# English Language Requirements – Decision Making Guidance

## Introduction

Nurses, midwives and nursing associates applying to register with us must have the necessary knowledge of English to communicate clearly and effectively.

They must demonstrate competence in:

* Reading
* Writing
* Listening
* Speaking

## What evidence do we accept?

There are three types of evidence we accept:

1. A recently achieved required score in the academic version of the International English Language Testing System (IELTS) or the Occupational English Test (OET). (**Evidence type 1**).
2. A pre-registration nurse, midwife or nursing associate qualification which was taught and examined in English (**Evidence type 2**).
3. Recent practice for at least one year in a country where English is a majority spoken language (**Evidence type 3**).

See our [guidance on registration language requirements](https://www.nmc.org.uk/globalassets/sitedocuments/registration/language-requirements-guidance.pdf) for a more detailed overview.

## How we consider evidence

The evidence the applicant provides must be **recent[[1]](#footnote-2)** so we can be satisfied that it’s a fair reflection of their current competence in English. For example, the applicant’s test scores must have been achieved within the last two years at the point we are considering the applicant’s complete application.[[2]](#footnote-3) However, if the applicant’s test scores have only recently expired at the point we’re considering them we’ll usually allow them to provide additional evidence that they have maintained their proficiency since demonstrating it through the test.

The evidence also needs to be **objective** and **independent**. This means that it’s a fair and impartial reflection of the applicant’s knowledge of English.

We also need to be able to **verify** the evidence. This means making sure that it’s true and accurate.

**Considering additional evidence**

We may ask an applicant to provide additional evidence to support their application, or, in the case of an appeal, they may wish to provide further evidence for a panel to consider. This may include, for example, supporting information from an employer related to their competence in English, or additional evidence about their professional qualifications. Where an applicant provides additional evidence, we will carefully consider it as set out above, alongside our published [guidance on registration language requirements](https://www.nmc.org.uk/globalassets/sitedocuments/registration/language-requirements-guidance.pdf).

The policy principles underpinning the employer reference are, objectivity, fairness and accountability.

Where the applicant has provided an employer reference, it must include examples showing that the applicant can read, write, speak and listen to people. We encourage applicants to provide their reference on a SIFE (Supporting Information From Employers) form, as we’re more likely to accept this as evidence of their English language competence.

A suitable referee will be someone who’s able to provide an objective view of the applicant’s knowledge of English, such as a line manager. The referee must have observed the applicant in practice and observed them using all four domains of language. They must be able to confirm that the applicant is safe to practice as far as their English language competence is concerned.

The referee should be registered with the NMC and have worked with the applicant for at least six months in the past year in a healthcare setting in the UK. This is so they’re able to make an informed and recent assessment, and so that we have the assurance that they are working within the requirements of the Code and that we can take action should we discover that the evidence has not been provided in a fair or objective manner.

The SIFE form should also be counter-signed by a colleague registered with the NMC who can confirm that the referee undertook a suitable assessment of the applicant’s English. The counter signatory must be someone who has responsibility for governance in the organisation that the applicant is working in and who is accountable for ensuring that the processes used to provide and agree a reference are robust, objective and fair.

We must be able to verify the reference, for example, by contacting the person who provided it.

## The Assistant Registrar’s role

Applicants will demonstrate they have the necessary knowledge of English if they’ve met the requirements set out in our [guidance on registration language requirements](https://www.nmc.org.uk/globalassets/sitedocuments/registration/language-requirements-guidance.pdf). If it appears they haven’t met these, their application and the evidence they’ve provided will be considered by an Assistant Registrar.

The Assistant Registrar may ask the applicant for additional evidence or documents in support of their application. This is so the Assistant Registrar can be satisfied that the applicant has the necessary knowledge of English to be capable of safe and effective practice. If the Assistant Registrar isn’t satisfied with the evidence, they can require the applicant to take one of our recognised English language tests.

As this decision is based on the application and supporting documentary evidence alone, Assistant Registrars should not accept additional evidence that does not meet all of the policy principles set out in the [guidance on registration language requirements](https://www.nmc.org.uk/globalassets/sitedocuments/registration/language-requirements-guidance.pdf), and which cannot be properly scrutinised or tested.

### What if the applicant doesn’t agree with the Assistant Registrar’s decision?

The applicant has a right to appeal the Assistant Registrar’s decision to require a language test.[[3]](#footnote-4)

The applicant can submit further evidence as part of their appeal. If the Assistant Registrar is then satisfied that they have the necessary knowledge of English they can decide to concede the appeal – meaning it’s not contested.

An appeal panel will sometimes hear the appeal even if the Assistant Registrar has conceded it. In such cases, it will usually be heard at a meeting not a hearing.

See [our website](https://www.nmc.org.uk/registration/registration-appeals/) for more information about the appeals process.

## The appeal hearing

The appeal hearing is an opportunity for an applicant to present their evidence to a panel, who will consider whether to uphold the Assistant Registrar’s original decision or allow the appeal. The applicant who’s appealing the decision (the appellant) will need to satisfy the panel that they have the necessary knowledge of English language to be capable of safe and effective practice.

We encourage all English language appellants to attend (either in person or remotely) so that the panel is able to ask the appellant questions to help them assess the evidence of language competence. The panel should focus on how the evidence provided meets the policy principles outlined above in relevant settings as an objective measure of English language competence, rather than relying on the way the appellant communicates at the hearing, which may not be a reliable reflection of their language skills in practice.

Appellants may also bring witnesses with them to give evidence, for example someone who can give direct evidence of their English language competence in a healthcare setting. This will usually be their line manager or a colleague registered with the NMC. Panels will assess this evidence in the same way, using the above principles, and may ask the witness questions to help with their assessment.

### The panel’s role

The panel is required to consider the evidence afresh. This includes any new evidence that has been provided since the Assistant Registrar’s decision, and any other evidence such as additional evidence provided at the hearing.

The panel has the discretion to consider all evidence provided, including any new evidence provided by the appellant, but will assess it against our policy principles and evidential requirements set out above in ‘[How we consider evidence](#_How_we_consider)’.

Panels should take into account the full range of evidence, including test scores, and consider carefully why the applicant hasn’t been able to demonstrate that they met our standards through our accepted evidence types.

Having considered all the evidence presented to it, the panel will decide whether it’s satisfied that the appellant has the necessary knowledge of English language for safe and effective practice.

The panel can:

* dismiss the appeal and uphold the Assistant Registrar’s decision to require the applicant to take an English Language test, or
* allow the appeal and accept the applicant has the necessary knowledge of English.

There’s no power for the panel to allow the appeal and then apply conditions to the appellant’s practice.

1. With the exception of the pre-registration qualification for evidence type 2 – there’s no time limit for this [↑](#footnote-ref-2)
2. The British Council advises that test scores showing that a person has become proficient in English should not be relied upon more than two years after they are achieved [↑](#footnote-ref-3)
3. The applicant’s right of appeal is set out in Article 37(1)(za) of the Nursing and Midwifery Order 2001 [↑](#footnote-ref-4)