

Northern Ireland Civil Service (NICS) Nationality Guidance

Introduction

To be appointed to the Northern Ireland Civil Service (NICS), the Civil Service Nationality Rules require you to be legally entitled to work in the United Kingdom (UK) and to satisfy the nationality requirements.

This document outlines the nationality requirements for the NICS and should be read in conjunction with [Cabinet Office](#) and [Home Office](#) Guidance.

For more information on job nationality requirements and the right to work in the UK, see the [Civil Service Nationality recruitment rules](#) and the [UK Visas and Immigration rules](#).

NICS Nationality Rules

The Candidate Information Booklets (CIB) for a recruitment competition will set out the nationality requirements of specific posts as provided for by the [Civil Service Nationality Rules](#).

Posts will be described as being '**reserved**' or '**non-reserved**' – if a post is described as:

- '**reserved**' - **you must be a UK national to be eligible to apply.**
- '**non-Reserved**' - you are eligible to apply if you are **one of the groups listed in Table 1** overleaf.

When applying for posts in the NICS, **you** are required to state your nationality in the “Right to Work and Nationality Requirements” response box in Part 1 of your application form. If you are applying under categories iv – vii, you are required to provide information in this section to confirm the category you are applying under. Failure to provide the requested information **WILL** result in your application being rejected.

All candidates for external recruitment will be subject to a Nationality validation check.

You can check your eligibility on pages six and seven.

Table 1 Eligibility for non-reserved posts

Nationality Requirement	Definition																														
UK national	A person who is a British citizen (including persons from the Channel Islands and the Isle of Man), a British subject under Part IV of the British Nationality Act 1981 having the right of abode in the UK or a British Dependent Territories citizen acquiring his/her citizenship from connection with Gibraltar. British Protected Person’ means a member of any class of persons declared to be British Protected Persons by Order in Council under the British Nationality Act 1981, or by virtue of the Solomon Islands Act 1978.																														
National of a Commonwealth country	Any person who has the status of a Commonwealth citizen under the British Nationality Act 1981, not covered by the ‘UK Nationality’ definition above. This includes British Dependent Territories citizens (other than Gibraltarians), British Overseas citizens, and from 1986 those persons in the category British National (Overseas).																														
National of the Republic of Ireland	A person who is an Irish citizen (an EEA National).																														
EEA nationals with (or eligible for) status under the EU Settlement Scheme	(iv) ‘EEA National’ means a national of one of the following countries: <table><tr><td>Austria</td><td>Czech Republic</td><td>Germany</td><td>Latvia</td><td>Netherlands</td><td>Slovakia</td></tr><tr><td>Belgium</td><td>Denmark</td><td>Greece</td><td>Liechtenstein</td><td>Norway</td><td>Slovenia</td></tr><tr><td>Bulgaria</td><td>Estonia</td><td>Hungary</td><td>Lithuania</td><td>Poland</td><td>Spain</td></tr><tr><td>Croatia</td><td>Finland</td><td>Ireland</td><td>Luxembourg</td><td>Portugal</td><td>Sweden</td></tr><tr><td>Cyprus</td><td>France</td><td>Italy</td><td>Malta</td><td>Romania</td><td></td></tr></table>	Austria	Czech Republic	Germany	Latvia	Netherlands	Slovakia	Belgium	Denmark	Greece	Liechtenstein	Norway	Slovenia	Bulgaria	Estonia	Hungary	Lithuania	Poland	Spain	Croatia	Finland	Ireland	Luxembourg	Portugal	Sweden	Cyprus	France	Italy	Malta	Romania	
Austria	Czech Republic	Germany	Latvia	Netherlands	Slovakia																										
Belgium	Denmark	Greece	Liechtenstein	Norway	Slovenia																										
Bulgaria	Estonia	Hungary	Lithuania	Poland	Spain																										
Croatia	Finland	Ireland	Luxembourg	Portugal	Sweden																										
Cyprus	France	Italy	Malta	Romania																											

Table 1 Eligibility for non-reserved posts

Nationality Requirement	Definition
	N.B. Nationals from Switzerland also have the same free movement and employment rights. This includes nationals of the EU, Switzerland, Norway, Iceland or Liechtenstein and family members of those nationalities with settled or pre-settled status and Nationals of the EU, Switzerland, Norway, Iceland or Liechtenstein and family members of those nationalities who have made a valid application for settled or pre-settled status in accordance with the requirements of the European Union Settlement Scheme (EUSS).
Turkish nationals who have built up the right to work in the Civil Service	Turkish nationals and certain family members of Turkish nationals who have accrued the right to work in the civil service.
Certain family members of the relevant EU, EEA, Swiss or Turkish nationals	‘EU Settlement Scheme EU, other EEA, Swiss citizens and family members (publishing.service.gov.uk) provides guidance on EUSS and certain family members. This guidance outlines the categories of a family member of the relevant EEA as: (i) That national’s spouse¹*; civil partner, durable partner; or (ii) A direct descendant (child, grandchild etc.) (iii) A dependent parent or relative in the ascending line (parent, grandparent etc.)

¹ ‘Spouse’ does not include a party to a marriage of convenience and in the case of EEA national vocational students family members are restricted to spouses and dependent children only.

Right to Work in the UK

As with all employers in the UK, we have a responsibility to prevent illegal working and will conduct simple right to work checks before we employ you to ensure you are not disqualified from carrying out the work in question by reason of your immigration status.

Biometric Residence Card (BRC), Biometric Residence Permit (BRP) and Frontier Work Permit (FWP) holders are required to evidence their right to work using the Home Office online service only. We cannot accept physical cards for the purposes of a right to work check even if it shows a later expiry date. BRCs, BRPs and FWPs have been removed from the lists of acceptable documents used to conduct a manual right to work check.

The Home Office online service provides candidates with a share code that they must share with the employer to confirm Right to Work status.

Further information on the Home Office online checking service can be found at [Prove your right to work to an employer: Overview - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/proof-your-right-to-work-to-an-employer)

Sponsorship

The Skilled Worker route is the main immigration route for overseas nationals who wish to work in the UK. In 2021 the NICS obtained a license to recruit and sponsor skilled overseas workers to fill a wide range of skilled vacancies. This means the NICS can assign a Certificate of Sponsorship to allow a candidate to apply for a skilled worker visa.

There are a number of criteria to be met for a Certificate of Sponsorship to be assigned by the NICS, including meeting a salary threshold. Sponsorship can only be considered if the role is included on Home Office's list of [Skilled Worker visa: eligible occupations and codes - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/skilled-worker-visa-eligible-occupations-and-codes) and the candidate meets the Civil Service Nationality Rules as outlined above.

If sponsorship is available this will be included in the Candidate Information Booklet for the specific competition.

Further information on Sponsorship can be found at [UK visa sponsorship for employers: Overview - GOV.UK \(www.gov.uk\)](https://www.gov.uk/uk-visa-sponsorship-for-employers/overview)

FLOWCHART FOR CHECKING ELIGIBILITY

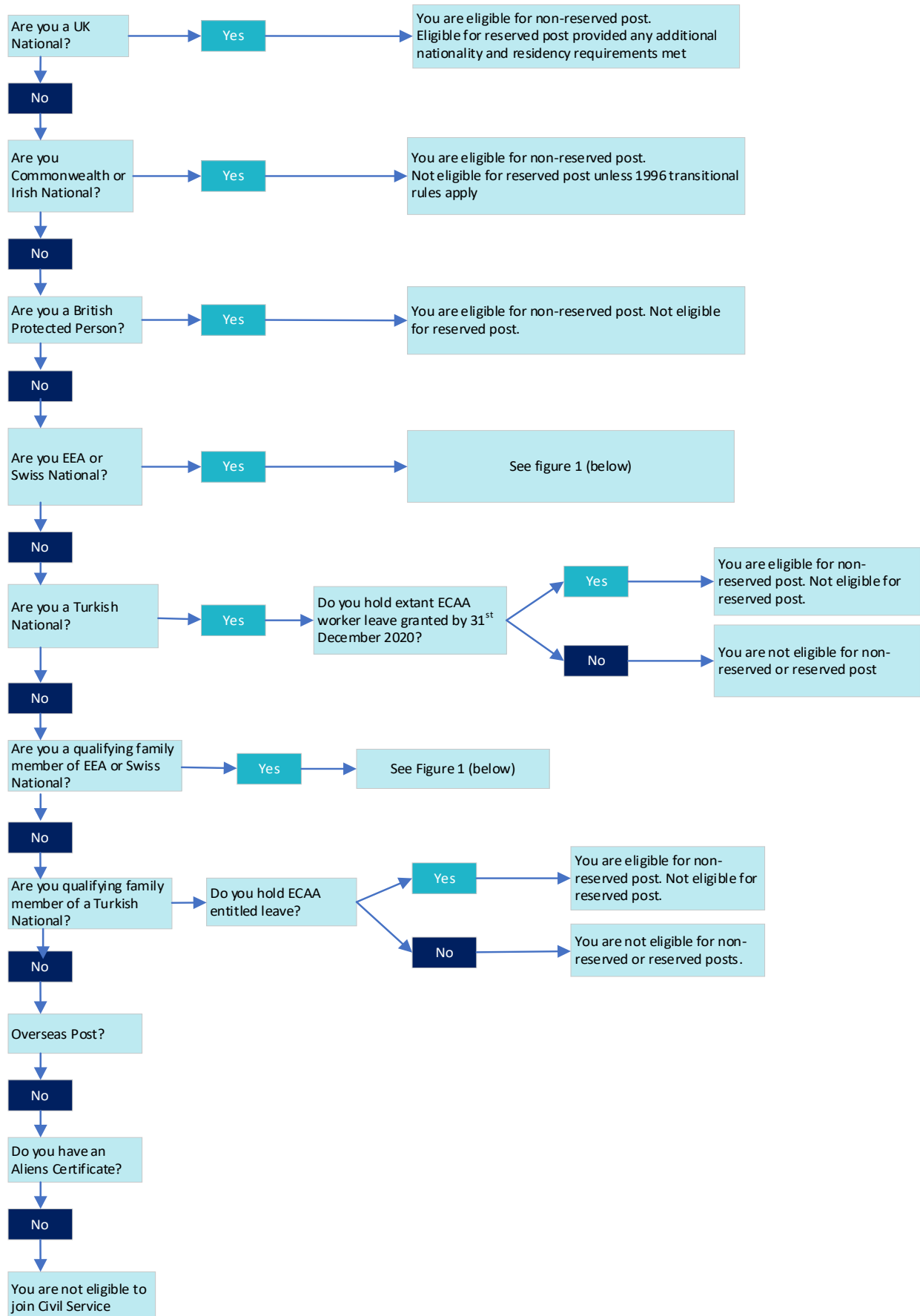


Figure 1: Flowchart for Checking Eligibility

EEA or Swiss Nationals and Qualifying Family Members

