

# Providing evidence of English language competence: Guidance for EEA trained nurses and midwives

## Introduction

- 1 Nurses and midwives play a vital role in the provision of healthcare in the UK. As a registered nurse or midwife it is your responsibility to make the safety and wellbeing of those in your care your primary concern. A key part of this is communication, and the need to be able to communicate clearly and effectively in English.
- 2 For this reason, in order to hold registration with the Nursing and Midwifery Council (NMC), you must first satisfy us that you have the necessary knowledge of English.<sup>1</sup> This means, ‘a knowledge of English which is necessary for the safe and effective practice of nursing or midwifery in the United Kingdom’.<sup>2</sup>
- 3 Our legislation, the Nursing and Midwifery Order 2001 (the Order) gives the NMC’s Registrar the power to seek evidence or information about a person’s knowledge to make sure that they can practise safely and effectively in the UK.
- 4 In accordance with Article 5A(1) of the Order, the Council will publish guidance for European Economic Area (EEA) trained nurses and midwives.<sup>3</sup>
- 5 This guidance will detail the evidence, information or documents applicants must provide as evidence they have the necessary knowledge of English, as well as the process which will satisfy the Registrar of this. In doing this the Registrar must take account of the guidance published in this document when deciding whether a nurse or midwife has demonstrated the necessary knowledge of English.

## Background

- 6 If you were trained as a nurse or midwife in the EEA and you meet certain requirements you can apply to us to have your qualification recognised and registered. The process for this is set down in EU law.<sup>4</sup> However, as part of our

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<sup>1</sup> Article 9(2)(ba) of the Order

<sup>2</sup> Schedule 4 of the Order

<sup>3</sup> For the purposes of this document the term, “EEA trained nurse or midwife” refers to a nurse or midwife who has undertaken their pre-registration qualification inside the EEA and is:

- A national of a relevant European state (meaning the European Economic Area or Switzerland) other than the UK;
- a national of the UK who is seeking access to, or is pursuing, the profession by virtue of an enforceable Community right; or
- A person who is not a national of a relevant European state but who is, by virtue of an enforceable Community right, entitled to be treated, for the purpose of access to and pursuit of the profession, no less favourably than a national of a relevant European State

<sup>4</sup> Directive 2005/36/EC on the recognition of professional qualifications (the Directive) as amended by Council Directive 2013/2/55/EU

recognition and registration application process, you will need to prove to us that you have the necessary knowledge of English.

- 7 Our core guidance *The Code: Professional standards of practice and behaviour for nurses and midwives* (the Code) contains the professional standards that as a registered nurse or midwife working in the UK you must uphold. Paragraph 7.5 of the Code states that you must 'be able to communicate clearly and effectively in English'.

### **When we will request evidence of knowledge of language**

- 8 This section describes how and when we will request evidence or information to determine whether you have the necessary knowledge of English, and the process we will follow.
- 9 There are a number of opportunities for you to demonstrate your English language competence<sup>5</sup>:
  - 9.1 If we have confidence in your English language competence on the basis of the information that you initially supplied in your application, we will not request further evidence or information;
  - 9.2 If we have doubts about your English language competence, we will request and consider further evidence or information; or
  - 9.3 If doubts remain after you have provided further evidence or information, or if you are unable to provide any evidence, we will ask you to undertake a language assessment before we can register you.
- 10 If your nursing or midwifery qualification meets the requirements for automatic recognition under EU law<sup>6</sup>, but we do not have confidence in your English language competence on the basis of your initial application, we will still recognise your qualification. We will write to you informing you of this and provide you with an opportunity to provide evidence of your language competence before you can progress on to registration.
- 11 If your application is being assessed via the EU general system provisions<sup>7</sup> and we decide that your qualification does not meet our minimum requirements we will require you to undertake a period of adaptation or an aptitude test. We will ask you to provide evidence of your English language competence before we authorise you to begin the period of adaptation or aptitude test. This is because we want to check that your English language competence meets our requirements before you have access to patients.

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<sup>5</sup> By English language competence, we mean the necessary knowledge of English as set out in Paragraph 2.

<sup>6</sup> If you are a nurse responsible for general care (adult nurse) or a midwife and you hold a qualification listed in Annexe V of the Directive, based on the requirements outlined in articles 21 and 40 of the Directive.

<sup>7</sup> Articles 10 to 14 of the Directive

## **Factors we will take into account when requesting evidence of the necessary knowledge of English language**

- 12 On receiving your application, we will review the information you have provided, and based on that, may ask for further information or evidence in relation to your knowledge of English.
- 13 If you have a pre-registration primary nursing or midwifery qualification that was taught and examined in English<sup>8</sup>, we are not likely to request further evidence from you.
- 14 We are likely to ask for further evidence or information if you do not hold a qualification from an EEA state that has been taught and examined in English, or if you have not submitted any of the other evidence outlined in this document.

## **Criteria for assessing language competence**

- 15 Our criteria for assessing evidence and information in relation to knowledge of English are set out below. The criteria reflect our objective of enhancing patient safety and provide us with adequate assurance that you have the necessary knowledge of English before we can register you.
- 16 Should you be requested to provide evidence of the necessary knowledge of English, you must demonstrate competence in the four areas of:
  - 16.1 reading;
  - 16.2 writing;
  - 16.3 listening; and
  - 16.4 speaking.
- 17 Where evidence or information is requested, we will consider the received evidence against the following criteria:
  - 17.1 whether the evidence is recent, objective and independent;
  - 17.2 that it clearly demonstrates that you can read, write, communicate and interact with patients, service users, relatives and healthcare professionals in English; and
  - 17.3 whether we can readily verify the evidence.

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<sup>8</sup> By 'taught and examined in English', we mean that the entire course be taught and examined in English. The course must have been composed of 50% clinical interaction, where at least 75% of this clinical interaction with patients, service users, families and other healthcare professionals was undertaken in English.

## Types of evidence that we are likely to accept

- 18 We know that there are different ways in which you may be able to demonstrate that you have the necessary knowledge of English to practise in the UK. The Registrar has the power to exercise discretion and consider all types of credible evidence which meet the criteria set out above.
- 19 We will review our English language evidence requirements on a regular basis to ensure they remain suitable. We will give full consideration to new sources of evidence that can provide the necessary assurance that you have the necessary knowledge of English.
- 20 However, based on our experience in assessing language evidence from international nurses and midwives trained outside the EEA, we have set out the types of evidence we accept can demonstrate that you have the necessary knowledge of English to practise in the UK.

**Evidence type 1: A recent<sup>9</sup> overall score of 7 in the academic version of the International English Language Testing System (IELTS). You must achieve no less than 7 in each of the four areas of reading, writing, listening and speaking.**

- 21 The majority of nurses and midwives who have to demonstrate their knowledge of English currently do so by achieving the required scores in the academic version of the IELTS tests. IELTS is an objective method of demonstrating competence in English and is widely accepted by many employers, regulators and professional bodies.
- 22 We may accept an IELTS score of at least 7 that is older than two years old, if you can provide evidence to demonstrate that your language skills have not deteriorated in that time. Evidence that we may accept includes, having subsequently completed a recent postgraduate course of study which has been taught and examined in English<sup>10</sup>, or evidence that you have subsequently practised as a nurse or midwife in a country where English is the first and native language<sup>11</sup>.

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<sup>9</sup> By 'recent', we mean evidence relating to English language competence that is less than two years old at the point of making an application to the NMC. The British Council advises that two years is the accepted period for an individual to remain proficient in English if the language is used regularly. Proficiency in English deteriorates after two years if it is not used on a regular basis.

<sup>10</sup> See footnote 5

<sup>11</sup> Our list of countries is modelled on the UK Border Agency's list of 'majority English speaking countries' ([https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/340583/English\\_language\\_v11.0\\_EXT.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/340583/English_language_v11.0_EXT.pdf)). We maintain and update our list on a regular basis. When we are advised that a country's first and native language is English, we contact the relevant Ministry of Health and the nursing and midwifery regulator to seek evidence of this.

**Evidence type 2: A recent<sup>12</sup> pre-registration nursing or midwifery programme that has been taught and examined in English<sup>13</sup> in an EEA state**

- 23 We require that the course must be taught and examined in English.<sup>14</sup> The course must have been composed of at least 50 percent clinical interaction. At least 75 percent of the course's clinical interaction with patients, service users, their families and other healthcare professionals must have taken place in English.
- 24 We need to ensure that the training that you have undertaken provided you with an opportunity to demonstrate ability in reading, writing, speaking and listening in a range of environments.

**Evidence type 3: Registration and two years of registered practise with a nursing or midwifery regulator in a country where English is the first and native language<sup>15</sup> and a language assessment was required for registration.**

- 25 We will contact the nursing or midwifery regulatory authority of the country in which you were registered, to find out which language examination or assessment was used and their requirements before accepting this evidence.
- 26 In circumstances where the regulatory authority operates a different standard of language test than the NMC, or we are unable to verify the results, we may ask nurses or midwives to provide additional evidence to demonstrate their knowledge of English. This may include achieving our required scores in the academic version of IELTS.
- 27 We may require employment references from each of your employers over the previous two years confirming that the practice that you undertook was in English.

**Other evidence**

- 28 The Registrar may accept other forms of evidence at their discretion. This evidence must meet our criteria as outlined in paragraphs 16 and 17.

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<sup>12</sup> See footnote 8

<sup>13</sup> See footnote 7

<sup>14</sup> See footnote 7

<sup>15</sup> See footnote 10