

## **Annex C: Information for Overseas Nationals**

If you are subject to immigration control (including limited leave to remain), you will be required to provide evidence of your immigration status as at the closing date of the post to which you are applying.

If you have limited leave to remain, you will be considered for the post as long as your immigration category allows you to take up a training programme and is valid on the closing date of the post to which you are applying.

The Resident Labour Market Test will be applied if you are in a relevant immigration category which does not allow you to take up a training programme, and you need to “switch” your status to the Tier 2 category. For further details please visit:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/428196/Tier\\_2\\_5\\_Sponsor\\_Guidance\\_v\\_1\\_1.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/428196/Tier_2_5_Sponsor_Guidance_v_1_1.pdf)

If you need to “switch” your immigration status, you should check the UK Visas and Immigration website to see if you may switch within the UK - <https://www.gov.uk/tier-2-general>

Categories that are not cited in the above guidance will require a “restricted” Certificate of Sponsorship (RCoS) from the sponsor. You will be required to return to your home country to make an application out of country. If you are unsure of the correct route to follow, please gain immigration advice from an authorised advisor/lawyer. We cannot provide advice regarding leave applications. Applications requiring RCoS cannot be guaranteed as they are dependent on the monthly allocation panel and there are a limited number of places available.

Non UK / EEA nationals who have graduated from a UK medical or dental school will have an additional exemption from the Resident Labour Market Test when moving from their Foundation Programme (in Tier 4) directly into specialty training (in Tier 2). This is a one off exemption when switching from Tier 4 to Tier 2. Nationally sponsored trainees (i.e. those sponsored by Health Education England or NHS Education for Scotland) requiring sponsorship for Core training /Higher Specialty Training will be classed as extension applications and will also be exempt from the Resident Labour Market Test within their sponsorship area. Nationally sponsored trainees will need to meet the Resident Labour Market Test when they apply for posts outside of their sponsorship area.

All applicants for specialty training must hold or be eligible to hold full registration with the GMC/GDC.

Please note it is the applicant's responsibility to inform us of any changes to their immigration status during the process.

The tables below set out the main categories of limited leave to remain and eligibility to take up specialty training programmes.

## UK/EEA

Category	Status
UK national	Can apply to a training programme
Partner / civil partner or spouse of a UK national on a probationary period	Applicant will be given an initial grant of 5 years – then can apply for Indefinite Leave to Remain if the relationship is considered genuine by UKVI. Can apply to a training programme and be considered
Fiancé(e)s of a UK national	Can apply to a training programme, Will need to meet RLMT and assigned RCoS. Will need to apply outside of UK
EEA nationals <sup>1</sup> (excluding Croatian nationals)	Can apply to a training programme and be considered
Croatian nationals	Can apply to a training programme, but if appointed (working in the UK for the first 12 months) employer will need to assign a Certificate of Sponsorship, which the trainee can then use to apply for a Purple Registration Certificate. <a href="https://www.gov.uk/croatian-national/overview">https://www.gov.uk/croatian-national/overview</a>
Partner / civil partner or spouse of an EEA national resident in the UK	Can apply to a training programme and be considered
Swiss nationals	Can apply to a training programme and be considered

## Tier 1 Visas

Category	Status
Tier 1 (Post Study Work) no restriction on employment as a doctor or dentist in training – UK graduates only	Can apply to a training programme. Applicant will have to switch to Tier 2 visa once their current leave expires – but will be RLMT exempt – see <a href="https://www.gov.uk/tier-2-general/eligibility">https://www.gov.uk/tier-2-general/eligibility</a>
Tier 1 (Post Study Work) – with endorsement “no employment as a Doctor or Dentist in Training”	Can apply to a training programme. Applicant will have to switch to Tier 2 visa – will need to satisfy RLMT see <a href="https://www.gov.uk/tier-2-general/eligibility">https://www.gov.uk/tier-2-general/eligibility</a>
Tier 1 (General) – no restriction on employment as a doctor or dentist in training	Can apply to a training programme. If applicant’s Tier 1 visa is about to expire, they will have to switch to Tier 2 visa or apply for Indefinite Leave to Remain – will need to satisfy RLMT unless applying to continue a

<sup>1</sup> Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Republic of Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, The Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, United Kingdom

	training programme under the same NHS training number – see <a href="https://www.gov.uk/tier-2-general/eligibility">https://www.gov.uk/tier-2-general/eligibility</a>
Tier 1 (General) – with endorsement “no employment as a Doctor or Dentist in Training”	Can apply to a training programme. Applicant will have to switch to Tier 2 visa – will need to satisfy RLMT – see <a href="https://www.gov.uk/tier-2-general/eligibility">https://www.gov.uk/tier-2-general/eligibility</a>
Tier 1 (Entrepreneur) – with endorsement “no employment as a Doctor or Dentist in Training”	Can apply to a training programme. Applicant will have to switch to Tier 2 visa – will need to satisfy RLMT – see <a href="https://www.gov.uk/tier-2-general/eligibility">https://www.gov.uk/tier-2-general/eligibility</a>
Tier 1 (Investor) – with endorsement “no employment as a Doctor or Dentist in Training”	Can apply to a training programme. Applicant will have to switch to Tier 2 visa – will need to satisfy RLMT – see <a href="https://www.gov.uk/tier-2-general/eligibility">https://www.gov.uk/tier-2-general/eligibility</a>
Tier 1 (Exceptional Talent) with endorsement “no employment as a Doctor or Dentist in Training”	Can apply to a training programme. Applicant will have to switch to Tier 2 visa – will need to satisfy RLMT – see <a href="https://www.gov.uk/tier-2-general/eligibility">https://www.gov.uk/tier-2-general/eligibility</a>
Dependant of Tier 1 with endorsement “no employment as a Doctor or Dentist in Training”	Can apply to a training programme. Applicant will have to switch to Tier 2 visa – will need to satisfy RLMT – see <a href="https://www.gov.uk/tier-2-general/eligibility">https://www.gov.uk/tier-2-general/eligibility</a>

## Tier 2

Category	Status
PBS - Tier 2 (General) - applying from inside the UK	Can apply for training programme. RLMT will need to be satisfied if the applicant changes sponsor or occupation code when applying for new Tier 2 visa <a href="https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/301513/T2_guidance_04-14.pdf">https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/301513/T2_guidance_04-14.pdf</a>
Dependant of a PBS – Tier 2 (General) – no endorsement about employment as a Doctor or Dentist in training	Can apply to a training programme Can retain current visa status as a dependant. However, please be aware that if you wish to be employed under your own immigration status you will be required to meet RLMT and issued a RCOS Candidates will need to apply outside of the UK
Dependant of PBS – Tier 2 (General) – with endorsement “no employment as a Doctor or Dentist in Training”	Can apply to a training programme. Applicant will have to switch to Tier 2 visa – will need to satisfy RLMT – see <a href="https://www.gov.uk/tier-2-general/eligibility">https://www.gov.uk/tier-2-general/eligibility</a>  Applicant cannot switch visa status in country. Restricted CoS will be required.

	Candidate can only apply from outside the UK.
--	---

#### Tier 4/Student Visa

Category	Status
Tier 4 / Student visa holder – graduates of UK medical / dental school – currently FY2	Can apply for a training programme. Applicant will have to switch to Tier 2 visa – but will be RLMT exempt
Dependant of Tier 4 / Student visa holder – no endorsement about employment as a Doctor or Dentist in Training	Can apply for a training programme Can retain current visa status as a dependant. However, please be aware that if you wish to be employed under your own immigration status you will be required to meet RLMT and issued a RCOS. Candidates will be able to apply in the UK  <a href="https://www.gov.uk/tier-2-general/switch-to-this-visa">https://www.gov.uk/tier-2-general/switch-to-this-visa</a>
Tier 4 (Adult Student) – not a graduate of a UK Medical / Dental School but who would have qualified for Tier 1 (PSW)	Can apply for a training programme. Applicant will have to switch to Tier 2 visa – but will be RLMT exempt
Dependant of Tier 4 (Adult Student) – with endorsement – “no employment as a Doctor or Dentist in Training	Can apply to a training programme. Applicant will have to switch to Tier 2 visa – will need to satisfy RLMT and Restricted CoS will be required. <a href="https://www.gov.uk/tier-2-general/eligibility">https://www.gov.uk/tier-2-general/eligibility</a>

#### Tier 5

Category	Status
PBS – Tier 5 (Government Authorised Exchange) – Medical Training Initiative	Can apply for a training programme. Applicant cannot switch visa status in country. Will need to satisfy RLMT Restricted CoS will be required. Candidate can only apply from outside the UK.
Youth Mobility Scheme	Can apply for a training programme. Applicant cannot switch visa status in country. Will need to satisfy RLMT Restricted CoS will be required. Candidate can only apply from outside the UK.

#### Other immigration status

Category	Status
Indefinite Leave to Remain/Settled Status	Can apply for a training programme
Dependant of a person with Indefinite Leave to Remain/Settled Status	Can apply for a training programme
British National (Overseas) with Right of Abode	Can apply for a training programme
British National (Overseas) with no Right of Abode	Can apply for a training programme. Applicant cannot switch visa status in country. Will need to satisfy RLMT

	Restricted CoS will be required. Candidate can only apply from outside the UK.
PLAB/Clinical Attachment/ Business Visa/Visitor	Can apply for a training programme, but cannot be considered until RLMT has been met. Will need to satisfy RLMT Restricted CoS will be required. Candidate can only apply from outside the UK.
Refugee status awarded by UK, and partner/civil partner or spouse	Can apply for a training programme
UK Ancestry visa holder	Can take up a training programme
Dependant of UK Ancestry visa holder	Can take up a training programme

