

## Postgraduate Doctors and Dentists

There have been longstanding provisions within the Immigration Rules which enabled overseas doctors and dentists to come to the UK to continue their training, 'permit free' – Postgraduate Doctors and Dentists (paragraphs 70 to 75 of the Immigration Rules). These provisions meant that those who qualified did not need work permits to continue their training in the UK. This category has now been substantially changed.

With effect from 3 April 2006, **only** those doctors and dentists who have completed their medical / dental studies in the UK qualify to undertake their Foundation Programme with leave under the 'permit free' Postgraduate Doctor or Dentist category. All other overseas doctors and dentists (who would have previously been granted leave as a Postgraduate Doctor or Dentist) need to obtain a work permit or qualify through another part of the Immigration Rules in order to be granted leave.

Those granted leave as a Postgraduate Doctor or Dentist under the previous arrangements prior to 3 April 2006 can continue their training under their existing leave. Any extensions for further periods of training after this date will only be granted if the new requirements are met.

### Tier 2 application category

On 19 June 2006, a new category (and application form, PD1) was created within Tier 2 of the Business and Commercial work permit arrangements for relevant training grade posts. Throughout each level of their training programme, postgraduate doctors and dentists are likely to be employed by a number of different NHS Trusts. Therefore this category was created to allow for each level to be completed under a single work permit application.

Training for postgraduate doctors and dentists is usually funded by a Postgraduate Dean, who has overall educational responsibility for the training. It is expected that most applications in the category will be submitted by the relevant Postgraduate Dean, as the nominal employer. It is possible, however, that some applications will be submitted by NHS Trusts.

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## Form PD1

Most work permit applications for postgraduate doctors and dentists on training grade posts (see [job](#)) should be made on the PD1 application form; the exceptions being for those undertaking training as part of a [Medical Training Initiative](#)

Applications for career grade posts should continue to be made on the WP1 form.

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## Deanery (the employer)

Throughout the training programme, the postgraduate doctor or dentist is likely to be employed by a number of different NHS Trusts. Most of these applications will be submitted by the relevant Postgraduate Dean who, for work permit purposes, will nominally be the employer. The employer/employee relationship will be explained in a standard covering letter, which the Dean will include with the application. (Please see the [list of Postgraduate Deaneries](#) for more details.)

It is also possible that some applications may be made by an NHS Trust or GP Practice where the training will only be undertaken with that Trust or Practice.

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## **Salary**

The salary of the postgraduate doctor or dentist will be paid by the NHS Trusts or the GP Practice and be the same as those indicated on [the occupation sheet for doctors](#).

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## **Job**

Caseworkers must look at the job description as well as the job title to establish that it falls within one of the training grade levels (Foundation Officers or Speciality/General Practice Registrars).

In the application, the Deanery/employer should detail all the posts the doctor or dentist will occupy during their training programme. They may, however, only be able to confirm posts up to a year or two in advance. If that is the case they will be expected to keep us informed of any additional posts. This will require technical change of employment applications ([see below](#)).

Please note that all posts should be at the same training level throughout the programme. If the level changes, a change of employment application will be required (see [changes of employment](#)).

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## **Qualifications and experience**

Caseworkers should check the application form to ensure that the doctor or dentist has the qualifications and experience required to do the level of training outlined in the job description. This should be described on the application form and in any advertisements carried out for the post. It is not possible, for example, to work in an F2 post (part of the Foundation Programme) unless the doctor has successfully completed their training in an F1 post. (See the [occupation sheet for doctors](#) for more details.)

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## **Advertising**

All first applications submitted under the postgraduate doctors and dentists category should meet the normal advertising criteria unless they satisfy the conditions outlined in one of the transitional arrangements ([see below](#)).

Change of employment applications should also satisfy the advertising criteria where the doctor or dentist is commencing a training programme at a higher level. For example, if the doctor or dentist has just completed their Foundation Programme and is now required to commence a programme at Speciality/General Practice Training level.

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## **gLOBE**

Caseworkers should input details onto gLOBE as follows:

- Applications should be input under the 'postgraduate doctors and dentists' category;
- Job titles should be input under one of 'Foundation Officer', 'GP Registrar' or 'Speciality Registrar' only;
- Details of any additional funding/allowances/stipends received should be noted in the salary section and in the comments section;
- Normally, the Deanery's details should be input in the employer tab;
- Details of the posts to be occupied by the doctor or dentist during the training should be noted in the comments section;

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## **Changes of employment**

In the postgraduate doctors and dentists application category, these will normally occur in one of two ways:

- The doctor or dentist will move to a post in a Trust covered by another Deanery; or
- The doctor or dentist will begin training at another level.

In each of these circumstances, a change of employment application is required.

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## **Technical changes of employment**

As it is unlikely that the Deanery will know in advance all the posts the doctor or dentist will hold throughout their training programme, we may receive one or more technical change of employment applications to cover a proportion of each programme. These may be accepted providing:

- the post(s) is/are in a Trust/Trusts within the same Deanery; and
- the training remains at the same level.

If either of these conditions are not satisfied, a change of employment application should be requested.

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## **Length of approval**

If the application meets the criteria for postgraduate doctors and dentists, approval should be given up to the end of the training programme or up to a maximum of five years, whichever is shorter.

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## **What to do if?**

### **The application is not on form PD1 –**

For posts commencing on or after 19 June 2006, caseworkers should check if they have all the information they require to consider the case within the

postgraduate doctors and dentists category. If so, they should continue to process the application but request in the decision letter that the Deanery/employer complete the PD1 application form for any future applications to be made in this category.

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**The application is not from a Postgraduate Deanery** – Caseworkers should contact the employer, which will normally be an NHS Trust or GP Surgery, to establish why the application was not submitted by the Postgraduate Deanery. If the application is to cover posts with other employers, the employer should be advised to contact the relevant Postgraduate Dean, as the application should normally have been submitted by them. The employer should ask the Dean to supply a signed declaration from a PD1, a list of posts the doctor/dentist will occupy and a copy of their standard letter. The permit should then be issued to the Postgraduate Dean. If the caseworker remains unsure whether the employer is responsible for the employment of the doctor or dentist for the whole of the training programme, they may email the Policy Team mailbox (Workpermits, Policy) for advice.

If employment only relates to that employer, the caseworker may continue to process the application in the usual manner.

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**The Deanery has not included a covering letter with the application** – Caseworkers should request the letter, as it sets out the Dean's relationship with the doctor/dentist and the Trusts. If this is not forthcoming, the caseworker should still process the application, as its absence should not of itself lead to refusal. In all cases the caseworker should ensure the application form is signed.

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**The application is for someone to train as part of a Medical Training Initiative** – Caseworkers should advise the employer or their representative to complete an MTI1 application form.

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**It is not obvious what level of training the doctor or dentist will be doing** – In such circumstances, caseworkers should seek confirmation from the employer that the doctor or dentist will be training at the required level.

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**The application does not contain details of the posts the doctor or dentist will hold during their training programme** – Caseworkers should contact the Deanery for full details of posts the doctor or dentist will occupy during their training programme. In most cases, the Deanery should be able to provide details for at least a year.

If the Deanery cannot provide details of all posts the doctor or dentist will occupy throughout their training programme, caseworkers may still approve the application to cover the length of the programme providing all criteria are met. They will, however, need to note in the approval letter that the Deanery

should provide further details of posts the doctor or dentist will fill for the remainder of their training programme as soon as the information becomes available.

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**The application does not contain details of the doctor's/dentist's qualifications and experience** – Although caseworkers do not need to see certificates and references, as the GMC will have already checked these, caseworkers should still expect details on the application form to check that they have the required qualifications and experience described in the advertisement. If they are not provided, caseworkers should request these details. If none are forthcoming, caseworkers should discuss refusing the application with their manager. If the decision is a refusal, an amended version of paragraph P81C should be included in the refusal letter.

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**The doctor/dentist doesn't have appropriate qualifications or experience to do the job** – If, after checking the requirements to do the job on the application form and in the advertisement, the doctor or dentist doesn't have the requisite qualifications or experience, the application should be refused and an amended version of paragraph P81A included in the decision letter.

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**The application is for the doctor or dentist to move to a post in a Trust covered by another Deanery** – This is a change of employment and should be caseworked accordingly.

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**The application shows that the doctor or dentist will commence a new training programme at another level** - This is a change of employment and should be caseworked accordingly. Evidence of advertisements should be included with the application.

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**The employer is applying for a technical change of employment** – Caseworkers should ensure that the training will continue at the same level as the initially approved for and that it will be undertaken at a Trust/Trusts within the same Deanery. Where one or both of these conditions is/are not satisfied, the caseworker should request a change of employment application.

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**The application shows no advertising was undertaken** – Where this is the case, any explanations as to why the post was not advertised should be considered and discussed with managers. If the explanation is accepted, paragraph P70A should be included in the approval letter.

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**Advertising was undertaken in an inappropriate medium** - Paragraph P83D should be included in the refusal letter. Caseworkers should note that all refusal reasons should be included in a refusal letter and all letters should be tailored to the individual application. That said, if this is the only reason for

refusal, caseworkers should consider the employer's explanation as to why the publication in question was used. If caseworkers accept the employer's explanation and are satisfied that a genuine attempt to recruit from the resident labour market was made, caseworkers should consult their line manager as to whether an exceptional approval is justified.

If an exceptional approval is granted, the approval letter should note the case has been approved exceptionally, waiving the advertising criteria and an adaptation of paragraph P70A included. Caseworkers should set out the reasons given by the employer on gLOBE, which were taken on board when considering the case. The approval letter should set out that this does not set a precedent and that all future applications will be required to meet the full work permit criteria. This should be noted on the employer's comments on gLOBE.

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**The employer has not provided confirmation from the Postgraduate Dean that the Foundation Programme is recognised** – The caseworker should request that the employer provide confirmation from the Postgraduate Dean that the Foundation Programme is recognised. If this is not forthcoming, the caseworker should consider whether there is a genuine vacancy ([see genuine vacancy](#)).

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