

CHAPTER 4 Section 7

Overseas Qualified Nurses and Midwives

Policy Index

Below is a list of items of guidance on the policy relating to supervised practice nurses and midwives coming for adaptation training. Caseworkers **must** refer to **all** relevant parts of this guidance, including the Immigration Rules, when considering applications.

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Background

This section relates to overseas qualified nurses or midwives who have been accepted on supervised practice placements or adaptation courses leading to registration as a nurse or midwife with the Nursing and Midwifery Council (NMC).

In order to practice in the United Kingdom, all overseas qualified nurses and midwives must be registered with the NMC.

The new overseas nurses programme has been introduced because the NMC found that the quality of supervised practice placements under the old system varied enormously. The new programme was created so that every overseas

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qualified nurse or midwife will be assessed to a uniformly high standard before achieving registration with the NMC.

Old supervised practice system

Under the old supervised practice programme, overseas qualified nurses and midwives would apply to the NMC for pre-registration and then enter the UK as either student nurses or as work permit holders. However, neither route was entirely appropriate as a period of supervised practice is simply a bridge to employment in the UK. The requirements of the student nurse rules relating to intentions to leave are inappropriate as supervised practice nurses do not necessarily intend to leave the UK once they become registered with the NMC. On the other hand, it is a requirement of the work permit rules that a person is capable of taking the employment in question. Strictly, this requirement cannot be met until a nurse has completed supervised practice and been fully registered with the NMC.

Overseas Nurses Programme

Under the new overseas nurses programme, all overseas qualified nurses seeking to register with the NMC will either be required to undertake a 20-day period of protected learning time to orientate them to UK health care practice, or to undertake a period of supervised practice in a practice setting that has been audited and quality assured by an education provider approved by the NMC.

The first stage in the process is for overseas qualified nurses or midwives to apply to the NMC for a thorough assessment of their skills and experience. The NMC will assess each applicant and issue a decision letter stating whether they are required to undertake a 20-day period of protected learning time or a period of supervised practice (which will incorporate the 20-day period of protected learning time).

Where an overseas qualified nurse is only required to undertake the 20-day period of protected learning and has an offer of employment, they may qualify for the issue of a work permit (and leave to enter or remain on that basis). These applicants are not required to undertake a period of supervised practice and should therefore not be granted leave to enter or remain as an overseas qualified nurse or midwife. In these circumstances, the employer should apply for a work permit on behalf of the applicant to Work Permits (UK).

Those required to undertake a period of supervised practice under the Overseas Nurses Programme should be dealt with in accordance with this instruction, as they will not qualify for a work permit.

Please note that overseas qualified nurses and midwives should not start work until they are fully registered with the NMC. In order to have full registration with the NMC, overseas qualified nurses and midwives will need to fulfil the

requirement set out in the NMC decision letter (i.e. carry out the 20-day period of protected learning time or supervised practice placement).

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Confirmation from the Nursing and Midwifery Council

When assessing applications for leave to enter or remain as an overseas qualified nurse or midwife, caseworkers will have to be satisfied that applicants have a suitable assessment letter from the Nursing and Midwifery Council (NMC).

Eligibility to undertake the Overseas Nurses Programme / Supervised Practice Placement / Midwife Adaptation Course

The letter should confirm that the applicant:

- is eligible for admission to the Overseas Nurses Programme; or
- is eligible to undertake a period of supervised practice; or
- is eligible to undertake an adaptation programme leading to registration as a midwife

All assessment letters issued from 1 September 2005 will be for the new Overseas Nurses Programme without exception. From 1 September 2005, anyone applying for registration with the NMC will be required to do so through the NMC's Overseas Nurses Programme.

From April to August 2005, the NMC issued dual-decision assessment letters. This means that applicants who applied to the NMC before September 2005, and were issued with a decision letter between April and August 2005 were offered a choice of how to become fully registered with the NMC. They may either proceed through the Overseas Nurses Programme or complete the required period of supervised practice in the old supervised practice system, provided that they can complete the placement by 31 August 2006.

NMC decision letters are valid for two years. Applicants who were issued with a decision letter from before April 2005 also have the choice of how to become registered with the NMC even though they do not have a dual-decision assessment letter. As long as their decision letter has not expired, applicants may proceed under the Overseas Nurses Programme even though their decision letter does not make specific reference to it.

Length of Supervised Practice Placement / Adaptation Course

The letter from the NMC should also recommend the length of time an overseas qualified nurse or midwife should spend on the supervised practice placement or adaptation course before they become fully registered with the NMC.

Genuine letter

The letter will contain a unique personal reference number (PRN), which can be verified by the NMC to ensure the NMC letter is genuine. If the caseworker has any doubts that the letter is genuine, they should contact the NMC on 0207 333 6600.

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Confirmation of the Supervised Practice Placement

The NMC would prefer all overseas qualified nurses to complete their period of supervised practice through the overseas nurses programme. However, as explained in the section "Confirmation from the Nursing and Midwifery Council", those applicants with a valid decision letter, dated pre-September 2005, may choose to complete the required period of supervised practice in the old supervised practice system provided they can complete the placement by 31 August 2006. The differences between the two routes are explained below.

Old Supervised Practice and Midwife Adaptation System

The applicant must provide evidence that he has been offered a supervised practice placement in a setting approved by the NMC. This evidence should be in the form of a letter from the approved placement setting (i.e. the hospital or nursing home) confirming their acceptance at a setting which is on the accredited supervised practice list.

The accredited supervised practice list is available on the NMC website (www.nmc-uk.org). The list contains the names and addresses of all the NMC approved supervised practice placements in the UK.

The accredited midwife adaptation list can be accessed by clicking [here](#).

If the supervised practice or midwife adaptation programme is due to be carried out at a setting which is not on the list of accredited settings, the application will fall for refusal.

Supervised Practice and Midwife Adaptation through the Overseas Nurses Programme

The applicant must provide evidence that he has been offered a supervised practice or midwife adaptation placement through an education provider that is recognised by the NMC.

Approved educational providers will enrol applicants onto their programme and will allocate them to a supervised practice setting. A list of approved ONP providers is available on the NMC website (www.nmc-uk.org). The applicant must have a letter confirming their acceptance on a programme from one of the approved providers.

If the supervised practice placement is due to be carried out through an education provider who is not on the list of approved ONP providers, the application will fall for refusal.

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Immigration Rules paragraphs 69M to 69R

Requirements for leave to enter as an overseas qualified nurse or midwife

69M. The requirements to be met by a person seeking leave to enter as an overseas qualified nurse or midwife are that the applicant:

- (i) has obtained confirmation from the Nursing and Midwifery Council that he is eligible:
 - (a) for admission to the Overseas Nurses Programme; or
 - (b) to undertake a period of supervised practice; or
 - (c) to undertake an adaptation programme leading to registration as a midwife; and
- (ii) has been offered:
 - (a) a supervised practice placement through an education provider that is recognised by the Nursing and Midwifery Council; or
 - (b) a supervised practice placement in a setting approved by the Nursing and Midwifery Council; or
 - (c) a midwifery adaptation programme placement in a setting approved by the Nursing and Midwifery Council; and
- (iii) did not obtain acceptance of the offer referred to in paragraph 69 (ii) by misrepresentation; and
- (iv) is able and intends to undertake the supervised practice placement or midwife adaptation programme; and

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- (v) does not intend to engage in business or take employment, except:
 - (a) in connection with the supervised practice placement or midwife adaptation programme; or
 - (b) part-time work of a similar nature to the work undertaken on the supervised practice placement or midwife adaptation programme ; and
- (vi) is able to maintain and accommodate himself and any dependants without recourse to public funds.

Leave to enter the United Kingdom as an overseas qualified nurse or midwife

69N. Leave to enter the United Kingdom as an overseas qualified nurse or midwife may be granted for a period not exceeding 18 months, provided the Immigration Officer is satisfied that each of the requirements of paragraph 69M is met.

Refusal of leave to enter as an overseas qualified nurse or midwife

69O. Leave to enter the United Kingdom as an overseas qualified nurse or midwife is to be refused if the Immigration Officer is not satisfied that each of the requirements of paragraph 69M is met.

Requirements for an extension of stay as an overseas qualified nurse or midwife

69P. The requirements to be met by a person seeking an extension of stay as an overseas qualified nurse or midwife are that the applicant:

- (i) has leave to enter or remain in the United Kingdom as a prospective student in accordance with paragraphs 82 – 87 of these Rules; or
- (ii) has leave to enter or remain in the United Kingdom as a student in accordance with paragraphs 57 to 69L of these Rules; or
- (iii) has leave to enter or remain in the United Kingdom as a working holidaymaker in accordance with paragraphs 95 to 97 of these Rules and has spent more than 12 months in total in the UK in this capacity; or
- (iv) has leave to enter or remain as an overseas qualified nurse or midwife in accordance with paragraphs 69M – 69R of these Rules; and
- (v) meets the requirements set out in paragraph 69M (i) – (vi); and

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- (vi) can provide satisfactory evidence of regular attendance during any previous period of supervised practice or midwife adaptation course; and
- (vii) if he has previously been granted leave:
 - (a) as an overseas qualified nurse or midwife under paragraphs 69M-69R of these Rules, or
 - (b) to undertake an adaptation course as a student nurse under paragraphs 63 – 69 of these Rules;

is not seeking an extension of stay in this category which, when amalgamated with those previous periods of leave, would total more than 18 months; and
- (viii) if his previous studies, supervised practice placement or midwife adaptation programme placement were sponsored by a government or international scholarship agency, he has the written consent of his official sponsor to remain in the United Kingdom as an overseas qualified nurse or midwife.

Extension of stay as an overseas qualified nurse or midwife

69 Q. An extension of stay as an overseas qualified nurse or midwife may be granted for a period not exceeding 18 months, provided that the Secretary of State is satisfied that each of the requirements of paragraph 69P is met.

Refusal of extension of stay as an overseas qualified nurse or midwife

69 R. An extension of stay as an overseas qualified nurse or midwife is to be refused if the Secretary of State is not satisfied that each of the requirements of paragraph 69P is met.”

Grant Periods

Leave can be granted as a supervised practice nurse or midwife when all the requirements of paragraph 69M (leave to enter) or 69P (extension of stay) of the Immigration Rules are met. The Immigration Rules and associated guidance must be referred to when considering applications. Provided that none of the general grounds for refusal set out in Chapter 9 of these instructions apply, leave may be granted as set out in the table below.

Leave should be granted on Code 2.

Foreign nationals aged 16 or over, who are required to register under the Police Registration Scheme, should be required to register with the police if

they are being granted leave to enter for longer than six months or leave to remain which will mean their stay in the UK will exceed six months. Further advice on Police Registration can be found in Chapter 10 of these instructions.

In this table, "NMC" means Nursing and Midwifery Council.

Stage	Applicant	Grant of Leave	Notes
Entry Clearance		In line with the recommendation by the NMC, plus an additional four months,	Up to a maximum of 18 months in total
After Entry	Has valid leave as a prospective student	In line with the recommendation by the NMC, plus an additional four months	Up to a maximum of 18 months in total
After Entry	Has valid leave as a student (excluding student nurses who are supervised practice nurses)	In line with the recommendation by the NMC, plus an additional four months	Up to a maximum of 18 months in total
After Entry	Has valid leave as a student nurse who applied to undertake an adaptation course (i.e. supervised practice nurses)	In line with the recommendation by the NMC, plus an additional four months	The leave granted as an overseas qualified nurse or midwife must not total more than 18 months when amalgamated with previous periods of leave as a supervised practice nurse
After Entry	Has valid leave as a working holidaymaker	In line with the recommendation by the NMC, plus an additional four months	
After Entry	Has valid leave as a work permit holder	In line with the recommendation by the NMC, plus an additional four months	
After Entry	Has valid leave as an overseas qualified nurse or	In line with the recommendation by the NMC, plus	The leave granted as an overseas qualified nurse or midwife

	midwife	an additional four months	must not total more than 18 months when amalgamated with previous periods of leave in this category
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Refusal Guidance – Entry Clearance

The requirement to be met by a person seeking to enter the UK as an overseas qualified nurse or midwife are set out in paragraph 69M of HC 395. Entry clearance should be refused if all the requirements of paragraph 69M are not met.

Paragraph 320 of the Immigration Rules sets out the general grounds on which entry clearance can be refused. Further guidance on refusing an entry clearance can be found in Chapter 9, Section 2 of these Instructions. This guidance and the relevant Rules must be referred to when considering refusing entry clearance.

Refusal Wordings

The following are examples of refusal wordings. Caseworkers should note that this is not an exhaustive list of all possible refusal formulae.

- You have applied for entry clearance to enter the UK as an overseas qualified nurse or midwife but your application has been refused.
- **Applicant has not obtained confirmation from the Nursing and Midwifery Council that he is eligible for admission to the Overseas Nurses Programme.**
In view of [...] the Secretary of State is not satisfied that you have been accepted on the Overseas Nurses Programme.
Paragraph 69O with reference to 69M(i)(a)
Refusal Code: PM1 – No Evidence from NMC
- **Applicant has not obtained confirmation from the Nursing and Midwifery Council that he is eligible to undertake a supervised practice placement in a setting approved by the Nursing and Midwifery Council.**
In view of [...] the Secretary of State is not satisfied that you have been accepted to undertake a supervised practice placement in a setting approved by the Nursing and Midwifery Council.

Paragraph 69O with reference to 69M(i)(b)
Refusal Code: PM1 – No Evidence from NMC

- **Applicant has not obtained confirmation from the Nursing and Midwifery Council that he is eligible to undertake an adaptation programme leading to registration as a midwife.**
In view of [...] the Secretary of State is not satisfied that you have been accepted to undertake an adaptation programme leading to registration as a midwife.

Paragraph 69O with reference to 69M(i)(c)
Refusal Code: PM1 – No Evidence from NMC

- **Applicant has not been offered a supervised practice placement through an education provider that is recognised by the Nursing and Midwifery Council.**
In view of [...] the Secretary of State is not satisfied that you have been offered a supervised practice placement through an education provider that is recognised by the Nursing and Midwifery Council.

Paragraph 69O with reference to 69M(ii)(a)
Refusal Code: PM2 – NSP No Place with Approved Educational Institute

- **Applicant has not been offered a supervised practice placement in a setting approved by the Nursing and Midwifery Council.**
In view of [...] the Secretary of State is not satisfied that you have been offered a supervised practice placement in a setting approved by the Nursing and Midwifery Council.

Paragraph 69O with reference to 69M(ii)(b)
Refusal Code: PM2 – NSP No Place with Approved Educational Institute

- **Applicant has not been offered a midwifery adaptation programme placement in a setting approved by the Nursing and Midwifery Council.**
In view of [...] the Secretary of State is not satisfied that you have been offered a midwifery adaptation programme placement in a setting approved by the Nursing and Midwifery Council.

Paragraph 69O with reference to 69M(ii)(c)
Refusal Code: PM2 – NSP No Place with Approved Educational Institute

- **Misrepresentation**
In view of [...] the Secretary of State is not satisfied that you did not obtain acceptance for the Overseas Nurses Programme by misrepresentation.

Paragraph 69O with reference to 69M(iii)
Refusal Code: A5 – Intention to study not genuine or realistic

- **Ability**
In view of [...] the Secretary of State is not satisfied that you will be

able to follow the Overseas Nurses Programme / supervised practice placement / midwife adaptation course.

Paragraph 69O with reference to 69M(iv)

Refusal Code: A5 – Intention to study not genuine or realistic

- **Intention to follow course**

In view of [...] the Secretary of State is not satisfied that you intend to follow the Overseas Nurses Programme / supervised practice placement / midwife adaptation course.

Paragraph 69O with reference to 69M(iv)

Refusal Code: A5 – Intention to study not genuine or realistic

- **Intention to engage in unauthorised business/employment**

In view of [...] the Secretary of State is not satisfied that you do not intend to engage in business or take employment except in connection with the Overseas Nurses Programme.

Paragraph 69O with reference to 69M(v)

Refusal Code: A5 – Intention to study not genuine or realistic

- **Insufficient Funds**

In view of [...] the Secretary of State is not satisfied that you have sufficient funds available for accommodation and maintenance for yourself and any dependants without engaging in business or taking employment (except in connection with the Overseas Nurses Programme) or having recourse to public funds.

Paragraph 69O with reference to 69M(vi)

Refusal Code: A4 – Unsatisfactory or unacceptable arrangements for proposed study

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Refusal Guidance – On Entry

The requirements to be met by a person seeking to enter the UK as an Overseas Qualified Nurse or Midwife are set out in paragraph 69M of HC 395. Entry clearance should be refused if **all** the requirements of paragraph 69M are not met.

Where a passenger seeking entry in this capacity holds an entry clearance for this purpose, cancellation may only be considered under paragraph 321A of HC395. This includes cases where entry clearance was obtained as a result of false information or failure to disclose material facts, or circumstances have changed since the entry clearance was granted. It also includes cases where refusal is justified on medical grounds or on the ground that exclusion would

be conducive to the public good. Where cancellation of leave is being considered, the relevant paragraphs of the Immigration Rules and **Chapter 9 Section 3A** of these Instructions **must** be referred to.

In the case of a person returning to the United Kingdom from a temporary absence abroad, within a period for which he was previously given leave, reference **must** be made, before refusal, to **Chapter 1, Section 9**, "Persons returning to resume previous leave".

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Refusal Guidance – Extension of Stay

The requirements to be met by a person seeking an extension of stay as an Overseas Qualified Nurse or Midwife are set out in paragraph 69P of HC 395. Entry clearance should be refused if **all** the requirements of paragraph 69P are not met.

Paragraph 322 of the Immigration Rules sets out general grounds for refusing any application for leave to remain. This includes cases where the applicant has made false declarations to obtain their previous period of leave or has failed to comply with the conditions of their previous period of leave. Where refusal is being considered for any of these reasons, **paragraph 322** of the Immigration Rules and **Chapter 9, Section 4** of these Instructions **must** be referred to.

Chapter 9, Section 1 “Adverse decisions – General guidance” provides important advice about the decision making process and should be consulted whenever an application falls to be refused.

Refusal Wordings

The following are examples of refusal wordings. Caseworkers should note that this is **not** an exhaustive list of all possible refusal formulae.

Details of Appeal rights can be found in Chapter 12 of these Instructions.

- You have applied for an extension of stay in the UK as an Overseas Qualified Nurse or Midwife but your application has been refused.
 - **Applicant does not have leave as a prospective student, a student, a working holidaymaker, a work permit holder or an overseas qualified nurse or midwife.**
In view of [...] the Secretary of State is not satisfied that you have limited leave to enter or remain in the UK as a prospective student in

accordance with paragraphs 82-87 of these Rules, as a student in accordance with paragraphs 57-69L of these Rules, as a working holidaymaker in accordance with paragraphs 95-97 of these Rules, a work permit holder in accordance with paragraphs 128-135 of these Rules, or as an overseas qualified nurse or midwife in accordance with paragraphs 69M-69R of these Rules.

Paragraph 69R with reference to 69P(i) to (iv).

G-CID Stats Category: FH – NSP Refusal – No switching by visa national

- **Applicant has leave in the United Kingdom as working holidaymaker but has not spent more than 12 months in total in the UK in this capacity.**

In view of [...] the Secretary of State is not satisfied that you have limited leave to enter or remain in the UK as a working holidaymaker in accordance with paragraphs 95 to 97 of these Rules and have spent more than 12 months in total in the UK in this capacity.

Paragraph 69R with reference to 69P(iii)

G-CID Stats Category: FK – NSP Refusal – Other Reason

- **Applicant has not obtained confirmation from the Nursing and Midwifery Council that he is eligible for admission to the Overseas Nurses Programme.**

In view of [...] the Secretary of State is not satisfied that you have been accepted on the Overseas Nurses Programme.

Paragraph 69R with reference to 69P(v) and 69M(i)(a)

G-CID Stats Category: FE – NSP Refusal – No evidence from NMC

- **Applicant has not obtained confirmation from the Nursing and Midwifery Council that he is eligible to undertake a supervised practice placement in a setting approved by the Nursing and Midwifery Council.**

In view of [...] the Secretary of State is not satisfied that you have been accepted to undertake a supervised practice placement in a setting approved by the Nursing and Midwifery Council.

Paragraph 69R with reference to 69P(v) and 69M(i)(b)

G-CID Stats Category: FE – NSP Refusal – No evidence from NMC

- **Applicant has not obtained confirmation from the Nursing and Midwifery Council that he is eligible to undertake an adaptation programme leading to registration as a midwife.**

In view of [...] the Secretary of State is not satisfied that you have been accepted to undertake an adaptation programme leading to registration as a midwife.

Paragraph 69R with reference to 69P(v) and 69M(i)(c)
G-CID Stats Category: FE – NSP Refusal – No evidence from NMC

- **Applicant has not been offered a supervised practice placement through an education provider that is recognised by the Nursing and Midwifery Council.**

In view of [...] the Secretary of State is not satisfied that you have been offered a supervised practice placement through an education provider that is recognised by the Nursing and Midwifery Council.

Paragraph 69R with reference to 69P(v) and 69M(ii)(a)
G-CID Stats Category: FF – NSP Refusal – No place with approved educational institute

- **Applicant has not been offered a supervised practice placement in a setting approved by the Nursing and Midwifery Council.**

In view of [...] the Secretary of State is not satisfied that you have been offered a supervised practice placement in a setting approved by the Nursing and Midwifery Council.

Paragraph 69R with reference to 69P(v) and 69M(ii)(b)
G-CID Stats Category: FF – NSP Refusal – No place with approved educational institute

- **Applicant has not been offered a midwifery adaptation programme placement in a setting approved by the Nursing and Midwifery Council.**

In view of [...] the Secretary of State is not satisfied that you have been offered a midwifery adaptation programme placement in a setting approved by the Nursing and Midwifery Council.

Paragraph 69R with reference to 69P(v) and 69M(ii)(c)
G-CID Stats Category: FF – NSP Refusal – No place with approved educational institute

- **Misrepresentation**

In view of [...] the Secretary of State is not satisfied that you did not obtain acceptance for the Overseas Nurses Programme by misrepresentation.

Paragraph 69R with reference to 69P(v) and 69M(iii)
G-CID Stats Category: FK – NSP Refusal – Other reasons

- **Ability**

In view of [...] the Secretary of State is not satisfied that you will be able to follow the Overseas Nurses Programme / supervised practice placement / midwife adaptation course.

Paragraph 69R with reference to 69P(v) and 69M(iv)
G-CID Stats Category: FJ – NSP Refusal – Inability to pursue

programme

- **Intention to follow course**
In view of [...] the Secretary of State is not satisfied that you intend to follow the Overseas Nurses Programme / supervised practice placement / midwife adaptation course.
Paragraph 69R with reference to 69P(v) and 69M(iv)
G-CID Stats Category: FK – NSP Refusal – Other reasons
- **Intention to engage in unauthorised business/employment**
In view of [...] the Secretary of State is not satisfied that you do not intend to engage in business or take employment except in connection with the Overseas Nurses Programme.
Paragraph 69R with reference to 69P(v) and 69M(v)
G-CID Stats Category: FK – NSP Refusal – Other reasons
- **Insufficient Funds**
In view of [...] the Secretary of State is not satisfied that you have sufficient funds available for accommodation and maintenance for yourself and any dependants without engaging in business or taking employment (except in connection with the Overseas Nurses Programme) or having recourse to public funds.
Paragraph 69R with reference to 69P(v) and 69M(vi)
G-CID Stats Category: FG – NSP Refusal – Lack of funds
- **Applicant cannot provide satisfactory evidence of regular attendance during any previous period of supervised practice or midwife adaptation course.**
In view of [...] the Secretary of State is not satisfied that you have provided satisfactory evidence of regular attendance during any previous period of supervised practice or midwife adaptation course.
Paragraph 69R with reference to 69P(vi)
G-CID Stats Category: FE – NSP Refusal – No evidence from NMC
- **Applicant is seeking an extension of stay in this category which when amalgamated with those previous periods of leave, would total more than 18 months.**
In view of [...] the Secretary of State is not satisfied that an extension of stay in this category, when amalgamated with previous periods of leave in this category would not total more than 18 months.
Paragraph 69R with reference to 69P(vii)
G-CID Stats Category: FK – NSP Refusal – Other reasons
- **Applicant does not have written consent of his official sponsor to remain in the United Kingdom as an overseas qualified nurse or midwife.**

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In view of [...] the Secretary of State is not satisfied that you have written consent of your official sponsor to remain in the United Kingdom as an overseas qualified nurse or midwife.

Paragraph 69R with reference to 69P(viii)

G-CID Stats Category: FK – NSP Refusal – Other reasons

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IS-CID and G-CID Category Codes

Codes for Immigration Case Information Database (IS-CID)

Provided that all the requirements of Paragraph 64 of HC395 are met, leave to enter may be granted on Code 2 for the duration of the course plus 4 months.

On entry approval code

(Code NSP) Nurses Supervised Practice NSP

On entry refusal codes

(Code PM1) M1 Port Refusal – NSP No Evidence from NMC

(Code PM2) M2 Port Refusal – NSP No Place with Approved Educational Institute

Codes for General Case Information Database (G-CID)

After entry approval codes

For all codes:

A = Applicant

S = Spouse

C = Child

D = Dependant

FC(A, S, C or D) – NSP Extension – to end of Programme

FD(A, S, C or D) – NSP Extension – other than to end of Programme

After entry refusal codes

For all codes below:

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A = Applicant
S = Spouse
C = Child
D = Dependant

FE(A, S, C or D) – NSP Refusal – No evidence from NMC
FF(A, S, C or D) – NSP Refusal – No place with approved educational institute
FG(A, S, C or D) – NSP Refusal – Lack of funds
FH(A, S, C or D) – NSP Refusal – No Switching by visa national
FJ(A, S, C or D) – NSP Refusal – Inability to pursue Programme
FK(A, S, C or D) – NSP Refusal – Other reasons, including general grounds for refusal

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Employment Prior to and during Training

Once leave in this category has been granted, overseas qualified nurses and midwives are permitted to take employment for a maximum of 8 weeks prior to the commencement of their courses, at the approved educational institute or service provider where they are to be trained.

Once their course has commenced, there is no restriction on the number of hours for which an overseas qualified nurse or midwife may be employed where this is a necessary part of the course and has the agreement of the education institution concerned. In these circumstances no further approval is required from the Home Office.

Those admitted in this category may also engage in supplementary employment without requiring further authorisation from the Home Office (i.e. the work can be carried out without having to obtain a separate work permit), provided:

- the type of work is similar in nature and at the same level as the work which the individual is undertaking in the practice setting;
- it does not exceed 20 hours per week; and
- it is not entered into through an employment or recruitment agency.

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Prospective Overseas Qualified Nurses or Midwives

The Rules relating to "Prospective students" are fully applicable to prospective overseas qualified nurses and midwives arriving in the United Kingdom or to persons already here who are trying to find a hospital which will offer them a place. See paragraphs 82 to 87 of the Immigration Rules and **Chapter 3 Section 2 ("Prospective Students") of the IDIs.**

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SWITCHING

Switching to overseas qualified nurse or midwife status

People with leave to remain in the following categories may switch into the overseas nurses programme as a supervised practice nurse or adaptation midwife:

- A Student; or
- A Prospective Student; or
- A Student Nurse; or
- A Working holidaymaker who has been in the UK at least twelve months.

Applicants who are in the UK (subject to what is said below in relation to the temporary concession) with any other category of leave will not qualify to switch into leave as an overseas qualified nurse or midwife whilst in the UK. Any application from such a person should be refused on no-switching grounds as the requirements of paragraph 69P are not met.

Temporary Concession outside the Rules

With effect from 26 January 2006, we have Ministerial agreement to allow work permit holders to switch into the overseas nurses programme as a supervised practice nurse or midwife.

Switching applications can be approved, if the applicant meets the requirements set out in paragraph 69M (i) – (vi) of the Immigration Rules and has leave to enter or remain in the UK as a work permit holder in accordance with paragraphs 128 – 135 of the Rules.

Switching to employment

Under paragraph 131B of the Immigration Rules, those applicants with leave to remain as a supervised practice nurse or midwife are permitted to switch into work permit employment as a practising nurse or midwife (provided the other requirements of the Rules are satisfied).

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Maintenance and Accommodation

Below is guidance on the requirement that Overseas Qualified Nurses and Midwives can maintain themselves and any dependants adequately without recourse to public funds (refer to paragraph 69M iv).

- Applicants are required to show that they can maintain and accommodate themselves and any dependants without recourse to public funds.
- If the applicant is applying to bring any dependent family with them to the UK, the applicant must demonstrate that they are able to maintain and accommodate themselves and all their dependants in the UK. Accommodation must be adequate. Further information on maintenance and accommodation of dependants, including legal occupation and overcrowding, can be found in **Chapter 8 Section 1 Annex F** of these Instructions.
- Students on diploma level nursing courses maybe eligible for a means tested bursary through the NHS. However, overseas trained nurses on the Overseas Nurses Programme are not eligible for any bursary through the NHS.

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