

Delivering *Skills for Life*

FACT SHEET 1 – New requirements for naturalisation/citizenship and demonstrating knowledge of language and life in the UK

April 2010

This fact sheet supersedes Fact Sheet 5 and Fact Sheet 7 originally published by the LSC in September 2004 and in November 2005 respectively. It sets out the position for providers who receive queries about the new language requirements for naturalisation/citizenship. Skills Funding Agency providers are likely to be involved in helping people to achieve English language skills at Entry Level 1, 2 and 3 and providing confirmation of such to the Home Office.

Readership

1. Skills Funding Agency colleagues; colleges and other providers: Directors responsible for finance and funding, senior managers and managers responsible for English for Speakers of Other Languages (ESOL), managers responsible for Management Information Systems (MIS), teachers and tutors of ESOL, staff responsible for student services/guidance.

Background

2. On 28 July 2004 the Government changed the requirements for those seeking naturalisation as a British Citizen. These were superseded on 19 July 2005 when the Home Office announced new regulations on the processes for naturalisation coming into force from 1 November 2005.
3. These were superseded again on 7 April 2010 when further changes came into force for people seeking settlement in the UK or naturalisation as a British citizen.

Arrangements as from 7 April 2010

4. Most applicants aged between 18 and 64 applying for settlement or naturalisation as a British citizen must show that they have sufficient knowledge of the English language and of life in the UK. Applicants can meet this requirement by either:
 - a) passing the “Life in the UK” test or
 - b) for those who language skills are below ESOL Entry Level 3, obtaining an approved English for Speakers of Other Languages (ESOL) qualification ESOL at Entry 1, Entry 2 or Entry 3 which contains citizenship materials.

5. Applicants can satisfy the ESOL requirement by obtaining a relevant ESOL qualification from an approved awarding body following attendance on a course which was taught using specified citizenship materials. From 7 April 2010, applicants must meet the following additional requirements:
 - they must have studied for their ESOL qualification at an “accredited college”;
 - and
 - they must be able to demonstrate that they have progressed.
6. An “accredited college” means a college which is either:
 - a publicly funded college subject to inspection by Ofsted or its devolved equivalents; or
 - a private college which is accredited by Accreditation UK, the British Accreditation Council (BAC), the Accreditation Body for Language Services (ABLS) or the Accreditation Service for International Colleges (ASIC).
7. UK Borders Agency (UKBA) will accept a qualification provided that the college meets these requirements at either the date at which the qualification was gained or at the time at which the application for Indefinite Leave to Remain or Citizenship is made.
8. To show progress, applicants must show that:
 - their level of English was assessed before the course started; and
 - the qualification gained shows progression by at least one level.
9. To enable them to meet this requirement, in future those applying for settlement or naturalisation will be asked to provide a letter-headed document from the college, containing the official stamp or seal of the college. This should include the following details [NOTE: some of this information is new]:
 - the student’s name
 - the title of the qualification obtained
 - the name of the awarding body
 - confirmation that the course contained citizenship materials derived from the document entitled “Citizenship Materials for ESOL Learners” produced by NIACE/LLU+
 - confirmation that the student was assessed at the beginning of the course by a suitably qualified teacher
 - the level at which the student was originally assessed
 - the level to which he or she has progressed
 - the duration of the course
 - how the college meets the definition of an “accredited college.
10. A template for these letters is included at Annex A.
11. There have been instances reported where migrants already close to attaining a particular ESOL Level have taken a very short course giving them a qualification at that level but no further. Such a course is obviously of very little value to the applicant and does not assist the applicant in developing their understanding of English to aid their integration into the UK. The expectation in such cases is that the college will take a rigorous approach to the initial assessment and to placing students on appropriate courses. For applicants already very close to attaining

ESOL Entry Level 1, the appropriate course is likely to be one leading to ESOL Entry Level 2. Similarly, those close to Entry Level 2 could be expected to aim for Entry Level 3. This approach will ensure that applicants obtain maximum benefit from their course of study.

12. The new requirements apply to applications for settlement or naturalisation submitted on or after 7 April 2010. Applications submitted prior to that date will be considered in accordance with the provisions in force on 6 April 2010. In these circumstances, there is no requirement for the college to be accredited but the applicant must still have obtained an ESOL qualification from an approved awarding body following attendance on a course which contained citizenship materials.
13. Those applying for citizenship after 7 April who have previously been granted settlement on the basis of an ESOL qualification will not need to re-do that qualification, even if that qualification would not have enabled them to meet the new provisions.
14. There is no change to the provisions for those taking the 'Life in the UK' test.

Further Guidance

15. More information can be found at the UK Border Agency website: <http://www.ukba.homeoffice.gov.uk/settlement/knowledge-language-life/>. It is worth checking this website regularly as information is frequently being updated.
16. If applicants are looking for further information you can advise them to contact the Nationality Group on: tel. no. 0151 237 5200 or write to: Home Office Immigration and Nationality Directorate, PO Box 12, Liverpool, L69 2UX.

ANNEX A – Template letter

This is to confirm that _____ (name)

was awarded the attached certificate in ESOL Skills For Life Speaking and Listening/National Qualifications Unit in ESOL by _____ (name of awarding body).

The certificate was gained after successful completion of an ESOL course provided by this institution. The course was delivered in a citizenship context by a suitably qualified teacher and used materials derived from “The Citizenship For ESOL Learners” pack produced for the Home Office by NIACE and LLU+.

I can confirm that the student was assessed at _____ level before commencing the course and has progressed to _____.

This qualification was obtained at _____ (name of institution) following a course which was _____ in duration.

This institution is an accredited college because it is: (please tick)

- a publicly funded college that is subject to inspection by Ofsted (England)
- a publicly funded college that is subject to inspection by the Education and Training Inspectorate (Northern Ireland)
- a publicly funded college that is subject to inspection by Her Majesty’s Inspectorate of Education (Scotland)
- a publicly funded college that is subject to inspection by Estyn (Wales)
- a publicly funded college that is subject to an inspection programme that has been approved by the Island’s Government (Channel Islands or Isle of Man)
- a private college that has been accredited by Accreditation UK
- a private college that has been accredited by The British Accreditation Council
- a private college that has been accredited by the Accreditation Body for Language Services
- a private college that has been accredited by the Accreditation Service for International Colleges
- a private college that has been accredited by an accreditation body that has been approved by the Secretary of State. *Please state accreditation body:*
_____ .

Signed:

College stamp

Print name:

Position:

Date: