



Employing Educators From Overseas: Voluntary Code Of Practice



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Understanding the reasons for migration

There are many and varied reasons why people either choose to teach when in the UK or come to the UK with the specific intention of teaching. Educators from overseas are typically:

- Undergraduates coming to study in the UK
- Graduates coming to the UK to train as teachers
- Fully qualified teachers migrating to work in Britain
- Graduates becoming teachers post-migration
- Refugee graduates and undergraduates, including qualified teachers.

Immigration status of educators from overseas (assumptions made about position after 31 December 2020)

After 30 June 2021, there will be four main categories of educators from overseas. These are:

- Nationals of the European Economic Area (EEA), who have a right to travel, live and work in the UK under the settled, or pre-settled status scheme.
- Nationals of the European Economic Area (EEA), who do not have settled or pre-settled status and must therefore meet the strict requirements of the immigration system to live and work in the UK.
- Nationals of all other countries, who must meet the strict requirements of the immigration system to live and work in the UK.
- Nationals of EEA and other countries who have obtained indefinite leave to remain in the UK (including asylum seekers who have gained refugee status) or have become naturalised British citizens. This code does not apply to educators falling within this category.

About the code

This code is intended to assist [name of governing body/proprietor/MAT/local authority] in making staff from overseas feel welcome and settled in their new environment. It also sets out the steps [name of governing body/proprietor/MAT/local authority] will take to ensure that investment in staff from overseas matches their input and commitment.

This code does not impose any legal obligation on [name of governing body/proprietor/MAT/local authority], nor is it an authoritative statement of the law. The intention is that the code will help guide and reinforce best practice in relation to the employment of staff from overseas.

The code is split into seven elements. At the end of the publication is a section listing sources of further information.

Purpose of the code

In an increasingly connected world, all students and staff benefit from opportunities to learn alongside educators from other cultures and backgrounds. Schools and colleges benefit from the diversity, experience and knowledge of educators from overseas.

The arrival of colleagues from other countries provides opportunities for children and young adults to learn about empathy, sharing and caring, respect and kindness. By their visible presence in the classroom, colleagues from overseas educate against racism and stereotyping and encourage students to develop positive attitudes to cultural and/or ethnic difference. In addition, they help foster social and community cohesion.

We [name of governing body/proprietor/MAT/local authority] recognise that staff from overseas make an extremely valuable contribution to the education system. That is why we commit to making a serious investment in the people we employ by promoting their professional and personal development; supporting their efforts to integrate into the community and treating them fairly at work.

Recruitment

The [name of governing body/proprietor/MAT/local authority] will aim to be ethical in its recruitment practices, both in relation to potential employees and any impact on their country of origin. The [name of governing body/proprietor/MAT/local authority] will:

- Take care that in recruiting from a country, it does not create a shortage of local educators. Recruitment in developing countries will be undertaken with regard to the Commonwealth Teacher Recruitment Protocol and other intergovernmental co-operation agreements;
- Where practicable, apply its usual recruitment and selection policy and procedure when undertaking a proactive recruitment campaign in another country;
- Establish and agree clear and ethical recruitment guidelines to which recruitment agencies, operating on its behalf, should adhere;
- Encourage headteachers/principals to engage new recruits in the summer term (i.e. July or earlier where possible), so that they have time to acclimatise and organise their living arrangements during the summer holidays;
- Ensure that potential recruits are given realistic, accurate, specific and detailed information about working and living in the UK. Where relevant, accurate information on the cost of living, taxation, pay and salary (including pension entitlements), working conditions, the education system, Qualified Teacher Status (QTS) and the school/college's policies will be provided once a candidate is short-listed for interview.

Travel and accommodation

Educators from overseas may have travelled long distances and may need accommodation when they arrive to take up a job. The [name of governing body/proprietor/MAT/local authority] will:

- Where necessary or appropriate, assist with travel costs incurred by the successful candidate during the recruitment stage. [name of governing body/proprietor/MAT/local authority] will usually reclaim these costs from the recruit. Where this is the case, there will be no obligation on the recruit to take up any offer of assistance. Where assistance is accepted, the repayment process will be clear, and the money paid back at an agreed affordable rate over a specified period. The total amount repayable will be no more than that lent so that new recruits are not financially disadvantaged;
- Where possible, support the recruit in finding suitable accommodation. Educators from overseas will not be required to stay in accommodation provided by [name of governing body/proprietor/MAT/local authority], but will be free to choose their own if they wish to do so;
- Help to ensure that, where a recruit obtains their own accommodation, they are not being exploited, and offer advice and help if requested;
- Ensure that any accommodation provided by [name of governing body/proprietor/MAT/local authority] is not overcrowded and does not pose a risk to the health and safety of those living there.

Integration into the community

Relocating to a new country can be difficult and intimidating. Headteachers/principals should try to play an active role in helping educators from overseas settle and integrate into their new host community. Headteachers/principals may wish to:

- Support new recruits in familiarising themselves with the local neighbourhood and facilities by, for example:
 - Helping them register with a dentist and GP;
 - Signposting local resources such as the library, Citizens Advice Bureau and local councillors;
- Provide an induction programme to support newly arrived recruits in adjusting to British culture. This could include information on food, supermarkets, transport, laundrettes, emergency telephone numbers, religious services and maps of the local area;
- Seek to build a sense of belonging, social integration and acceptance by the local community through social or sporting events;
- Where staff are permitted to use the ICT resources for personal use, provide new recruits with information on how they can access the internet and set up personal email accounts to help them keep in touch with their families and reduce feelings of isolation.

The [chair of governors/proprietor/Executive headteacher] will seek to:

- Work with the local police community liaison officers to ensure awareness of safety issues and encourage reporting of racial incidents in the community;
- Encourage local banks and utility providers to produce materials/leaflets for inclusion in 'welcome packs' for staff from overseas.

Fair and equal treatment in the workplace

Treating the people who work for [name of governing body/proprietor/MAT/local authority] well is a key indicator of a socially responsible employer and headteachers/principals must, when acting on behalf of the [name of governing body/proprietor/MAT/local authority] ensure that they treat educators from overseas fairly and equitably in relation to other employees, including other overseas staff. Headteachers/principals should:

- Ensure that staff from overseas have understood their employment status, position in the school/college, working conditions and school/college practices and policies, particularly those relating to classroom management and pupil discipline;
- Encourage staff from overseas to join a trade union of their choice;
- Ensure that, where possible, the same pay, terms and conditions of employment are applied to staff from overseas as apply to other members of staff with comparable experience and occupying similar positions;
- Ensure that proper record-keeping and monitoring processes are in place, to identify when immigration permissions will expire and may require renewal;
- Follow a fair process before acting against a staff member who no longer has the right to work in the UK;
- Recognise that staff from overseas have employment rights and are protected by UK employment legislation;
- Afford staff from overseas the same opportunities for learning and development as other staff and engage in dialogue with them, where appropriate, about their training needs;
- Ensure that the skills and experiences of all staff are respected, irrespective of race or nationality.

Training opportunities

There will be teachers who come from overseas with the intention of settling permanently in the UK. Whether or not they are finally able to settle will depend to a large extent on the support and assistance they receive in attaining Qualified Teacher Status (QTS). Except for teachers from Australia, New Zealand, Canada and the U.S, teachers from non-EEA countries must obtain QTS within four years of commencing employment in an English school, or within two years of commencing employment in a Welsh school. If they do not, their right to live and work in the UK as teachers may be at risk. Headteachers/principals are therefore encouraged to:

- Support staff who wish to gain QTS;
- Ensure that staff from overseas are assessed for QTS as soon as possible;
- Where appropriate, refer staff from overseas to courses that cover the following topics
 - The national curriculum
 - Key stage strategies
 - Behaviour Management
 - Safeguarding
 - ICT

Classroom management

Managing pupil behaviour effectively can be challenging for any educator and may be particularly challenging for educators from overseas because of cultural differences in approach to pupil discipline. **[name of governing body/proprietor/MAT/local authority]** recognise the importance of frequent continuing professional development (CPD) for all staff, but particularly for staff from overseas, who may not have the benefit of experience in the UK education system.

It is vitally important that headteachers/principals act urgently to provide educators from overseas with specific training as to how to deal with behavioural difficulties in the classroom.

Induction packs for all recruits, including recruits from overseas, will include the following: -

[Special Educational Needs in England;](#)

[Mental health and behaviour in schools;](#)

[Restraint and restrictive intervention;](#)

[Behaviour and discipline in schools;](#)

[Use of reasonable force in schools](#)

[Amend the above as appropriate in Wales and Northern Ireland].

Discrimination and harassment in the workplace

Racial discrimination and harassment still occur in schools and colleges, often at the expense of Black and Minority Ethnic (BME) students and school/college staff. Following the referendum on UK membership of the EU there has been a significant increase in reported racist incidents in schools and colleges. The threats and abuse have not been limited to EU migrants in the UK, but also towards non-EU migrants and British born Black and Minority Ethnic (BME) people. [name of governing body/proprietor/MAT/local authority] has a legal duty to address this issue and a responsibility to:

- Promote a culture that recognises, values and respects diversity;
- Take a firm leadership role in challenging any misreporting by local and/or national media coverage of immigration, if we are to fulfil our public sector equality duty;
- Communicate with the wider school/college community to ensure that everyone understands the reasons for the recruitment of staff from overseas, is aware of the skills and experience of the individuals concerned, and understands and respects the cultures they come from;
- Provide staff from overseas with opportunities for dialogue and support on an ongoing basis;
- Identify a liaison person within the school/college to provide advice and support, and encourage the reporting of racial harassment;
- Provide diversity awareness training to school/college staff, where appropriate, and regularly remind them of the procedures adopted to deal with the racial harassment of school/college staff; and
- Ensure staff do not issue discriminatory instructions to any recruitment agencies engaged by [name of governing body/proprietor/MAT/local authority];

Further information

[Gov.UK. QTS guidance](#) – for qualified teachers from the EEA, Australia, Canada, New Zealand or the USA looking to find out more about securing QTS.

[Gov.UK non-EEA guidance](#) – for qualified teachers not from the above countries

[STEM International Teacher Recruitment Programme for maths and physics teachers](#)

[Spain's Visiting Teachers Programme for qualified teachers from Spain](#)

[UK NARIC](#) – the national agency responsible for providing information, advice and expert opinion on vocational, academic and professional skills and qualifications from over 180 countries worldwide

[The Commonwealth Teacher Recruitment Protocol](#)