



# Guidance

## Employing overseas teachers without QTS: the '4-year rule'

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### Overview

Overseas teachers can teach in maintained schools and non-maintained special schools in England without qualified teacher status (QTS) for up to 4 years. This is called the '4-year rule'.

It is illegal for overseas qualified teachers to continue working as a teacher in a maintained school or non-maintained special school in England for longer than 4 years without QTS.

The 4-year rule applies to overseas teachers who meet all of the following conditions:

- they have qualified as a teacher in a country outside of the UK
- they have completed a course of teacher training which is recognised by the competent authority of that country
- they are employed in maintained schools and non-maintained special schools

Overseas teachers cannot teach in the following settings, for any period of time, unless they are doing [employment-based teacher training](#) leading to QTS:

- pupil referral units (PRUs)
- alternative provision academies
- alternative provision free schools

### What you need to do

#### Schools, local authorities and employment agencies

If you are employing an overseas teacher, we strongly recommend that you tell them about the 4-year rule when you employ them. We also recommend that you make clear to overseas teachers that they need QTS to teach longer than 4 years in some types of schools.

#### Overseas teachers who want to get QTS

If you do not have a degree, or have limited experience teaching, you can [train to teach on a course that will give you QTS](#).

If you have a degree and 2 years' teaching experience, you can achieve QTS by completing the [assessment only route](#) without doing more training.

If you are a teacher from the following places, you can [get QTS without having to do teacher training or assessment only](#):

- Scotland
- Northern Ireland
- the EU
- Iceland
- Liechtenstein
- Norway
- Switzerland
- Australia
- Canada
- New Zealand
- USA

You need to have certain qualifications to apply for QTS. You can [check if your overseas qualifications allow you to apply for QTS](#).

You should check if you have the right qualifications or take the steps to gain QTS as soon as you can. This is because you might need to get another qualification before you can apply for QTS.

You can get more information about [becoming a teacher](#) or [doing teacher training](#).

You may also need a UK visa to teach or train in England:

- non-EEA or Swiss nationals arriving in the UK by 31 December 2020 will come under the [UK's current immigration system](#)
- EEA or Swiss nationals living in the UK by 31 December 2020 can apply to the [EU Settlement Scheme](#) to continue living, working and studying in the UK after 30 June 2021
- all overseas nationals arriving in the UK from 1 January 2021, including those from the EEA and Switzerland, will come under the [UK's new points-based immigration system](#)

### Teaching for longer than 4 years

There are some occasions when an overseas teacher can work for more than 4 years as a class teacher without QTS.

#### Statutory leave

Overseas teachers who have taken some types of leave during the 4 years. This includes:

- maternity leave
- paternity leave
- adoption leave
- parental leave
- shared parental leave
- pregnancy

If they have taken statutory leave, then overseas teachers can teach more than 4 years for the same period of time that they took off work. For example, if they took 34 weeks of statutory maternity leave during their 4-year period, they can then teach 34 weeks longer than 4 years before having to get QTS.

#### Instructors

Overseas teachers can teach longer than 4 years if they are employed as an instructor. Instructors can teach subjects, including vocational training, that require special qualifications or experience.

There is no definition of special qualifications and experience. These are matters that the local authority or governing body need to be satisfied with. An overseas teacher can only be employed as an instructor if they have the special qualifications or experience needed for the instructor post.

Overseas teachers can also work as teaching assistants (without QTS) for any period of time.

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