they will be allowed to complete the contract up to the end of the 2020/21 school year in their respective schools.

In general, schools with fewer than six classes in the 2020/21 school year will not be allowed to renew or extend the two-year contract of their serving NETs unless the number of classes resumes to six or more under special circumstances. Schools with less than six classes will be provided with peripatetic support through the Advisory Teaching Team of the NET Section. These schools will be informed of the arrangements separately in due course.

Retention Incentive

9. With effect from the 2005/06 school year, the EDB has introduced a retention incentive to provide additional incentive for serving NETs to continue their service in the NET Scheme in Hong Kong. NETs who have served two years of continuous service and are in the **third and fourth years of continuous service** OR who have served four years of continuous service and are in the **fifth year of service onwards**, are eligible to apply for receiving a retention incentive of **5% OR 10% of the current base salary** respectively. Under normal circumstances, NETs have to serve continuously in the NET Scheme in order to be eligible for the retention incentive. The incentive is payable to the NET in each school year subject to the school management's confirmation in the annual appraisal that the performance of the NET has been satisfactory. For further details of the retention incentive, schools should refer to [EDB Circular No. 2/2013](#).

Fringe Benefits for NETs

10. Schools are reminded that once the NET's normal place of residence is established as being outside Hong Kong and his/her eligibility for the fringe benefits under the NET Scheme is confirmed, he/she should continue to be eligible for the fringe benefits when re-appointed continuously unless there are changes in the NET's personal or family particulars such as change of marital status, permanent resident status and children having reached the age of 18, etc., which might affect his/her entitlement. All NETs receiving the fringe benefits should report the aforesaid changes to the schools for reassessment of their eligibility for the fringe benefits. Schools are required to remind their NETs of the above requirements and to submit timely applications for the fringe benefits when they report for duty to the schools. For further details of the fringe benefits, schools should refer to [EDB Circular No. 8/2009](#).

Payment of Contract Gratuity

11. Schools should arrange for the payment of contract gratuity for their NETs the soonest possible upon their satisfactory completion of contract. For details of the payment of contract gratuity and the payment of tax before leaving Hong Kong, schools should refer to [EDB Circular No. 4/2012](#).

Appointment for Serving NETs on Completion of Contract

12. For serving NETs who have been recruited through the EDB and wish to change to another school on completion of their current contract at the end of the 2019/20 school year, the EDB can offer assistance to them to look for a new appointment. **These NETs are requested to return the completed Form B** on "Application of Serving NETs for New Appointment on Completion of Contract" to the EDB as detailed in **paragraph 18**. They should note that there is no guarantee that they will be offered an appointment at other schools. If they subsequently fail to obtain a new appointment, they would not be able to return to their original schools.

Duties of NETs

13. NETs should work collaboratively with the English panel in the preparation of teaching materials, curriculum development, organisation of English-related activities and staff development, etc., and act as resource persons for the schools. Schools should carefully review the job description and duty lists of the NETs and make sure that they are gainfully deployed. Please make reference to the Deployment Guidelines issued by the NET Section which are available on the EDB webpage at www.edb.gov.hk → Curriculum Development → Resources and Support → [Native-speaking English Teacher \(NET\) Scheme](#) or seek advice from the Advisory Teaching Team at 3549 8331.

Terms and Conditions of Service

14. The specimen letter of appointment together with the sample memorandum on the terms and conditions of service for appointment as teachers under the NET Scheme in Primary Schools is subject to annual review. A specimen letter of appointment, its accompanying sample memorandum on the terms and conditions of service as well as a sample letter of acceptance are available at the EDB webpage for schools' reference. In this connection, schools are advised to check for the latest version of the aforesaid documents, which is expected to be available in May 2020, on the EDB webpage before signing a formal contract with their serving/new NETs.

Employment Visa

15. Before signing a formal contract with NETs coming from abroad, schools are advised to remind them that the offer for employment is conditional upon their having obtained an employment visa allowing them to work for the school as specified in the Letter of Appointment and to stay in Hong Kong for an initial period of at least one year. The visa should be obtained, prior to their arrival in Hong Kong, from the Director of Immigration of the Government of the Hong Kong Special Administrative Region.

16. For NETs who are already working in Hong Kong, the offer of employment is conditional upon their having obtained, prior to the commencement of the contract, an approval from the Director of Immigration of the Government of the Hong Kong Special Administrative Region allowing them to work for the school as specified in the Letter of Appointment and to continue to stay in Hong Kong for at least one year. NETs holding an employment visa for the previous school are still required to seek prior approval from the Immigration Department for change of employment before they report for duty in the new school. In any case, schools should ensure that their NETs have obtained a valid employment visa before reporting for duty.

Teacher Registration

17. Section 42 of the Education Ordinance stipulates that any person who teaches in a school has to be either a registered teacher (RT) or a permitted teacher (PT). Therefore, schools should ensure that their NETs have undergone the registration formalities in compliance with the law. NETs should apply to be RTs or the schools should apply for the NETs to be PTs prior to their assumption of duties. For enquiries in this regard, please contact the Teacher Registration Team of the EDB at 3467 8281 or 3467 8282.

Forms to Be Completed

18. School heads are strongly advised to discuss the appointment and re-appointment matters with the NETs before returning the form(s) to the EDB. Schools and the NETs should complete the form(s) where appropriate:

Form A	<i>Reply Proforma on Appointment of NETs</i> – To be completed by all eligible aided primary schools and special schools (with a primary section) under the NET Scheme in Primary Schools in the 2020/21 school year.
Form B	<i>Application of Serving NETs for New Appointment on Completion of Contract</i> – To be completed by serving NETs who have been recruited through the EDB recruitment boards and whose contracts will NOT be renewed upon expiry at the end of the 2019/20 school year.
Form C	<i>Personal Particulars of NETs Recruited Directly by Schools</i> – To be completed by both the schools and the new NETs recruited by them directly in the 2020/21 school year.

Completed Form A and Form B should be returned to the NET Administration Team by fax at 2123 1239 by **4 May 2020** while completed Form C should be returned to the NET Administration Team by fax within 7 days after a contract is signed between the school and the NET. Schools and NETs should also take note of the “Personal Information Collection Statement” on the last page of this circular memorandum.

Enquiries

19. For enquiries, please contact Ms Hazel LI on 2892 6495 or Ms Rita TSE on 2892 6525 of the NET Administration Team of the EDB.

Benjamin YUNG
for Permanent Secretary for Education

c.c. Supervisors/Heads of all private primary schools/DSS schools, and
Heads of Sections/Government primary schools – for information

**Qualifications for Appointment of Native-speaking English Teacher (NET)
under the NET Scheme in Primary Schools**

- The applicant should be a native-speaker of English or possess native-speaker English competence.

Native speakers of English are people who acquire the language in infancy and develop the language through adolescence and adulthood within a community where English is spoken as the first language. Native-speaker English competence refers to the ability to use English fluently and spontaneously, to give grammatically accurate responses in communication and to write or speak creatively.

Non-native speakers of English, i.e. people who have not acquired the language in early childhood, are also suitable for employment as NETs if their English competence is not different from that of native-speakers in terms of fluency, accuracy and creativity in language use.

- Preference will be given to applicants with experience in teaching English as a second/foreign language.
- For appointment in special schools, preference will be given to applicants who have special education training and/or experience in teaching students with special educational needs.
- Appointment of NETs should be considered according to the following order of priority:

1. **Category 1** (to be appointed at Assistant Primary School Master/Mistress (APSM) rank, MPS pt. 15-29)

- (i) a bachelor's degree in English (i.e. majoring in English Language or English Literature or English Studies or Linguistics¹ or a Modern Language¹) from a Hong Kong university or equivalent;
- (ii) a recognised teacher training qualification in primary education; and
- (iii) a Teaching of English as a Foreign Language or a Second Language (TEFL/TESL) qualification² at least at certificate level, or an equivalent course of study recognised by the EDB³.

2. **Category 2** (to be appointed at APSM rank, MPS pt.15-29)

- (i) a bachelor's degree in any subject from a Hong Kong university or equivalent;
- (ii) a recognised teacher training qualification in primary education; and
- (iii) a TEFL/TESL qualification² at least at certificate level, or an equivalent course of study recognised by the EDB³.

In the event that candidates meeting the requirements in Category 1 – 2 cannot be recruited, consideration may be given to appoint teachers with the following qualifications:

3. **Category 3** (to be appointed at APSM rank, MPS pt.15-29)
 - (i) a bachelor's degree in any subject from a Hong Kong university or equivalent;
 - (ii) a recognised teacher training qualification; and
 - (iii) a TEFL/TESL qualification² at least at certificate level, or an equivalent course of study recognised by the EDB³.

4. **Category 4** (to be appointed at APSM rank, MPS pt.15-29, with salary bar at MPS pt.20)
 - (i) a bachelor's degree in any subject from a Hong Kong university or equivalent; and
 - (ii) a TEFL/TESL qualification² at least at certificate level, or an equivalent course of study recognised by the EDB³.

Note:

1. A degree in Linguistics or Modern Languages should be one in which English is the major language studied.
2. Please make reference to the requirements of TEFL/TESL qualification at certificate level, which is available on the EDB webpage at www.edb.gov.hk → Curriculum Development → Resources and Support → Native-speaking English Teacher (NET) Scheme → Details on the Recruitment of NETs under the NET Scheme in Primary Schools.
3. For example, a Post-graduate Diploma in Education majoring in English.

Confidential

Form A

Native-speaking English Teacher (NET) Scheme in Primary Schools Reply Proforma on Appointment of NETs (to be returned by fax by 4 May 2020)

To: NET Administration Team, the EDB (Fax No: 2123 1239)

NOTE: Please follow the instructions in the brackets [] below in completing all relevant parts of this form

Part I [To be completed by all schools with a serving NET]

Name of the NET: (Mr./Ms./Mrs./Miss*) _____
(First Name) (Family Name)

HKID Card No.: _____

Date of Birth: _____
dd / mm / yyyy

Recruitment Channel of the NET: Through the EDB/By school directly *

Current Contract Period: From _____
(exact dates) dd / mm / yyyy

To _____
dd / mm / yyyy

* Delete as appropriate

The number of approved classes of my school in the 2020/21 school year is as follows:

Class Level	P1	P2	P3	P4	P5	P6	Total
No. of Classes							

Part II [To be completed by schools planning to re-appoint the serving NET in the 2020/21 school year]

Please tick “” one box only:

The school would renew the contract of the NET for two more years from the 2020/21 to 2021/22 school year.

The school would extend the contract period of the NET for one more year in the 2020/21 school year under special circumstances according to relevant stipulations as stated in the Memorandum on the Terms and Conditions of Service for Appointment as Teacher under the NET Scheme in Primary Schools.

The school has applied for the extension of service of the NET beyond the retirement age in the 2020/21 school year according to the circular letter on Extension of Service of NETs beyond the Retirement Age in Aided Secondary/Primary Schools in the 2020/21 School Year dated 18 November 2019.

Confidential

Part III [To be completed by schools planning to appoint a new NET in the 2020/21 school year]

(a) Please tick “☑” **one** box only:

- School would entrust the EDB with recruiting one NET on their behalf
- School would recruit one NET directly

(b) Please provide the reasons for not renewing the contract of the serving NET: *(for statistical purposes only)*

(c) *(for schools entrusting the EDB with recruiting one NET on their behalf)* Please fill in the following information to facilitate the EDB’s provision of suitable NET candidates for your school’s reference:

Religion of School: _____

Requirements (if any): _____

Main Duties of the NET in School: _____

(d) I hereby **give/do not give*** my consent for the EDB to disclose the name, address and fax number of my school to NET candidates in the EDB central candidate pool for direct application to schools upon their request.

* *Delete as appropriate*

Part IV Declaration [To be completed by all schools]

- I confirm that I have read and understood the contents of EDB Circular Memorandum No. 38/2020 on “NET Scheme in Primary Schools - Appointment and Re-appointment of NETs in the 2020/21 School Year” (the circular memorandum). I will follow the appointment requirements set out in the circular memorandum.
- I certify that all the information given in this form is true and accurate.
- I undertake to co-operate with the EDB in the running of the NET Scheme in Primary Schools to make the best use of resources.

Signature of Supervisor/Principal*: _____ Date: _____

Name of Supervisor/Principal*: _____

Name of School: _____ District: _____

School Type: Aided/Special*

Name of Contact Person: _____ Tel. No.: _____

* *Delete as appropriate*

Confidential

Form B

**Native-speaking English Teacher (NET) Scheme in Primary Schools
Application of Serving NETs for New Appointment on Completion of Contract
(to be returned by fax by 4 May 2020)**

To: NET Administration Team, the EDB (Fax No: 2123 1239)

NOTE: To be completed by the serving NET who has been recruited through the EDB recruitment boards and whose contract will not be renewed upon expiry at the end of the 2019/20 school year

Part I

Name: (Mr./Ms./Mrs./Miss*) _____
(First Name) (Family Name)

Name of Current School: _____

* Delete as appropriate

Please tick “☑” either A or B below:

- A. I would like to resume my status in the EDB’s central candidate pool and request the EDB to offer the following assistance: (you can tick “☑” more than one box under A)
- (i) I would like to have a list of primary schools with NET vacancies to be sent to my e-mail address provided in Part II below.
 - (ii) I would like to request the EDB to send my personal particulars and curriculum vitae (CV) to primary schools in need of NETs in the 2020/21 school year. **I attach herewith my updated CV^{Note} and give my consent for the EDB to send my personal particulars to schools for their consideration of offering job interviews, on the following understanding:**
 - i. The EDB does not guarantee an appointment for me and interested schools may contact me directly for job interviews;
 - ii. whether I am offered an appointment is at the full discretion of schools;
 - iii. if I subsequently fail to obtain employment at another school, since my contract will not be renewed upon expiry at the end of the 2019/20 school year, I would NOT be able to return to my original school; and
 - iv. all expenses incurred for attending interviews will be borne by myself.

Note: Please consider to include the following information in the CV: (a) Qualifications and teaching experience; (b) Expertise and skills (including duties in the current school); (c) Type(s) of school in which my expertise could be best utilised; and (d) Other remarks, if any (e.g. preference for districts, religion of school, etc.)

- B. I would like to leave the EDB’s central candidate pool and understand that the EDB will not offer any assistance to facilitate me to find a new appointment in the 2020/21 school year. (Please proceed to Part III below.)

Part II

Date of Birth: _____ / _____ / _____
 dd mm yyyy

Daytime Contact Number: _____ Email Address: _____

Part III

Signature: _____ Date: _____

Confidential

Form C

Native-speaking English Teacher (NET) Scheme in Primary Schools Personal Particulars of NETs Recruited Directly by School

(To be returned by fax within 7 days after a contract is signed between the school and the NET)

To: NET Administration Team, the EDB (Fax No: 2123 1239)

NOTE: To be completed by both the school and the new NET recruited by the school directly in the 2020/21 school year

Part I [To be completed by the NET]

Name: (Mr./Ms./Mrs./Miss*) _____
(First Name) (Family Name)

Date of Birth: ____ / ____ / ____
dd mm yyyy

Nationality: _____

Contract Period signed with the school for the 2020/21 school year:

(i) Effective Date of Contract Period : ____ / ____ / ____
dd mm yyyy

(ii) End Date of Contract Period : ____ / ____ / ____
dd mm yyyy

** Delete as appropriate*

Academic Attainment:

Colleges, Universities, etc. (Attended/Attending)	Qualifications (e.g. BA/MEd)	Major Subjects	Full or Part- Time	On Campus/ Distance Learning	Date	
					From (mm/yyyy)	To (mm/yyyy)

Teacher Training Qualifications:

Qualifications (e.g. Dip Teach/BEd/PGDE)	Full Name of Issuing Authority	No. of Weeks of Teaching Practice	Full or Part- Time	On Campus/ Distance Learning	Date	
					From (mm/yyyy)	To (mm/yyyy)

Teaching English as a Second/Foreign Language (TESL/TEFL) Qualification(s):

Qualifications (e.g. Cert/Dip/Master TESL/TEFL)	Full Name of Issuing Authority	Total Course Contact Hours	Teaching Practice (Y/N)	On Campus/ Distance Learning	Date	
					From (mm/yyyy)	To (mm/yyyy)

Confidential

Post-Qualification Experience in Teaching English/ESL/EFL (Please include ONLY continuous employment of more than 3 months)

Name of Institution	Age/ Levels Taught	Subjects Taught	Full or Part- Time	Date	
				From <small>(dd/mm/yyyy)</small>	To <small>(dd/mm/yyyy)</small>

The contents of the above information are true and complete to the best of my knowledge and belief.

Signature: _____ Date: _____

Part II Declaration [To be completed by the school]

- I confirm that, in the appointment of _____(Name of the NET), **all the appointment and qualification requirements** of NETs in primary schools as set out in EDB Circular Memorandum No. 38/2020 on “NET Scheme in Primary Schools - Appointment and Re-appointment of NETs in the 2020/21 School Year” have been followed.
- The following documents have been checked as appropriate:
 - Academic qualification(s)
 - Teacher training qualification(s)
 - Qualifications assessment result for non-local qualifications issued by the Hong Kong Council for Accreditation of Academic and Vocational Qualifications
 - Certificate(s) of service
 - Certificate of No Criminal Conviction
 - Employment visa

Signature of Supervisor/Principal*: _____ Date: _____

Name of Supervisor/Principal*: _____

Name of School: _____ District: _____

School Type: Aided/Special*

Name of Contact Person: _____ Tel. No.: _____

** Delete as appropriate*

Personal Information Collection Statement

1. Any information, including the personal data provided in Form A, B and C (the forms) as indicated in paragraph 18 of this circular memorandum will be used by the EDB for one or more of the following purposes:
 - (a) processing of arrangements relating to the appointment and re-appointment of NET under the NET Scheme in Primary Schools;
 - (b) verifying information with other departments/bureaux of the Government of the Hong Kong Special Administrative Region (the Government) and/or parties outside the Government which is relevant to (a);
 - (c) provision of education services;
 - (d) conducting research and compiling statistics to facilitate planning of education services;
 - (e) processing of matters relating to the development of the education profession; and
 - (f) administering and enforcing of the Education Ordinance and Regulations (Cap. 279).
2. Any information, including personal data, submitted by you may be disclosed to relevant government departments/bureaux and other persons, organisations or agencies for the purposes mentioned above.
3. The provision of personal data in the forms is obligatory. If you do not provide sufficient information, the EDB may not be able to process the application or proceed with the relevant arrangements.
4. Having submitted your personal data, you have the right to request access to and correction of your personal data held by us. Request for access to or correction of personal data should be made in the Data Access Request Form and sent to the Controlling Officer (Data Protection), 15/F., Wu Chung House, 213 Queen's Road East, Wan Chai, Hong Kong. For more information about the privacy policy, please visit [the website of the EDB](#).