

CHAPTER 3
SECTION 3

ANNEX J

POSTGRADUATE DOCTORS AND DENTISTS

SUPPLEMENTARY INFORMATION AND ADVICE

1. DOCTORS

1.1 Introduction

Overseas doctors and dentists come to the United Kingdom to undertake postgraduate training for a variety of reasons and with varying degrees of experience. Some will come for a limited period to train in a specific area or procedure and will not seek to gain professional qualifications, others will come for longer periods of basic or higher specialist training or both. Whilst in the United Kingdom they may seek to qualify for one of the recognised professional qualifications (eg Membership/Fellowship of a Medical Royal College) or may wish to qualify for a Certificate of Completion of Specialist Training (CCST) which is required in order to be appointed as a consultant although that is not likely to be their career goal. Whatever their training goals, they will be supervised throughout their training by the Postgraduate Dean. Training is either **basic specialist** (delivered in the Senior House Officer grade) or **higher specialist** (delivered in the Specialist Registrar grade). These grades are excluded from the scope of the work permit scheme.

British postgraduate professional qualifications are highly regarded throughout the world and for this reason a great many overseas doctors come here for training prior to returning to their home country.

1.2. Registration with the General Medical Council

Before any doctor is allowed to practise in the United Kingdom, whether in employment or undertaking postgraduate training in a hospital, he must be registered with the General Medical Council (GMC). The first requirement for this is a satisfactory primary qualification - usually a degree obtained from a United Kingdom medical school or, in the case of some overseas doctors, in their own country.

* ***United Kingdom graduates***

Graduates from medical schools are eligible for **provisional** registration with the GMC but have to undergo a pre-registration year before they are considered to be fully qualified. This will normally take the form of **pre-registration house officer (PRHO)** employment (usually two 6 month posts) at the end of which a

doctor who has qualified in the United Kingdom is given *full* registration with the GMC. On occasion the GMC may grant a form of limited registration "*pre-registration limited registration*" to overseas doctors who are graduates of EEA medical schools.

* ***Overseas graduates***

Doctors who qualify overseas will usually have completed the equivalent of a pre-registration year in their home country and will normally qualify for Limited Registration with the GMC. Doctors who have qualified at certain medical schools in Australia, Hong Kong, New Zealand, Singapore, South Africa and the West Indies may qualify for Full Registration.

* ***Professional and Linguistic Assessment Board (PLAB) test***

With the exception of those who qualify at selected medical schools, (as listed above) most doctors who qualify overseas are required first to pass the PLAB test to demonstrate their knowledge of English and their medical expertise - they are then given *limited* registration with the GMC. Overseas doctors coming to the United Kingdom to take the PLAB test should be treated as visitors (see ***Chapter 2, Section 1 "Visitors General" Annex B***). Since January 1997 for new applicants for registration and from January 1998 for all applicants there will be a test of linguistic competence run by the International English Language Testing Service of the British Council. Success in this test will be a pre-condition of taking the PLAB test and overseas doctors will be able to take the test in any of 109 centres overseas.

1.3 **Granting leave to remain beyond 12 months for PRHO employment**

On rare occasions extensions beyond the 12 months may be sought. Full consideration should be given to any special circumstances cited by the applicant which may justify the grant of further leave exceptionally.

1.4 **PRHO employment for doctors with overseas qualifications**

Very occasionally a doctor who has qualified overseas may be required by the GMC to undergo all or part of a PRHO year and be given appropriate registration for this purpose. Such doctors may be dealt with on the same basis as graduates from British medical schools. Time spent here in a PRHO post does not count towards the 4 years allowed for postgraduate training.

1.5 **Transitional arrangements**

The revised Rules apply equally to doctors entering training after 1 April 1997 and those who are already in the United Kingdom as postgraduate doctors with leave to enter/remain which extends beyond that date. Time already spent in permit free training

should be taken into account when determining the aggregation of leave. Extensions may be granted in accordance with the doctors training needs as evidenced by the postgraduate dean. This evidence may take the form of either a letter or a special form, designed by the deans for their convenience.

For those engaged in basic specialist training a further extension(s) may be granted to bring their training up to 4 years.

Those engaged in higher specialist training may be granted extensions of up to 3 years at a time without regard to a maximum limit.

1.6. Overseas Doctors' Training Scheme (ODTS)

Various Royal Colleges including the Royal Colleges of Surgeons, Physicians, Anaesthetists and Psychiatrists sponsor overseas doctors under the auspices of the above scheme, to come here for postgraduate training. These doctors will normally have had several years' experience in their own countries. The colleges will arrange limited registration with the GMC and suitable hospital training posts for the doctors.

It is not necessary to make further enquiries about the training programme or ask for evidence of GMC registration if the doctor produces a letter from one of the colleges stating he is taking part in the ODTS. However, all other requirements of the Rules must be met, including the intention to return abroad at the end of the training.

1.7. Other sponsoring organisations for overseas doctors

The British Council, the World Health Organisation and the Commonwealth Scholarship Foundation also sponsor overseas doctors and arrange suitable hospital training posts and limited registration for them. Applicants sponsored by these organisations should be treated in the same way as those sponsored by the ODTS.

2. DENTISTS

2.1. Registration with the General Dental Council

Before anyone is allowed to practise as a dentist in the United Kingdom he must be registered with the General Dental Council (GDC). The first requirement for this is a satisfactory primary qualification - usually a statutory examination. Unlike doctors, dentists are eligible for registration with the GDC as soon as they have gained this qualification.

The GDC may grant temporary registration to overseas dentists whose qualifications do not entitle them to full registration. This will enable them to practise dentistry in a particular hospital or dental school. Temporary registration is granted for periods of 6 months or less up to a maximum of 2 years, but may be extended for a dentist continuing postgraduate training.

2.2. Postgraduate training - dentists

Occasionally, a dentist will undertake postgraduate training in a hospital. Such dentists should be dealt with in the same way as doctors undergoing postgraduate training except that a dentist should be registered with the GDC instead of the GMC.

NB See paragraph 5 (below) for further information concerning the granting of further leave to enter or remain to postgraduate trainees.

3. AGGREGATION OF LEAVE

Time spent here as a student, as a visitor, for clinical attachment or in PRHO employment should be disregarded. Intervals, for example, for pregnancy or sickness between training in hospital should normally be included in the 4 year period. However, periods spent abroad and General Practice training with a TWES permit should not count towards the 4 year total.

4. THE PRIVATE SECTOR

Postgraduate training in the private health sector may be permitted within the terms of the Immigration Rules.

5. NATIONAL HEALTH SERVICE APPOINTMENTS

NHS hospital appointments are either in training grade posts or career grade posts, for example consultant, associate specialist or staff grade appointments. Overseas doctors in the specialist registrar grade are often referred to as "visiting specialist registrars" denoting that they have no entitlement to settle in the United Kingdom. A list of job titles for NHS hospital and community Health Services is at **ANNEX K** (below). Most doctors or dentists in postgraduate training will be employed full-time in one of the training posts on this list.

Other arrangements may also be acceptable, however, including honorary (unpaid) work in the appropriate NHS grade and hospital research posts with honorary contracts to treat patients. The postgraduate dean should be asked to confirm that genuine training is involved.

Overseas qualified doctors with limited registration may take employment **only** in hospital training posts which are educationally approved.

Doctors with full registration, on the other hand, are qualified to undertake a wider range of activities but they should be treated as postgraduate trainees only if they are continuing their training. If a doctor is working towards a postgraduate qualification this tends to add weight to an application to remain here as a postgraduate trainee. However, if he is

not, we should not refuse *solely* on this basis, since he may be gaining valuable experience in a speciality. The postgraduate dean will provide evidence of satisfactory progress in training. Doctors or dentists who are taking a series of unrelated short-term locum posts will not normally qualify to remain as postgraduate trainees. Applications should be refused on the grounds that they are not postgraduate trainees and do not meet the requirements of Paragraphs 72 or 75 of HC 338. Again the postgraduate dean will provide advice.

6. CLINICAL ATTACHMENTS

Overseas medical or dental students, doctors or dentists may undertake unpaid clinical attachments for *short periods*. They will be unable to take employment and will be treated as visitors.

Clinical attachment is most appropriate for *medical and dental* students so that they receive a general introduction to hospital work as part of their training. Medical and dental students will not normally seek further leave to remain to do clinical attachment because they are admitted for the whole of their course. *Postgraduate doctors and dentists* sometime spend periods on attachment *observing* in hospitals in an area related to their specialism. If an extension of stay is sought expressly for this purpose, rather than to continue postgraduate training in a hospital post, the exact period of time of the observation should be requested, if not supplied with the application. Leave to remain on Code 3 should be granted for the period of the observation.

Where a doctor or dentist seeks to pursue clinical postgraduate training within the Hospital and Community Health Services in association with academic or research activity and is employed by for example a University, he will be eligible to remain in the United Kingdom without a work permit provided he holds an NHS appointment in one of the approved training grades. Only in exceptional circumstances will a doctor who holds a work permit obtained by a University or other academic institute be eligible for an honorary appointment in an NHS training grade. If in doubt caseworkers should always seek confirmation from the Regional Postgraduate Dean.

7. HEAD FOR HEAD EXCHANGES

All doctors or dentists - including self-employed general medical/dental practitioners - coming to the United Kingdom under *one-for-one* formal exchange visit arrangements will require a Training and Work Experience permit and are allowed up to 12 months in this category.

8. SWITCHING

People admitted in another category are allowed to switch into postgraduate training provided that the relevant requirements of the Rules are met.

All applications for doctors and dentists to remain for work permit employment should be made direct to the Department for Education and Employment (DFEE) under the "single point of contact" arrangements. Such applications should normally be refused under the Immigration Rules. *However*, if the DFEE decides, exceptionally, that a work permit may be issued to such an applicant (eg; on the grounds that there is a local shortage of posts in the NHS hospital concerned) then careful consideration *must* be given as to whether exceptional treatment is warranted (see *Chapter 5, Section 1 "Work Permit Employment" ANNEX B [paragraph 5]* and *ANNEX E [paragraph 2]* for advice about *"OLS consideration of switching applications"* and *"Shortage occupations or rare skills"*).

Applications to take work permit employment from doctors here under TWES should be refused. If the applicant has been financed in the United Kingdom by a Government or other organisation including the ODTS the application *must* be refused, whether or not DFEE recommend approval, unless the sponsoring body gives it's written consent. Applications to remain in general practice or in a dental practice should also be refused under the normal no switching rule.

Doctors who completed their basic specialist training under the provisions of HC395 and then managed to secure work permits, may be permitted to switch back into permit free training provided that they are reentering at the higher specialist level and meet with the requirements of the Rules. The same applies to doctors who completed the 4 year period and then left the United Kingdom.

9. DEPENDANTS

The dependants of doctors or dentists in postgraduate training in hospital are treated in the same way as the dependants of students.
