

## **Department for Education – EU EXIT: No deal preparations – guidance for schools in England**

**Advice to schools in England on how to prepare in the event that the UK leaves the EU without a deal.**

### **Background**

Leaving the EU with a deal remains the government's top priority. This has not changed. However, a responsible government must plan for every eventuality, including a no deal scenario. We are intensifying and accelerating no deal planning to ensure we are fully prepared.

The government has launched a public information campaign to ensure that UK citizens, businesses, EU citizens living in the UK and UK nationals living in the EU are well informed about how EU Exit will affect them and the practical steps they may need to take to prepare. Some of the advice applies in both a deal and no deal scenario. All information will be published on the [Prepare for EU Exit website](#).

These pages will enable you to find the latest advice and information on any aspect of EU Exit that affects you. The Department for Education, and other government departments, will publish further information and update information already available.

## **EU, EEA EFTA and Swiss nationals and the EU Settlement Scheme**

In a no deal exit, EU, EEA EFTA and Swiss nationals<sup>1</sup> and their family members living in the UK will be able to work, study, and access benefits and services on broadly the same terms as now.

EU, EEA EFTA and Swiss citizens will need to apply to stay in the UK if they are planning to continue living in the UK after 2020. In a no deal scenario, the EU Settlement Scheme would be open to those living in the UK by 29 March 2019. The deadline for applying will be 31 December 2020 if the UK leaves the EU [without a deal](#).

Schools can play a role in bringing the EU Settlement Scheme to the attention of EU, EEA EFTA and Swiss pupils and their families and EU, EEA EFTA and Swiss members of staff. A [toolkit for employers](#) and details of the [EU Settlement Scheme](#) are available.

Irish citizens' right to live in the UK will not change after the UK has left the EU. They can continue living their lives here as they do now. Irish citizens do not need to apply for the EU Settlement Scheme, but their family members who are not Irish or British citizens will need to. The rights to work, study, access benefits and services will be preserved on a reciprocal basis for UK and Irish nationals. There will also be full protection and maintenance of the current arrangements for journeys between the UK and Ireland. For more information, read our guidance on [Citizens' rights - UK and Irish nationals in the Common Travel Area](#).

### **New arrivals**

In the event of no deal and following the ending of free movement once the Immigration Bill is enacted, European temporary leave to remain will be granted to EU, EEA EFTA and Swiss citizens newly arriving in the UK after exit to live, study and work here for a period longer than 3 months.

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<sup>1</sup> The EU refers to the 27 member states of the European Union, EEA EFTA refers to Norway, Iceland and Liechtenstein. The EEA comprises the EU and the three EEA EFTA countries. EFTA refers to Norway, Iceland, Liechtenstein and Switzerland.

EU, EEA EFTA and Swiss citizens will continue to be able to study in the UK during the transition period. After an initial 3-month period, they can remain in the UK for 36 months if they successfully apply for leave to remain.

Irish citizens will not need to apply for European temporary leave to remain, but their non-British or non-Irish dependants will.

Further guidance is available on [gov.uk](https://www.gov.uk).

## **School places**

Any child living in the UK can apply for and access a school place in England irrespective of migration status. This will continue after our exit from the EU.

In England, school admissions processes do not take into account either immigration status or nationality and so schools must not deny a child a place on the basis of their nationality or migration status. Guidance on admissions processes are set out in the statutory [School Admissions Code](#). EU, EEA EFTA and Swiss nationals currently have access to a school-based education in England.

In a no deal scenario, following the UK's exit from the EU, EEA EFTA and Swiss nationals living in the UK by 29 March 2019 can remain in the country and access benefits and public services, including education, on broadly the same terms as now. Receipt of certain benefits might also qualify families for free school meals. Check if your child can get free school meals in England on [gov.uk](https://www.gov.uk). They would need, however, to apply to the EU Settlement Scheme by 31 December 2020 to remain beyond this date. The government has published arrangements for these EU citizens in the case of a non-negotiated exit from the EU [here](#) and for EEA EFTA and Swiss nationals [here](#).

The right of Irish nationals to access education in England/the UK is/will continue to be protected under the [Common Travel Area](#) arrangements.

Applications for a school place can be made from overseas by those with a right of residence in the UK, but admission authorities and local authorities may require an applicant to provide proof of residence in the UK so that schools can apply their admission arrangements. UK nationals returning from the EU should be considered for admission to a school on the same basis as people living in the UK. UK nationals who return from the EU after EU Exit will be legally entitled to access benefits in the same way as they are now.

### **Preparations as an employer, including the recognition of teaching qualifications for EEA and Swiss nationals**

The government has published [advice to inform employers of the potential implications of a no deal exit](#) and steps that can be taken to prepare. It covers issues such as workplace rights and protections that come from EU law. See the [Workplace rights if there's no Brexit deal guidance](#).

### **Recognition of teaching qualifications**

Currently EU, EEA EFTA and Swiss qualified teachers have the right to have their professional status and qualifications considered for the award of Qualified Teacher Status in England. EU EEA EFTA and Swiss professionals whose qualifications have been recognised before 29 March 2019 or who have applied for a recognition decision before that time will retain this right in a no deal exit.

In a no deal scenario, the current system of reciprocal recognition of professional qualifications between the EU, EEA EFTA and Switzerland and the UK will not apply after 29 March 2019. This does not affect those who have already had their qualifications recognised in the UK or have applied for a recognition decision before 29 March 2019. There will be no retrospective change for people who have already had their EU, EEA EFTA and Swiss professional status and qualifications recognised and been awarded Qualified Teacher Status in England.

After we leave the EU, we will ensure that professionals with EU EEA EFTA or Swiss qualifications, including teachers, will still have a means to seek recognition of their professional qualifications through a new system. Further information will be published shortly on gov.uk.

The arrangements above are without prejudice to the rights and privileges accorded, by virtue of the [Common Travel Area](#), to Irish and UK citizens when in each other's state.

### **Checking for EEA regulating authority teacher sanctions or restrictions**

In a no deal scenario, the requirement for EEA professional regulating authorities to share details of any sanction or restriction imposed on teachers will no longer apply. This means the Teaching Regulation Agency will no longer maintain details of those teachers who have been sanctioned in EEA member states. Keeping Children Safe in Education statutory safeguarding guidance will be updated shortly to advise schools and colleges about how an EEA regulator's assessment of a teacher's professional competence can be checked in future.

### **Travel to the EU**

If there is no EU Exit deal, you will need to take new action before travelling to an EU destination. There are a number of issues you will need to be aware of when planning travel to the EU for staff or students. The government has published [information on the actions that you will need to consider, including in relation to passports, health cover and transport](#).

If there is no EU Exit deal, after March 2019, UK nationals will need to check the details of their passports and, if necessary, apply for a new one before travel to a Schengen Area country. For most people no action will be required, but if the passport has less than six months validity remaining, it will need to be renewed in advance. Read the guidance on [passport rules after Brexit](#). There will be [full protection and maintenance of the current arrangements for journeys between the UK and Ireland for UK and Irish citizens](#).

You can also read the [information on travel insurance](#) and [transport issues](#).

## **Data Protection**

In the event that the UK leaves the EU on 29 March 2019 without a deal, UK organisations will need to ensure they continue to be compliant with data protection law. For organisations that operate only within the UK there will be no immediate change. For organisations that operate internationally or exchange personal data with partners in other countries or whose data is hosted in the EU, there may be changes that need to be made ahead of the UK leaving the EU to ensure minimal risk of disruption. It is important to review whether you would be affected. For those that would be affected, early action is advised as changes may take some time to implement. The [guidance from the Information Commissioner's Office \(ICO\)](#) sets out in six steps what your organisation should be doing to be prepared for EU exit. Further information and resources on EU exit can be found on the [ICO website](#) and on [gov.uk](#).

## **Food supplies**

The government has been working to plan arrangements that ensure goods can continue to flow into the UK without significant delays from additional controls and checks. We are continuously engaging with a wide range of stakeholders to support industry preparedness. However, the government does not have control over the checks imposed by EU Member States at the EU side of the border.

The government, including the Department for Education, will continue to work with food suppliers to prepare for a no deal departure from the EU. Schools have significant flexibilities within the school food standards. Local authorities and schools must exercise their power to provide meals to all registered pupils who request one. Where the pupil meets the criteria for free school meals, the meal must be provided, free of charge.

## **Erasmus+**

We recommend that Erasmus+ and European Solidarity Corps projects that are currently contracted continue being delivered, and applications are submitted to the UK National Agency for the 2019 Call for Proposals as normal. We have recently issued further guidance in the form of a [technical notice](#).