

English language requirements: skilled workers

Version 17.0

Contents

Contents	2
About this guidance	4
Contacts	4
Publication	4
Changes from last version of this guidance	4
Key facts	5
Points-based system and Appendix W workers	5
Assessing English language	5
Level of English required	6
Tier 1	6
Tier 2	6
Appendix W worker	7
National of a majority English speaking country	9
National of a majority English speaking country: passport or travel document not available	
National of a majority English speaking country: passing the requirement on the basis of nationality	12
If applicant does not provide the documents	12
Degree taught in English	13
Evidence required	13
UK NARIC documentation	14
English to level A1	14
For Tier 1 (Graduate entrepreneur) only	14
Check degree certificate	16
To verify a degree awarded outside of the UK	16
Degree awarded in the UK	16
Grant or refuse applications relying on a degree taught in English	17
If you are not satisfied with the degree	17
English language test	18
Approved tests	18
Check and verify English language test	18
Grant or refuse applications: English language test	20
If you are not satisfied with the English language test	20
Exemptions from the language requirements or no requirement	21
PBS routes	21

PBS routes except Tier 2 (Minister of Religion)	21
Tier 2 (General) migrants who entered the category before 6 April 201 2 (Sportsperson)	
Appendix W worker	22
No English language requirements	22
Applications under Tier 2 (General)	23
English language requirement for doctors, dentists, nurses or midwives a under Tier 2 (General)	
Transitional arrangements	24

About this guidance

This guidance gives information for caseworkers on assessing the English language requirements for Tiers 1 and 2 of the points-based system (PBS) and Appendix W workers.

You can find guidance to assess the English language requirements for Tier 4 of the points-based system in the attributes section in <u>Tier 4 guidance</u>.

This guidance is based on the Immigration Rules – Appendix B and Appendix W.

Contacts

If you have any questions about the guidance and your line manager or senior caseworker cannot help you, or you think that the guidance has factual errors, then email the Economic Migration Policy Team.

Border Force officers can also email Border Force OAS enquiries.

If you notice any formatting errors in this guidance (broken links, spelling mistakes and so on), or have any comments about the layout or navigability of the guidance, then you can email the Guidance Rules and Forms team.

Publication

Below is information on when this version of the guidance was published:

- version 17.0
- published for Home Office staff on 05 March 2020

Changes from last version of this guidance

Changes made to reflect the introduction of the Global Talent category into the Immigration Rules on 20 February.

It replaces the English Language guidance version 16.0 which has been withdrawn and archived.

Related content

Contents

Related external links

<u>Immigration Rules – Appendix B</u> <u>Immigration Rules – Appendix W</u>

Key facts

Applicants must meet the English language requirement and score 10 points for their English language skills, unless they are:

- exempt
- applying under the Tier 1 (Investor) category
- applying under Tier 1 (Exceptional talent)
- applying under Tier 2 (General) as a doctor, dentist, nurse or midwife who has passed an English Language Test which is accepted by the relevant Professional regulatory body (the General Medical Council, General Dental Council or the Nursing and Midwifery Council)
- applying under Tier 2 (Intra-company transfer)
- applying under Tier 5
- applying as an Appendix W worker

Points-based system and Appendix W workers

This guidance tells you when and how to consider the English language requirements for both points-based system routes and Appendix W (Start-up and Innovator) workers. Where the language requirements are met, points-based system applications must be awarded 10 points. Appendix W workers are not awarded points – they either pass or fail the English language requirements.

Assessing English language

The English language requirement can be met in a number of different ways. See the following links:

- National of a majority English speaking country
- English language test
- Degree taught in English
- English language exemptions or no requirement

For safeguarding and promoting child welfare information, please see the following link: Safeguard and promote child welfare.

Related content

Contents

Related external links

<u>Immigration Rules – Appendix B</u> <u>Immigration Rules – Appendix W</u>

Level of English required

To meet the English language requirements, applicants must have passed a test at or above the level required for the route in which they are applying. To meet the requirements for a qualification taught in English, it must have been taught in English to the appropriate level. The tables below set out the level of English required for each route:

Tier 1

Category	Type of application	Level of knowledge of English equivalent to
Tier 1 (Entrepreneur)	Entry clearance and leave to remain.	A knowledge of English equivalent to level B1 or above of the Council of Europe's common European framework for language and learning.
Tier 1 (Graduate entrepreneur)	Entry clearance and leave to remain.	A knowledge of English equivalent to level B1 or above of the Council of Europe's common European framework for language and learning.

Tier 2

Category	Type of application	Level of knowledge of English equivalent to
Tier 2 (Minister of religion)	Entry clearance, and leave to remain.	A knowledge of English equivalent to level B2 or above of the Council of Europe's common European framework for language and learning.
Tier 2 (General)	Entry clearance, leave to remain or any other application not covered elsewhere.	A knowledge of English equivalent to level B1 or above of the Council of Europe's common European framework for language and learning.
Tier 2 (General)	Leave to remain cases where the applicant previously has leave in Tier 2 (General) before 6 April 2011, or any of the following and has	A knowledge of English equivalent to level A1 or above of the Council of Europe's common European framework for language and learning.

Page 6 of 25 Published for Home Office staff on 05 March 2020

Category	Type of application	Level of knowledge of English equivalent to
	not been granted leave in any other routes below:	
	 work permit holder overseas media representative airline ground staff Jewish Agency employee 	
Tier 2 (Sportsperson)	Entry clearance and leave to remain.	A knowledge of English equivalent to level A1 or above of the Council of Europe's common European framework for language and learning.

Appendix W worker

Category	Type of application	Level of knowledge of English equivalent to
Start up	Entry clearance and leave to remain.	A knowledge of English equivalent to level B2 or above of the Council of Europe's common European framework for language and learning.
Innovator	Entry clearance and leave to remain.	A knowledge of English equivalent to level B2 or above of the Council of Europe's common European framework for language and learning.

Applicants with disabilities, for example hearing difficulties, are not exempt from the English language requirement. They must contact a test provider for details of support they can provide.

Related content

<u>Contents</u> <u>Verify test provider</u>

Related external links

Common European framework of reference for languages: learning, teaching, assessment Immigration Rules - Appendix B

National of a majority English speaking country

This section explains how to check whether an applicant satisfies the English language requirement as a national of a majority English speaking country.

Nationals of the countries listed below are considered to be from a majority English speaking country and automatically meet the English language requirement:

- · Antigua and Barbuda
- Australia
- The Bahamas
- Barbados
- Belize
- Canada
- Dominica
- Grenada
- Guyana
- Jamaica
- New Zealand
- St Kitts and Nevis
- St Lucia
- St Vincent and the Grenadines
- Trinidad and Tobago
- The United States of America

To prove they meet the English language requirement, nationals of the above countries must submit either of the following:

- their valid passport
- their valid travel document

If you have any doubts about whether any of the supporting documents an applicant has provided are genuine, you must do verification checks.

Related content

Contents

Related external links

Immigration Rules – Appendix B

National of a majority English speaking country: passport or travel document not available

This page tells you how nationals of majority English speaking countries can still prove English language requirements if their passport or travel document is not available.

If a national of a majority English speaking country is unable to submit either document at the time of the application, they must give full reasons in the passport information section of the application form. The only valid exceptional circumstances for applicants who have not submitted their documents are that they have been:

- lost
- stolen
- expired and been returned to the relevant authorities
- held elsewhere in the Home Office

If any of these circumstances apply, the applicant can exceptionally provide either of the following alternative specified documents:

- current national identity document
- a letter from their home government or embassy

If the applicant submits a letter, it must be on the letter-headed paper of their government or embassy and bear the official stamp of that institution.

An authorised official of that institution must issue the letter, and it must confirm the applicant's:

- full name
- date of birth
- nationality

If the applicant has failed to supply their passport or travel documents because they are already held by the Home Office, then you must make attempts to link these documents to the application.

If you have any doubts about whether any of the supporting documents an applicant has provided are genuine, you must undertake verification checks.

For information on when to grant or refuse on the basis of English language when the applicant is from a majority English speaking country, see: <u>National of a majority</u> English speaking country: passing the requirement on the basis of nationality.

Related content

Contents

Related external links

Immigration Rules – Appendix B Immigration Rules – Appendix W

National of a majority English speaking country: passing the requirement on the basis of nationality

This page explains when you must consider an applicant to have met the English language requirement on the basis of their nationality.

If the applicant submits valid documents to prove they are from a majority English speaking country, you must consider them to have met the English language requirement.

If applicant does not provide the documents

You must check all the supporting evidence submitted to see if you can award points another way. See the following links:

- English language test
- Degree taught in English
- English language exemptions or no requirement

If no other supporting documents can be considered as evidence, you must refuse the application on the basis that the applicant has not satisfied the English language requirement and note on CID. This must be explained fully on the refusal letter.

Related content

Contents

National of a majority English speaking country

National of a majority English speaking country – passport or travel document not available

Degree taught in English

This section tells you how an applicant can satisfy the English language requirement when they hold a degree taught in English.

An applicant satisfies the requirement for a degree taught in English if they:

- have the relevant level of English language as shown in the <u>Level of English</u> required section
- have a qualification (not a professional or vocational qualification) which:
 - o is a UK Bachelor's degree, Master's degree or PhD
 - is a qualification awarded by an educational establishment outside the UK, which is considered by UK NARIC to meet the recognised standard of a Bachelor's or Master's degree or a PhD in the UK, and UK NARIC has confirmed that the degree was taught or researched in English to the relevant level
 - is deemed by UK NARIC to meet or exceed the recognised standard of a Bachelor's or Master's degree or a PhD in the UK, and is from an educational establishment in one of the countries listed below

Majority English speaking countries:

- Antigua and Barbuda
- Australia
- Bahamas
- Barbados
- Belize
- Dominica
- Grenada
- Guyana
- Republic of Ireland
- Jamaica
- New Zealand
- St Kitts and Nevis
- St Lucia
- St Vincent and the Grenadines
- Trinidad and Tobago
- United Kingdom
- · United States of America

Evidence required

To show the applicant has gained the qualification they must provide either:

- the certificate of the award
- an academic transcript (or letter for a PhD qualification) from the institution which awarded the qualification, on official headed paper if they:

Page 13 of 25 Published for Home Office staff on 05 March 2020

- have not yet graduated after successfully completing the qualification
- no longer have the certificate and the institution who awarded it is unable to provide a replacement

The academic transcript (or letter for PhD qualification) must show the following details:

- the applicant's full name
- the name of the institution that awarded the qualification
- the title of the award
- · confirmation that the qualification has been awarded
- the date the certificate will be issued (if the applicant has not yet graduated) or confirmation the institution is unable to re-issue the certificate or award

UK NARIC documentation

If the applicant requires confirmation from UK NARIC that their qualification meets the recognised standard of a Bachelor's or Master's degree or a PhD in the UK, they must provide documentation produced by UK NARIC.

All applicants satisfy the requirement if UK NARIC has assessed the degree as being taught in English to the appropriate level.

English to level A1

If the applicant is required to be competent in English to level A1 (see the table on the <u>Level of English</u> section) 10 points will be awarded for a degree taught in English if the applicant has the relevant level of English language and provides the appropriate evidence listed in the <u>Evidence required</u> and <u>UK NARIC documentation</u> sections.

For Tier 1 (Graduate entrepreneur) only

An applicant for entry clearance or leave to remain as a Tier 1 (Graduate entrepreneur) migrant does not need to provide evidence of a qualification taught in English if they score points in appendix A for having an endorsement from the UK Higher Education Institution (HEI) which awarded the qualification and the endorsement letter confirms the details of the qualification.

Related content

Contents
Degree taught in English
Check degree certificate
Grant or refuse – degree taught in English
Immigration Rules - appendix A

Related external links Common European framework of reference for languages: learning, teaching, assessment.

Check degree certificate

This page explains how you check if a degree certificate submitted to satisfy the English language requirement is genuine.

To satisfy the English language requirement for a degree taught in English, the applicant must provide the:

- degree certificate
- academic transcript with an academic reference from the awarding body. This is only acceptable if the applicant:
 - is awaiting graduation
 - has lost the certificate and the awarding institution is unable to provide a replacement

To verify a degree awarded outside of the UK

You must follow the process in place for verifications within your team. If you are not sure of the process within your team, you must ask your line manager.

Degree awarded in the UK

To verify a degree awarded in the UK, you must contact the awarding institution by:

- finding the contact details of the institution on their website
- telephoning and requesting a fax number or email address for student records
- faxing or emailing a scan of your request with a copy of the certificate or transcript

If you do not receive a reply within 3 days, you must telephone the institution to request a response.

The awarding institution may ask for the written consent of the applicant before disclosing any information. If this happens, fax or email a scan of the signed declarations section of the application form which gives the Home Office the applicant's permission to verify documents.

For information on when to grant or refuse on the basis of a degree taught in English, see the <u>Grant or refuse applications relying on a degree taught in English</u> section.

Related content

Contents
Degree taught in English
Check degree certificate

Grant or refuse applications relying on a degree taught in English

This page tells you when you must consider the English language requirement as being met where the applicant relies on a degree taught in English.

You must consider the English language requirement as being met if you are satisfied the applicant has a qualification at degree level, or above, taught in English.

If you are not satisfied with the degree

You must check all supporting evidence submitted to see if the applicant demonstrates the required level of English in another way. See the following links:

- National of majority English speaking country
- English language test
- English language exemptions or no requirement

You must refuse the application if no other supporting documents can be considered as evidence and note the reason for refusing the application on CID. The refusal letter must clearly explain why this decision was reached.

Related content

Contents

Degree taught in English

Check degree certificate

National of majority English speaking country

English language test

English language exemptions or no requirement

English language test

This section tells you how an applicant applying under either the points-based system or Appendix W can satisfy the English language requirement if they pass an English language test.

Approved tests

Where 2 or more components (reading, writing, speaking and listening) of an English language test are examined and awarded together, for example a combined exam and certificate for reading and writing skills, the applicant must have achieved the required scores in all the relevant components during a single sitting of that examination, unless exempted from sitting a component on the basis of a disability.

You can only accept English language tests from providers approved by the Secretary of State. For a list of approved providers see: Applying for a UK visa: approved English language tests.

You must check:

- the provider, to confirm it is approved by the Home Office for these purposes
- the level of qualifications the applicant was awarded
- the validity period
- that the level is met for all 4 components:
 - o reading
 - writing
 - listening
 - speaking

Check and verify English language test

You must use the secure English language test (SELT) unique reference number included on the application form to check the provider's online verification system, to confirm that the applicant passed the test.

The applicant does not need to provide any other documentation, for example the test certificate.

The application does not meet the English language requirements if the test does not appear on the online verification system.

You must check all the supporting evidence submitted to see if the applicant satisfies the English language requirement in another way. See the following links:

- English language test
- Degree taught in English
- English language exemptions or no requirement

Page 18 of 25 Published for Home Office staff on 05 March 2020

Related content

<u>Contents</u> <u>English language test</u>

Related external links

Online verification

Grant or refuse applications: English language test

This page explains when you must consider the English language requirement to be satisfied if the applicant is relying on an English language test.

You must consider the English language requirement as being met if you are satisfied the applicant has passed a test approved by the Secretary of state and set out in: Applying for a UK visa: approved English language tests.

If you are not satisfied with the English language test

You must check all the supporting evidence submitted to see if the applicant demonstrates the required level of English in another way. See the following links:

- National of a majority English speaking country
- Degree taught in English
- English language exemptions or no requirement

You must refuse the application on the basis that the English language requirement has not been met if no other supporting documents can be considered as evidence. You must note the reason for refusing the application on CID.

Related content

Contents
English language test
Verify test provider

Exemptions from the language requirements or no requirement

This section tells you which migrants are either exempt from the English language requirement or have no English language requirement.

You cannot consider the English language requirement as being met on the basis of a previous grant of leave if false representations were made or a false document or information was submitted (whether it was with the applicant's knowledge or not), in relation to the English language requirement in the application for that previous grant of leave.

PBS routes

You must award an applicant 10 points if they met the English language requirement in a previous grant of leave as a:

- Tier 1 (General) migrant
- Tier 1 (Entrepreneur) migrant or businessperson
- highly skilled migrant under the rules in place on or after 5 December 2006
- Minister of Religion (not as a Tier 2 (Minister of Religion) migrant) under the rules in place on or after 19 April 2007
- Tier 2 (Minister of Religion) migrant, provided that when they were granted that leave they obtained points for English language for being a national of a majority English speaking country, a degree taught in English, or passing an English language test
- Tier 4 (General) student, if the Confirmation of Acceptance for Studies used to support that application was assigned on or after 21 April 2011

PBS routes except Tier 2 (Minister of Religion)

You must also award an applicant 10 points if they met the English language requirement in a previous grant of leave as a:

- Tier 1 (Graduate Entrepreneur) migrant
- Tier 2 (General) migrant under the rules in place on or after 6 April 2011

if, when they were granted that leave, they also scored points for having knowledge of English equivalent to level B1 of the Council of Europe's Common Framework for Language Learning or above.

Tier 2 (General) migrants who entered the category before 6 April 2011 and Tier 2 (Sportsperson)

You must also award an applicant 10 points if they met the English language requirement in a previous grant of leave as a:

Page 21 of 25 Published for Home Office staff on 05 March 2020

- Minister of Religion (not as a Tier 2 (Minister of Religion) migrant) under the rules in place on or after 23 August 2004
- Tier 2 (General/Intra-Company Transfer) migrant, provided that when they were granted that leave they obtained points for English language for being a national of a majority English speaking country, a degree taught in English, or passing an English language test

if, when they were granted that leave, they also scored points for having knowledge of English equivalent to level B1 of the Council of Europe's Common Framework for Language Learning or above.

Appendix W worker

An applicant satisfies the English language requirement if they met it in a previous grant of leave as a:

- Start-up migrant
- Innovator
- Tier 1 (General) migrant
- Tier 1 (Post-Study Work) migrant
- Tier 1 (Entrepreneur) migrant under the rules in place before 13 December 2012
- Tier 2 (Minister of Religion) migrant
- Tier 4 (General) student, and the Confirmation of Acceptance for Studies used to support that application was assigned on or after 21 April 2011

if, when they were granted that leave, they were granted on the basis of having knowledge of English equivalent to level B2 of the Council of Europe's Common Framework for Language Learning or above.

No English language requirements

There are no English language requirements for the following routes:

- Tier 1 (Investor)
- Tier 1 (Exceptional talent)
- Tier 2 (Intra-company transfer)
- Tier 5
- Global Talent (Appendix W Worker)

Related content

Contents
Applications under Tier 2 (General)
Transitional arrangements
Appendix W

Applications under Tier 2 (General)

This page tells you which migrants are exempt from the English language requirement under Tier 2 (General).

If an applicant applies for leave to remain under this category, you can accept English language to level A1 or above if they have previously had leave as a:

- Tier 2 (General) migrant under the rules in place before 6 April 2011
- work permit holder
- representative of an overseas newspaper, news agency or broadcasting organisation
- member of the operation ground staff of an overseas owned airline
- Jewish Agency employee

They must also have not been granted leave to remain in any categories other than those listed above under the Immigration Rules since 28 November 2008 other than Tier 2 (General) and Tier 2 (Intra-company transfer).

English language requirement for doctors, dentists, nurses or midwives applying under Tier 2 (General)

Doctors, dentists, nurses and midwives applying under Tier 2 (General) are exempt from having to meet the English language requirements for visa purposes where they have passed a valid English language test which is accepted by a health professional regulatory body. These are:

- General Medical Council
- General Dental Council
- Nursing and Midwifery Council

Where an applicant is applying for leave in association with a certificate of sponsorship in one of the following SOC codes:

- 2211 Medical Practitioners
- 2215 Dental Practitioners
- 2231 Nurses; and
- 2232 Midwives

You do not need to make any assessment of their English language as this will have been undertaken by their regulatory body as part of their registration.

Related content

Contents
English language exemptions or no requirement
Applications under Tier 2 (General)
Transitional arrangements

Transitional arrangements

This page tells you how to award points under the transitional arrangements.

You can award an applicant 10 points for English language if they apply for leave to remain as a Tier 2 (General) migrant and have previously been granted entry clearance, leave to enter or leave to remain as a:

- Jewish Agency employee
- member of the operational ground staff of an overseas-owned airline
- minister of religion, missionary or member of a religious order
- qualifying work permit holder
- representative of an overseas newspaper, news agency or broadcasting organisation

They must have since been granted leave in any of the following categories:

- Tier 2 (General)
- Tier 2 (Intra-company transfer)
- those listed under the transitional arrangements, as stated above, under the rules in place since 28 November 2008

You can award an applicant 10 points for English language if the applicant:

- is applying for leave to remain as a Tier 2 (Minister of religion) migrant, or
- has previously been granted entry clearance, leave to enter or leave to remain as a:
 - o minister of religion
 - missionary
 - o member of a religious order
- has not been granted leave in any categories other than Tier 2 (Minister of religion) and those listed under the transitional arrangements, as stated above, under the rules in place since 28 November 2008

You can award an applicant 10 points for English language if they:

- apply for leave to remain as a Tier 2 (Sportsperson) migrant
- have previously been granted entry clearance, leave to enter or leave to remain as a qualifying work permit holder
- have not been0 granted leave in any categories other than Tier 2 (Sportsperson) and as a qualifying work permit holder under the rules in place since 28 November 2008

You can award an applicant 10 points for English language if they:

- apply for leave to remain as a Tier 2 (Sportsperson) migrant
- have previously been granted entry clearance, leave to enter or leave to remain as a qualifying work permit holder

Page 24 of 25 Published for Home Office staff on 05 March 2020

 have not been granted leave in any categories other than Tier 2 (Sportsperson) and as a qualifying work permit holder under the rules in place since 28 November 2008

Related content

Contents
English language exemptions or no requirement
Applications under Tier 2 (General)
Transitional arrangements