



Riversdale Primary School

Safeguarding Changes Post Brexit

Keeping Children Safe in Education (2020) was updated on 18th January 2021 to reflect legal changes following Brexit, including guidance on checking the past conduct of individuals who have lived or worked overseas.

Changes:

Paragraphs 149: Removed references to checking Teacher Services for EEA 165 (bullet 5), sanctions.

It now reads: SEE PAGE 38 PARAGRAPH 149: European Economic Area (EEA) regulating authority teacher sanctions or restrictions 149. From 01 January 2021 the TRA Teacher Services system will no longer maintain a list of those teachers who have been sanctioned in EEA member states. Advice about how information about a teacher's past conduct may be obtained can be found at paragraph 172.

What does this mean:

The EEA List is no longer operational now we have left the EU, and the transition period has ended. Riversdale will still do what we can to verify that the successful applicant has not been prohibited in another country. This could include overseas police checks, seeking references and checking overseas qualifications.

The heading on the Single Central Record will stay there. As for anybody appointed between 1st January 2016, and 1st January 2020 – Riversdale will need to keep evidence on the Single Central Record that we undertook the checks that were relevant at the time.

Any new appointments from 1st January 2021, where we identify that they have worked/lived overseas, Riversdale will place in this box the word 'Appt. After Jan 2021' and use the other relevant check box to record other checks (as you normally would). Putting 'Not-applicable' for non-overseas joiners, remains appropriate.

Paragraph 172. Amended to provide advice on how schools and colleges can check the past conduct of individuals who have lived or worked overseas following the UK's withdrawal from the European Union.

It now reads: see page 47, paragraph 172

Individuals who have lived or worked outside the UK

172. Individuals who have lived or worked outside the UK **must** undergo the same checks as all other staff in schools or colleges (set out in paragraphs 154 and 160). This includes obtaining (via the applicant) an enhanced DBS certificate (including barred list information, for those who will be engaging in regulated activity) even if the individual has never been to the UK. In addition, schools and colleges **must** make any further checks they think appropriate so that any relevant events that occurred outside the UK can be considered. These checks could include, where available:

- [criminal records checks for overseas applicants](#) - Home Office guidance can be found on [GOV.UK](#); and for teaching positions
- obtaining a letter of professional standing from the professional regulating

authority in the country in which the applicant has worked. Advice about which regulatory or professional body applicants should contact is available from the National Recognition Information Centre for the United Kingdom, [UK NARIC](#).

Where available, such evidence can be considered together with information obtained through other pre-appointment checks to help assess their suitability. Where this information is not available schools and colleges should seek alternative methods of checking suitability and or undertake a risk assessment that supports informed decision making on whether to proceed with the appointment. Although sanctions and restrictions imposed by another regulating authority do not prevent a person from taking up teaching positions in England, schools and colleges should consider the circumstances that led to the restriction or sanction being imposed when considering a candidate's suitability for employment. Further information can be found in DfE Guidance: [Recruit teachers from overseas](#).

What does this mean:

This paragraph was in Keeping Children Safe in Education (2020) the September edition. However where 172 now goes on to talk about obtaining an Enhanced DBS check (with barred list information) for anyone entering regulated activity, even if they have never been to the UK. This section replaces where the paragraph used to reference how to check the EEA list.

Riversdale will continue to carry out safer recruitment checks on all applicants.

For applicants that have lived or worked outside of the UK, we must make any further checks that we think appropriate so that relevant events that occurred outside the UK can be considered, including obtaining an enhanced DBS certificate with barred list information (even if the teacher has never been to the UK).

Teachers may be able to provide proof of their past conduct as a teacher, issued by the professional regulating authority in the country in which they worked. Where available, such evidence can be considered alongside other information obtained through other pre-appointment checks to help assess their suitability.

Keeping Children Safe in Education now reminds us at the end of paragraph 172, of the importance of 'any other further checks' – in addition to seeking an overseas police check. This could mean that Riversdale will seek a reference from previous employers or viewing a QTS-type certificate for example.