

**Executive Summary**

Attached are the papers presented to the Registration Committee on 6 March 2003.

Further progress and developments can be reported to the Committee.

For applicants applying from outside the EEA the HPC can implement a test of competence in English. The Committee will make a recommendation to the ETC as to what test/s it considers acceptable to demonstrate language proficiency.

The International English Language Testing System (IELTS) is the test most commonly used by several regulators. HPC presently uses IELTS; candidates are asked to supply HPC with the result of the test. The test can be taken at any British Council Office around the world or in the UK.

The Committee is asked :

- (a) to consider the continued use of the IELTS and, if appropriate, recommend to ETC its continued use,
- (b) to consider and recommend the required IELTS Grade,
- (c) to consider an alternative language proficiency test and, if appropriate, recommend to the ETC the adoption of such alternative test.

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Dear Lucinda

## English Language Testing

We spoke recently about the Council's powers under the Health Professions Order 2001 (the Order) to require applicants for registration to undergo a test of competence in the English language and, in particular, whether article 12(1)(c)(iii) of the Order prevents the Council from requiring an EEA national to undergo such a test in any circumstances.

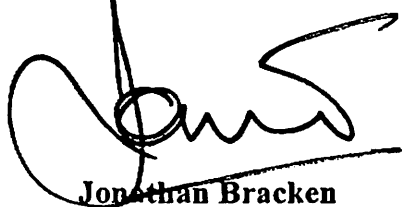
Although article 12(1)(c)(iii) provides that only persons who are not EEA nationals or exempt persons can be required to satisfy prescribed requirements as to knowledge of English, that article only relates to approved qualifications and I therefore believe that the restriction on English testing set out in that article must be read in the context of what constitutes an approved qualification.

An applicant for registration, in addition to satisfying the Education and Training Committee that he holds an approved qualification, must also satisfy that Committee that he is capable of safe and effective practice under the part of the register concerned (see article 9(2)). Clearly, the ability to communicate with patients and to make and understand case notes etc. is a critical element of safe and effective practice and I find it difficult to believe that article 12(1)(c)(iii) is intended to prevent the Council from requiring a person who is an EEA national to show that he or she has a satisfactory knowledge of English for this purpose. Consequently, it is my view that where there are reasonable grounds to believe that an applicant is not capable of safe and effective practice by reason of their poor command of the English language the Council can require that person to take an English language test in order to satisfy itself that the person concerned is capable of safe and effective practice, even if that person is an EEA national.

I trust this is helpful.

With kind regards.

Yours sincerely



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