

Guidance

EU exit: no deal preparations for schools in Wales

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Background

The Welsh Government has made clear to the UK Government that leaving the EU without a deal would have a negative impact on Wales. However, we are planning for every eventuality, including a no deal scenario.

In this guidance you will find information relevant to schools in Wales and those who work in our schools, including advice from the UK Government and Welsh Government.

The UK 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 will need to take to be ready. Some of the advice applies in both a deal and no deal scenario.

Settled status applications for EU/EEA and Swiss nationals

In a no deal exit, EU, EEA and Swiss nationals¹ and their non-UK family members living in the UK will be able to remain in the UK and work, study, and access benefits and services on broadly the same terms as now.

Information on applying to the scheme is available on [Gov.uk](#). A [toolkit for employers](#) and details of the [EU Settlement Scheme](#) is available here.

School places

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

In Wales, 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 Wales.

In a no deal scenario, following the UK's exit from the EU, EEA EFTA and Swiss nationals living in the UK 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. They would need, however,

to apply to the EU Settlement Scheme by 31 December 2020 to remain beyond this date. The UK government has published arrangements for these [EU citizens in the case of a non-negotiated exit from the EU](#) and for [EEA EFTA and Swiss nationals](#).

The right of Irish nationals to access education in the UK 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 UK 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. Read 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 Wales. EU EEA EFTA and Swiss professionals whose qualifications have been recognised before the exit date, or who have applied for a recognition decision before that time, will retain this right in a no deal exit. 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 Wales.

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 the exit date. This does not affect those who have already had their qualifications recognised in the UK or have applied for a recognition decision before the exit date.

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 that the current arrangements for accessing details of those teachers who have been sanctioned in EEA member states will no longer be available. The Education Workforce Council has responsibility for the registration of school teachers in Wales and has ~~are preparing~~ arrangements in place to assess the suitability and fitness to practise of all prospective registrants.

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. Please see information published on the [UK Government Brexit portal](#).

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

Data Protection

In the event that the UK leaves the EU 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 Information Commissioner's Office (ICO) sets out in 6 steps [what organisations 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

Availability of schools meals

Meals will be provided in schools, as normal

The majority of school meals are provided by local authority catering services – early indications are that plans are in place to deal with any disruption to food supplies in the event of a no-deal Brexit.

The provision of school meals, including procurement, lies with local authorities or the school governing body where the function has been delegated. Food in schools is regulated via the Healthy Eating in Schools (Nutritional Standards and Requirements) (Wales) Regulations 2013. These regulations allow local authorities and schools a degree of flexibility to adapt school menu choices to ensure continued compliance with the regulations even if some food supplies are disrupted.

Some schools have their own catering arrangements and local authorities are working with them and Governors to assess any potential impact and provide advice and support to make sure they continue to provide schools meals. We are talking to the Welsh Independent Schools Council (WISC) on preparations by independent schools.

Will children still get school milk?

We are committed to continuing to provide milk to school pupils after Brexit.

The UK Government has pledged funding to continue to provide schools with free school milk to 2022. We will continue to work with them on arrangements post 2022. The EU School Milk Scheme does not solely rely upon EU funding. Both the Welsh and UK governments have subsidised the scheme, via national top-ups, since 2001. We have also introduced a further top up so that milk can be provided to Foundation Phase pupils aged between 5 and 7 years old, at no charge to their parents or guardians. This scheme is unique to Wales.

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](#).

1.
 - 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 3 EEA EFTA countries
 - EFTA refers to Norway, Iceland, Liechtenstein and Switzerland

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