

Recruitment of overseas teachers guide from 1 January 2021

On 1 January 2021, free movement between the EU countries and UK will come to an end. As a consequence of this, there have been legislative changes to who may live and work in the UK from the EU countries. This guide sets out and explains these changes, how they will impact on recruitment of overseas staff and how schools can legally recruit both teaching and non- teaching staff from this date.

The New Skilled worker route

The new points-based immigration system comes into force as of 1 January 2021. This system will treat all applicants from EU and non- EU countries the same in the consideration of applications to live in the UK and applications for skilled roles. This will replace the general Tier 2 skilled worker route. As with Tier 2, under the new points-based scheme an applicant must be sponsored to undertake a specific job which meets skills and salary requirements by an employer licenced by the Home Office. The applicant must already have secured an offer for the job that they are applying for under this route.

EU, EEA and Swiss citizens arriving in the UK before 31 December 2020 who wish to live, and work here should not apply through this points-based system. If they wish to continue to live and work in the UK from 01 July 2021, they are required to register for the EU Settlement Scheme (EUSS).

Teaching and some non-teaching associate staff can be recruited through the new skilled worker points-based system. From January 2021, the job you're offered will need to be at a required skill level of RQF3 or above see [What different qualification levels mean](#) (equivalent to A level). You'll also need to be able to speak English and be paid the relevant salary threshold by your sponsor. Teachers will need to earn at least £25,600 (or pro rata for part time). For non-teaching staff, if you earn less than this - but no less than £20,480 - you may still be able to apply by 'trading' points on specific characteristics against your salary. For example, if you have a job offer in a shortage occupation see [skilled worker visa shortage occupations](#) or have a PhD relevant to the job.

A job identified as meeting the required skill level will be assigned what is called a Standard Occupation Code (SOC). Each SOC has an allocated skill level and number. This will determine whether the job meets the requirements for the skilled worker route.

A total of 70 points is required for an individual to work in a skilled role within the UK. The criteria consist of a total of nine characteristics, each allocated a set number of points. There are three mandatory characteristics which must be met for an applicant to be considered under the skilled worker scheme. The remaining six are defined as being 'tradeable'. This means that if an applicant was to score 0 points on one of these characteristics, but who could score a total of 70 or more points in their application through meeting the criteria for the three main characteristics and other tradable characteristics could have their application considered under the skilled worker route.

Skilled worker route and points

The table below sets out a breakdown of the nine characteristics under the skilled worker route and points assigned to each of these:

Characteristics	Mandatory/Tradeable	Points
Offer of job by an approved sponsor	Mandatory	20
Job at appropriate skill level	Mandatory	20
Speaks English at required level	Mandatory	10
Salary of £20,480 to £23,039 (or at least 80% of the going rate for the profession (whichever is the higher)	Tradeable	0
Salary of £23,040 to £25,599 (or at least 90% of the going rate for the profession (whichever is the higher)	Tradeable	10
Salary of £25,600 or above (or at least the going rate for the profession (whichever is the higher)	Tradeable	20
Job in a shortage occupation as designated by the Migratory Advisory Committee	Tradeable	20
Education qualification: PhD in a subject relevant to the job	Tradeable	10
Education Qualification: PhD in a STEM subject relevant to the job	Tradeable	20

Example of tradable characteristics

Lab Technician with STEM PhD with salary offer of £21,000 per annum. The salary would attract 0 points. However, all three mandatory criteria are met. The Education is a STEM PhD= 20 points. This will give a total of 70 points, and therefore the application will meet the criteria for the skilled worker route.

Graduate route

This route can apply to both teaching and some skilled associate posts. A graduate visa will be available to international students who have completed a degree in the UK from Summer 2021. This visa will enable students to remain in the UK and work at any skill level for a period of two years following the completion of their studies.

International students who complete a PhD from Summer 2021 can remain in the UK and work for a period of three years following the completion of their

studies.

Teachers and trainee teachers on a graduate visa will be able to apply to switch to another visa route (or apply under the skilled worker route) without having to leave the UK if they meet the requirements of that route/visa scheme.

Youth mobility scheme visa

This visa is aimed at young people aged 18-30 from certain countries who have certain types of British nationality. This visa lasts for a period of up to two years. Teachers can work on this visa in the UK without being sponsored by their employer.

Teachers on the youth mobility scheme may be able to switch to another visa route or may apply under the skilled worker route without having to leave the UK. In order to do this, the applicant will be required to meet the requirements of the other route/visa scheme.

Other types of visa

Teaching and non-teaching staff can live and work in the UK under the Family visa or UK ancestry visa. Guidance can be found on the www.gov.uk website.

The International Teacher Recruitment Programme

State funded secondary schools and academies can obtain help from the International Teacher Recruitment Programme when recruiting teachers for: Maths, Physics, Computer Science, General Science and Modern Languages from the following countries:

- Australia
- Canada
- France
- Germany
- Jamaica
- New Zealand
- USA
- South Africa
- Spain.

The programme will continue to recruit international teachers for the remainder of the 2020/21 academic year. Read the guide: [Recruit teachers from overseas](#)

Costs:

DfE will fund:

- recruitment costs, including a DfE appointed recruitment agency
- an acclimatisation package and an ongoing CPD programme during the teacher's first year, delivered by a DfE appointed acclimatisation provider

Schools will be required to fund:

- the teacher's salary
- supply cover costs to support CPD days (at least 1 day a term) and mentor training
- sponsorship costs
- Disclosure and Barring Service (DBS) checks Schools must appoint an experienced in-school mentor to support their overseas teacher.

Right to work in the UK checks and documentation:

Until 30 June 2021, employers will be required to continue to carry out right to work checks for EU citizens in the same way. This will include the acceptance of EU passports and identity cards. From 01 July 2021, the documentation and way in which checks are carried out will change. A full list of the various documents used to check if a candidate has the right to work in the UK can be accessed here: [Right to work checklist](#).

Safeguarding checks for teachers from overseas Candidates from overseas must undergo the same checks as all other staff in schools, including obtaining an enhanced DBS certificate with barred list information. This still applies even if the candidate has never been to the UK. When recruiting, schools:

1. must follow part 3 of Keeping children safe in education (KCSIE) statutory guidance, which sets out the safer recruitment checks schools must conduct.
2. must make any further checks they think appropriate so that relevant events that occurred outside of the UK can be considered - the Home Office provides guidance on criminal records checks for overseas applicants.
3. can ask candidates for a teaching position to provide proof of their past conduct as a teacher as issued by the professional regulating authority in the country in which the applicant has worked - where available, this can be considered together with information obtained through other pre-appointment checks to help assess suitability.
4. should, until 1 January 2021, check for teacher sanctions or restrictions imposed by an EEA professional regulating authority.

Further guidance on safeguarding: <https://www.gov.uk/guidance/recruit-teachers-from-overseas>

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