Education and Training Committee
6 November 2024

English language proficiency

Executive Summary

This paper summarises the work completed so far to implement the agreed changes to our English language proficiency requirements for international applicants, as approved by the Council in May 2024.

It provides the Education and Training Committee (ETC) with an update on the progress made. The paper includes detailed outputs for consideration and approval by the ETC in advance of a planned launch for our new requirements on 29 January 2025 and explains how the new requirements will be reviewed and monitored once in place.

In line with our new requirements, we will publish a list of qualifying countries, which applicants can use to show that their primary qualification was obtained in a majority English-speaking country. This in turn will provide evidence of English language proficiency for applicants who meet this requirement. The list is included for review and approval.

We will also publish an extended list of recognised English language tests. Following feedback at the September 2024 ETC meeting, we have developed the proposed criteria for ETC to consider when deciding whether to add new test providers to the list. This is intended to inform decision-making rather than to restrict the discretion of the ETC.

The new requirements aim to ensure that all international registrants possess the necessary language skills to provide safe and effective care, in line with the HCPC's commitment to upholding professional standards. The policy will also offer clear guidelines for applicants, making the registration process more transparent and accessible for those wishing to practise in the UK.

Previous consideration	On 23 May 2024, the Council approved a policy proposal introducing new English language requirements for international applicants seeking to join the HCPC Register. This decision was made following extensive stakeholder engagement and a thorough public consultation process.
	As agreed, the ETC has been regularly updated on the progress of implementing these new language requirements, with the most recent update provided in September 2024. The ETC will oversee the governance process, ensuring that the list of qualifying countries and the list of recognised English language tests are reviewed and approved. This will help to maintain high standards for applicants joining the HCPC Register.

Decision	The ETC is asked to consider and approve:
	a. the proposed qualifying countries list (QCL). This is the list which applicants can use to show that their primary qualification was obtained in a majority English-speaking country; and
	b. the criteria to be considered when English language tests are submitted for recognition.
	The ETC is also invited to consider and provide any feedback on the proposed monitoring content, with a view to a progress report after the changes have been in force for one year.
Next steps	The new requirements are currently planned for public launch on 29 January 2025. Monitoring will take place from the launch date, with the initial report back to the ETC scheduled to take place after the new requirements have been in force for one year.
Strategic priority	The proposals address the HCPC's priority of promoting high quality professional practice and are included in the 2024-25 corporate plan.
Financial and resource impact	The financial and resource costs are being met from within existing budgets.
EDI impact and Welsh Language Standards	Our Equality Impact Assessment (EIA) highlighted several key impacts. This document contributes to addressing these by supporting the development of a qualifying countries list and expanding the range of recognised English language tests.
	The policy has also been evaluated against the Welsh Language Standards and no impacts on the Welsh language have been identified. Additionally, no opportunities to further promote its use were found.
Authors	Tom Miller, Policy Manager thomas.miller@hcpc-uk.org
	Saima Saleem, Senior Policy Officer saima.saleem@hcpc-uk.org
Executive sponsor	Andrew Smith, Deputy Chief Executive and Executive Director of Education, Registration and Regulatory Standards andrew.smith@hcpc-uk.org

1.   Introduction

1.1   Effective communication in English is vital for ensuring safe and competent practice among professionals on our Register. In October 2022, the HCPC began a review to assess the English language requirements for international applicants.

1.2   We undertook substantial pre-consultation activity. We provided information sessions with professional bodies, trade unions, employers and educational institutions to help shape proposed changes. We conducted a stakeholder survey and engaged with peer organisations.

1.3   The proposals were discussed at our Equality, Diversity and Inclusion (EDI) forums in February and July 2023 and a workshop for the ETC in August 2023 helped refine the proposals.

1.4   Following Council approval in October 2023, a 13-week public consultation was launched, closing in January 2024. Engagement sessions were held with educators, employers, professional bodies and the public, with additional sessions for new international registrants.

1.5   In May 2024 the Council approved changes to the English language requirements for international applicants, with input from the ETC. Three key proposals were adopted.

   a.   The removal of the 'self-declaration' route, which allowed international applicants to declare English as their first language.

   b.   The introduction of a 'qualifying countries list' (QCL), where English is the primary language spoken by 75% of the population. Applicants from these countries would meet the English language proficiency requirement.

   c.   The introduction of an expanded list of approved/recognised English language test providers. Only tests from this list will be accepted as proof of proficiency.

1.6   The Council also agreed that we should not take forward the proposal to accept evidence of applicable work in the UK which has been supervised by a registrant or a registered role in a qualifying country.

2.   Progress updates

2.1   This paper follows the update considered in the private session of the ETC on 11 September 2024.

2.2   The previous paper outlined procedures for future review and monitoring of the proposed changes to our English language requirements for international applicants, which were approved. It also provided an update on ongoing work on the research and drafting work behind the proposed qualifying countries list (QCL) and some initial criteria regarding potential approval of further English language tests.

2.3 We have now completed our work on the QCL, the outcome of which is included in the outputs for approval in Annexe 1. International applicants would be able to demonstrate that they had gained their primary qualification in one of the listed countries to evidence their English language proficiency.

2.4 Following feedback from the ETC and further research into several of the main English language test providers, we have also included a mechanism and finalised the criteria for the ETC to consider and approve tests for recognition at paragraph 18 onwards. These considerations will then be used to assess whether other English language tests should be added to the list in the future.

2.5 Both outputs (the QCL and recognised English language test providers) are intended to accompany our proposal for ending self-declaration of English as a first language as an accepted form of evidence for proficiency.

3. Material for Approval

Qualifying countries list

3.1 Our policy as approved by the Council in May 2024 was to set a requirement that countries included on this list would need to demonstrate that 75% or more of residents are English speakers.

3.2 Since our previous update we have completed our research on global English language prevalence by country using a third-party source of information, Ethnologue, which our research indicated was the best source of collated information about language prevalence and has been used by other professional regulators for the same purpose.

3.3 The platform uses independent studies and statistics as well as information provided by governments to provide the best possible figures on the prevalence of languages within each country or territory as internationally recognised, including English. The platform relies heavily on third party studies and there is no consistent global standard for reporting on language prevalence. Data for all languages is therefore incomplete and English is no exception.

3.4 Given this, and in line with previous discussions at the ETC, we recommend that the ETC remains open to reviewing the countries list in circumstances where we are contacted by a state or national level authority in a given country for further consideration, provided that they are able to evidence that the country or territory meets the criteria we have set out within our methodology (see below).

Notes on methodology

3.5 Our research and analysis showed that only a minority of countries have data available on the percentage of people speaking English specifically as a first language and that a very small number of countries would have made up a final list if this was taken as the basis to set against our 75% speakership requirement.

3.6   In light of this we have produced the options below primarily on the basis of more than 75% of residents speaking English overall, which produces a list much more consistent with those used by peer organisations. Some countries fit this criteria, but have a predominant national language other than English which is more commonly used. These countries have been filtered from the list.

3.7   In drawing up the list of options, we also decided to include several variants of 'English speaking creole' languages (as described by Ethnologue) as part of the overall figure, which are common in English speaking parts of the Caribbean and a small number of countries elsewhere.

3.8   Using the method the UK government has used to summarise/consolidate its list (created for visa regulation purposes), we have included Crown Dependencies, UK overseas territories and territories of English-speaking countries such as the United States or New Zealand within the list. However, we have listed these territories in full, in alignment with their UN population designations.

3.9   Some countries do not have data readily obtainable through Ethnologue. Some countries where English is cited by Ethnologue as a de facto national language suffer from poor data quality. The provided data is only useful to ensuring public protection where this can fully evidence a case for inclusion and is not conflicting. Therefore, some countries have been filtered from our list where Ethnologue has provided conflicting or incomplete data.

3.10   Some countries have exceeded the 75% threshold in their number of English speakers, but English is demonstrably not the first language of the country and there is a clear single alternative, giving rise to the implication that English is unlikely to be dominant in its usage in health and care contexts and in working with service users. Therefore we have not included these countries, but recommend that the ETC remains open to their future inclusion if evidence is provided by the relevant national, state or regional governments, or by an equivalent professional regulator or registry.

3.11   To provide context, we have provided examples of comparator lists from larger professional regulators in the health sector for contrast and comparison. These can be found in Annexe 3.

3.12   The ETC is invited to consider the above approach and to approve the QCL for publication and use by the International Registrations team in assessing the English language proficiency of international applicants to join our Register.

Process and criteria for approving English language tests

3.13   The policy changes agreed at Council in May 2024 included plans to expand the list of recognised test providers. We will begin by maintaining the current approved providers, namely the International English Language Testing System (IELTS) and the Test of English as a Foreign Language (TOEFL) and build upon these by adding providers who meet the criteria.

3.14 The expansion of the list of recognised English language tests can only take place once we are able to assess eligibility for approval (against our criteria), therefore the list will expand over time (subject to a test meeting our criteria and the ETC's decision to add a test provider to the list).

3.15 The ETC is invited to approve the following criteria for consideration in the approval of new English language test providers. The criteria will be used to inform the judgment of the ETC in whether or not tests should be added to our approved list. It is also intended that the criteria shall not be exhaustive and may be supplemented by other criteria and considerations as deemed appropriate.

3.16 Tests will be considered for recognition when a provider has approached the HCPC with materials demonstrating their suggested test's compatibility with the criteria set down below.

3.17 It is suggested that an initial period for approaches from test providers should be opened until the end of February 2025. Following this, applications for approval would be considered on a periodic basis: The ETC will review this list every three years, reassessing the criteria for tests and the benchmarked results we require of applicants. The ETC will also review the criteria, benchmarking or overall lists where evidence becomes available that this may be necessary. Triggers for this would include the following.

   a. Fluctuations in monitoring data from our International Registrations team where there is a substantial effect on application numbers or the makeup of our international registrant base. As a range of causes (and mitigations) could be possible, in this case a review would be carried out by the International Registrations team before the matter is referred to the ETC.

   b. Fluctuations in types of fitness to practise concerns raised, where this may concern English language proficiency and applicants affected are sourced from an identifiable nationality, region, test centre or other clear grouping.

   c. Changes to test requirements or content.

   d. Changes which affect test comparability or suitability.

   e. Where substantial issues (such as potential risks or systematic failures) are identified regarding a recognised test and/or provider.

3.18 The following list of suggested criteria for future approval of new English language tests has been developed following discussion of draft criteria at the September ETC meeting and further discussion with the English language proficiency steering group.

Robust security requirements

3.19 Confidence in appropriate measures being in place on the part of test providers to prevent cheating and plagiarism.

3.20 This could include the presence of physical invigilators, robust ID checks, use of software and marking procedures to detect fraud, plagiarism or collusion, policies to include secure transport and handling of test papers, effective complaints and whistleblowing procedures and prompt investigation and flagging of any unusual patterns in answers or test scores.

Portal access

3.21 Smooth access for HCPC colleagues to independently check applicant scores and results with the test provider is essential, enabling verification to take place in a practical manner. A clear casework-focussed contact procedure would also be considered as part of this criterion.

Ease of access

3.22 Part of our rationale for expanding the range of providers is to mitigate the loss of avenues to some applicants associated with the end of self-declaration of English as a first language. In line with this, it is important that tests are geographically accessible and also provide reasonable adjustments and adaptations where appropriate.

3.23 Considerations would include the availability of physical test centres and mitigations in place to allow people to access tests regardless of their background or any protected characteristics as defined in the Equality Act 2010. Particular regard to the impacts identified in our Equality Impact Assessment (EIA)[1] would be considered advantageous and any available support materials or programmes could be considered as part of this criterion.

3.24 In addition, methods to reduce the impacts associated with financial cost impacts to applicants would be considered, as this addresses a cross-cutting theme in our EIA. The same would apply to measures aimed at groups with identified practical or financial barriers, such as refugees.

EDI monitoring

3.25 Processes for monitoring equality, diversity and inclusion (EDI) related statistics would be a positive consideration, where this data and any related policy material is published or could be shared with us.

Appropriate subject matter

3.26 Topics used as material in courses and tests could be made subject-appropriate for applicants entering UK health and care professions. It could be advantageous in making sure that applicants have been tested in a way that closely reflects their potential use of English in professional and/or service user-facing environments.

Modes or test elements

3.27 We would expect test formats and results to break down into elements or modules which match the modes of English language proficiency we currently

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[1] This is available at Annexe B to our May 2024 Council paper, available here.

require (so should include speaking and listening, reading, writing), including in their weighting. A roughly equal weighting of these elements is preferred.

Comparability

3.28 Test providers must provide comparability information, allowing tests to be cross-referenced against the Common European Framework of Reference for Languages (CEFR) and at least one currently approved/recognised test.

Usage and existing approvals

3.29 Test providers should be able to show that their test is currently approved or recognised by at least one regulatory body operating in the health and care sector in the UK. Tests should have international applicability, so should be approved or recognised by at least one official body operating in health or care in five separate countries outside of the UK.

Quality and risk

3.30 Providers should be able to show widespread confidence in the quality and integrity of their test, for example by showing that bodies approving or recognising their test have done so for more than five years. Likewise, providers should show that robust procedures are in place to tackle fraud and malpractice and, that where instances arise, they have been dealt with in a way that effectively tackles the problem, minimises any unjust impacts and appropriately addresses any risk to public protection.

3.31 The ETC is invited to consider and approve the criteria above for future consideration of English language tests for approval and future use. Use of the criteria would take place on the understanding that the committee retains full discretion to apply its judgement to approvals and that the list is not exhaustive.

3.32 Following approval, we would publish the criteria so that they can be accessed by other providers of English language tests who may wish to make their own submissions.

4. Monitoring and review

4.1 We are currently drafting a monitoring plan as part of our implementation work and will embed this into operational work in our registration processes in advance of reporting and any future review activity.

4.2 We will report on and review the new requirements using the following methods:

- **Qualifying countries list**: We will adopt an initial countries list and launch this in January 2025. A further review of this list will take place on an annual basis where any potential change is set out for consideration by the Policy and Standards team. Consideration of changes to the list would be triggered when evidence is submitted by a national or state level government or equivalent regulatory or registry body in health and social care outside the UK.

- **Recognised tests list**: The ETC will review this list every three years, reassessing the criteria for tests and the benchmarked results we require of applicants. The ETC will also review the criteria, benchmarking or overall lists where evidence becomes available that this may be necessary. Triggers for this would include:

  a. fluctuations in monitoring data from our International Registrations team where there is a substantial effect on application numbers or the make-up of our international registrant base;

  b. fluctuations in types of fitness to practise concerns raised where this may concern English language proficiency requirements and their operation;

  c. substantial changes to recognised test requirements, procedures or content;

  d. changes which affect test comparability or suitability; and

  e. where substantial issues such as potential risks or systematic failures are identified, following assessment by the International Registration and Policy and Standards teams.

5. Annexes

Annexe 1: Proposed qualifying countries list (QCL)

Annexe 2: Countries list examples for comparison

Annexe 1: Proposed qualifying countries list (QCL)

Country or territory	
American Samoa (United States)	Tokelau (New Zealand)
Anguilla (United Kingdom)	Trinidad and Tobago
Antigua and Barbuda	Turks and Caicos Islands (United Kingdom)
Australia	U.S. Virgin Islands (United States)
Australia (includes dependant island territories)	United Kingdom
Bahamas	USA
Barbados	
Belize	
Bermuda (United Kingdom)	
British overseas territories (general)	
British Virgin Islands (United Kingdom)	
Canada	
Cayman Islands (United Kingdom)	
Cook Islands (New Zealand)	
Dominica	
Falkland Islands (United Kingdom)	
Gibraltar (United Kingdom)	
Grenada	
Guam (United States)	
Guernsey (United Kingdom)	
Guyana	
Ireland	
Isle of Man (United Kingdom)	
Jamaica	
Jersey (United Kingdom)	
Kenya	
Malta	
Marshall Islands	
Montserrat (United Kingdom)	
Nauru	
New Zealand	
Niue (New Zealand)	
Northern Mariana Islands (United States)	
Palau	
Puerto Rico (United States)	
Saint Helena (United Kingdom)	
Saint Kitts and Nevis	
Saint Vincent and the Grenadines	
St Kitts and Nevis	
St Lucia	
St Vincent and the Grenadines	
the Bahamas	

Annexe 2: Countries list examples for comparison

GMC	NMC	Home Office
Anguilla	Antigua and Barbuda	Antigua and Barbuda
Antigua and Barbuda	Anguilla	Australia
Ascension	Australia	The Bahamas
Australia	The Bahamas	Barbados
Bahamas	Barbados	Belize
Barbados	Belize	Canada
Bermuda	Bermuda	Dominica
British Antarctic Territory (BAT)	British Indian Ocean Territory	Grenada
British Indian Ocean Territory	Canada	Guyana
British Virgin Islands	Cayman Islands	Jamaica
Canada	Dominica	New Zealand
Cayman Islands	Falkland Islands	St Kitts and Nevis
Dominica	Gibraltar	St Lucia
Falkland Islands	Grenada	Trinidad and Tobago
Gibraltar	Guernsey	St Vincent and the Grenadines
Grenada	Guyana	United States of America
Grenadines	Ireland	
Guernsey	Isle of Man	
Guyana (formerly British Guiana)	Jamaica	
Ireland	Jersey	
Isle of Man	Malta	
Jamaica	New Zealand	
Jersey	Saint Helena, Ascension and Tristan da Cunha	
Montserrat	St Kitts and Nevis	
New Zealand	St Lucia	

GMC	NMC	Home Office
Pitcairn	St Vincent and the Grenadines	
Singapore	Trinidad and Tobago	
South Africa	United Kingdom	
South Georgia and the South Sandwich Islands	United States of America	
Sovereign Base Areas of Akrotiri and Dhekelia on Cyprus (CBA's)	US Virgin Islands	
St Helena		
St Kitts and Nevis		
St Lucia		
St Vincent		
Trinidad and Tobago		
Tristan da Cunha		
Turks and Caicos Islands		
United Kingdom		
United States of America		
US Virgin Islands		