

# **Contents**

# Introduction

In February 2022, care workers became eligible for the Health and Care Worker Visa and were added to the Shortage Occupation List in response to workforce capacity challenges in the care sector. This is in addition to senior care workers who were made eligible in January 2021.

This toolkit aims to help providers to decide whether to recruit from overseas and to do so in an ethical and responsible manner. You can use this toolkit to plan your approach to overseas recruitment activity for the first time, or to review the quality and efficiency of your existing practices and processes. This guidance is mainly focused on international recruitment of care workers and senior care workers. There are different requirements for other professions such as nurses and social care workers. For guidance on recruiting nurses from overseas click here for the guidance.



# **Getting Started**

International recruitment requires extensive planning sustained focus, and a long term commitment to resources, ongoing training and pastoral support.

### Process for recruiting international staff and estimated timescales

Preparation - decide whether international recruitment is right for you. Consider if your organisation is ready, if your organisation is eligible and if your jobs are suitable. You will need to consider in the preparation stages how you will implement a plan for pastoral support.

Overseas recruitment bite-size quide for social care providers in England

**Sponsorship** - to recruit care staff from overseas you must first apply to for a sponsorship license with UK Visas and Immigration (UKVI).

<u>Link - step-by-step guide.</u>

Recruitment - run a recruitment campaign, sift, interview, and select candidates. You could use a recruitment agency. This can be done in parallel to getting your sponsorship license.

**Ethical Recruiters List** 

Up to 8 weeks

4-6 weeks

Assign certificates of **sponsorship** - you must assign a certificate of sponsorship (given to you by UKVI) to each worker you are recruiting. Candidates will then be able to apply for their Health and Care Visa.

Link to step-by-step guide

Onboarding - once a worker has their visa and is ready to come to England, you may choose to support them to arrive and settle, including organising and/or paying for flights and initial accommodation.

Accommodation guidance

Ongoing pastoral support

- once a worker has arrived, to ensure success it will be important to help them settle into their new life in England and induct them into their new role.

Pastoral Care Guide for International Recruitment in Social Care

Up to 8 weeks

First 6 months and beyond

Up to 8 weeks

Throughout this process follow the government's Code of practice for the international recruitment of health and social care personnel in England - GOV.UK (www.gov.uk) to ensure ethical recruitment of workers.







# Estimating costs associated with international recruitment

There are upfront costs associated with recruiting overseas, which vary depending on the size of a provider. One of the first steps you will need to take is to calculate the costs of recruiting overseas, to help determine if this is a viable and cost efficient route for your organisation. You may wish to consider the return on investment (ROI) analysis in the longer term, and how this compares to other streams of employment such as temporary agency costs.

When applying for a sponsorship licence you will need to specify your provider size, in order to determine the upfront cost. An organisation is defined as a small business if two or more of the following apply:

- Your annual turnover is £10.2 million or less.
- Your balance sheet total is £5.1 million or less.
- You have 50 employees or fewer

A medium organisation is defined as having 50-249 employees and a large has 250+ employees.

There are some exceptions to this and different rules for 'group' companies. For guidance, see: Filing your Companies House accounts - GOV.UK (www.gov.uk).

An organisation will also be eligible to pay the small sponsorship charges if they are:

- A charity,
- An organisation not subject to the Companies Act 2006, (for example, a sole trader or an ordinary partnership) who employs no more than 50 employees.

A medium organisation is defined as having 50-249 employees and a large has 250+ employees.

Government fees	Small or charitable orgs	Medium or large orgs
Sponsorship licence (one off) – you need to pay a fee when you apply for a sponsorship licence	£536	£1,476
UK visa sponsorship for employers: Apply for your licence GOV.UK (www.gov.uk)		
Certificate of Sponsorship (per recruit) – you need to pay a fee when you assign a certificate to a worker	£199	£239
UK visa sponsorship for employers: Certificates of sponsorship - GOV. UK (www.gov.uk)		
Immigration Skills Charge (per	£364 for first 12 months	£1,000 for first 12 months
recruit) – the immigration skills charge is paid when a certificate of sponsorship is assigned. The cost	£182 for each additional 6 months	£500 for each additional 6 months
depends on how long the person will work for you, using the start and end dates on the certificate. You must pay the full amount in one go.	E.g. 5 year visa - £1,820	E.g. 5 year visa - £5,000
UK visa sponsorship for employers: Immigration skills charge - GOV.UK (www.gov.uk)		

#### **Optional Costs**

Sponsorship licence priority service (optional, one off) - The pre-licence priority service allows sponsors to prioritise their application for a sponsor licence, for a fee.

Pre-licence priority service guidance - GOV.UK (www.gov.uk)

**Agency fees –** Some employers may choose to pay for a recruitment agency to support with recruitment of overseas staff. These costs are estimated based on real examples but costs will vary.

Flights – Some employers may choose to pay for workers flights to England, as flight costs may be a deterrent for some international candidates. These costs are estimated based on real examples but costs will varv.

**Accommodation** – Some employers may choose to pay for the first 4 weeks of accommodation, or the deposit, for workers. These costs are estimated based on real examples but costs will vary.

Cost of living support – Some employers may choose to provide candidates with funds to support the cost of living upon arrival.

#### **Candidate Costs**

English Language Exam – Candidates are required to pay their own SELT fee. The fee can vary between providers of the SELT, this is an estimate based on average costs.

**Support/Maintenance – Home Office requirements** state that candidates must be able to prove they have enough money in their bank accounts to support themselves upon arrival to the UK. The money must be available for 28 days in a row, with day 28 being within 31 days of applying. Candidates are exempt from proving this if their employer can cover the cost for them.

**Application Fee –** The application fee for the visa must be paid by the candidate themselves (although employers may choose to cover the cost). The cost differs based on if the candidate is staying in the UK for up to or more than 3 years.

Health and Care Worker visa: How much it costs -GOV.UK (www.gov.uk)

£500

Est. £2,500

£400-£1000, depending on time of year (summer months tend to be more expensive for booking flights).

£500 - £1,000

£1,000

C.£180

£1,270 – proof that funds are available is required, rather than a requirement that this is spent.

Migrant pays £284 upfront for a visa less than 3 years.

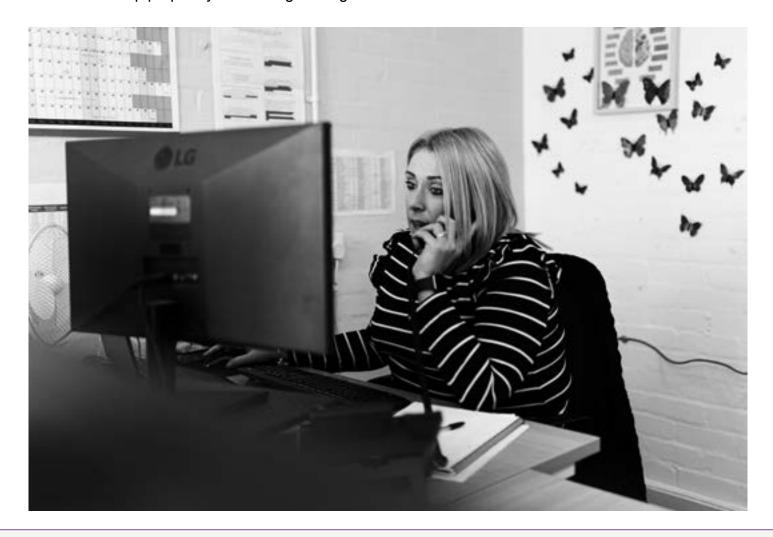
Migrant pays £551 upfront for a visa more than 3 years.

Always check gov.uk for up to date information on visa fees.

# **Building a business case**

You may be required by your organisation to develop a business plan in order to recruit international staff. Below are some tips about what may wish to include:

- State your supply issues, your overall workforce supply and how you anticipate international recruitment will support your organisation and what actions have been taken to address workforce shortfalls to date.
- The numbers and skills needed.
- Anticipated timescales.
- The people resource you'll need from within your organisation to support recruitment HR, supervisory and pastoral.
- The upfront costs and your return on investment analysis.
- How you are going to coordinate the activity / your delivery model.
- What your relocation package will be.
- The type of pastoral and professional support you will put in place pre-employment, induction and beyond.
- How you will ensure ethical practices.
- How you will engage with your current staff to build support and help the integration of new staff.
- How you plan to evaluate your campaign, to inform further international recruitment.
- Who will help prepare your existing colleagues.











# **Planning**

In the planning stage it is important to consider the human resource you'll need to coordinate activity from within the organisation. This may include:

- recruitment and administration
- HR professional support
- educational and pastoral support
- any contract management

#### Please see the section on recruitment for more information.

Consideration should be given to the longer-term resource needed to provide professional and pastoral support, to make sure your overseas recruits have are supported to settle in and develop. Failure to do so will impact on your ability to retain your international staff. The management of ongoing immigration sponsorship requirements, including visa renewals and Right to Work, are also important to factor into longer-term resource. You should also start to plan how you will evaluate the success of your international recruitment strategy, please see the section on evaluation for more information.











# Sponsorship and Visa Applications

<u>UK Visas and Immigration (UKVI)</u> is responsible for making decisions about who has the right to visit or stay in the country. If you are recruiting from overseas, your organisation will need a sponsorship licence to be able to issue certificates of sponsorship to overseas recruits.

# **Sponsorship responsibilities**

Once UKVI has agreed to issue a sponsorship licence for your organisation, that organisation is required to fulfil certain duties in order to retain their licence, such as record keeping and reporting.

Read the <u>full guidance on sponsor duties from UKVI</u> for further details. The guidance outlines all the responsibilities for businesses employing overseas workers, and it also includes user manuals for the Sponsorship Management System (SMS). It is important to ensure that you are following this guidance throughout the international recruitment process and beyond, in order to stay compliant with your obligations as a sponsor.

There is a Code of Practice for International Recruitment that applies to the appointment of all international health and social care personnel in the UK, including all permanent, temporary and locum staff. As an employer it is important to familiarise yourself with this. Please see the ethical recruitment section for further information.













# Steps to getting a sponsorship licence

#### 1. Check your business is eligible.

To get a licence as an employer, you are required to be registered with the Care Quality Commission and currently carrying out a regulated activity. Care providers who were sponsoring workers in exclusively non-regulated activities (and therefore not required to be registered by the CQC) before the rules change in March 2024 should be able to continue to sponsor these workers, including for extensions to their visa on those terms, but not hire new ones.

You cannot have unspent criminal convictions for immigration offences or certain other crimes, including fraud or money laundering or had a sponsor licence revoked in the last 12 months. You will need to show that you have systems in place to monitor sponsored employees and people to manage sponsorship in your business. Sponsorship of a skilled worker can only be undertaken by a business.

Individuals cannot be Home Office sponsors for the purposes of a skilled worker visa. Private households or individuals (other than sole traders sponsoring someone to work for their business) cannot sponsor Skilled Worker applicant. Under the current sponsorship system individuals can, however, work with a care provider who holds a sponsorship licence to hire specific individuals to provide their care, which can include internationally recruited care workers.

#### 2. Check if your job is suitable for sponsorship.

You can sponsor a worker if the job they're going to do has a suitable rate of pay and skill level, or meets the other criteria needed for their visa. All international recruits must be paid at least the required minimum salary of £20,960 or £10.75 per hour, whichever is higher. The minimum salary is based on a 37.5 hour week but will need to be higher if the individual is contracted to work more hours.

The minimum salary threshold for international workers will be increased in April 2024 to £23,200. Please check gov.uk guidance for the most up to date information on salary thresholds - Health and Care Worker visa: Your job - GOV.UK (www.gov.uk)

Adult social care workers are on the Shortage Occupation List and qualify for Health and Care worker visas. Workers don't need a formal qualification to be for care worker and senior care worker roles on the eligible for a Health and Care visa, however, they must meet the **English Level Requirements**. See the **Recruitment section** for further information. Your organisation must hold a sponsorship licence in order to recruit internationally for vacant roles.

### 3. Decide who will manage sponsorship within your business.

There are different roles identified by UKVI which need to be managed as part of the sponsorship process, but they can all be fulfilled by the same person. You will need to appoint someone within the organisation to manage the sponsorship process via the Sponsor Management System (SMS) and act as a single point of contact with UKVI. The SMS is UKVI's primary method of communication with sponsors.

#### The roles are:

- Authorising officer the most senior person in your organisation responsible for the recruitment of all migrant workers and actions of staff and representatives who use the SMS and ensuring that you meet all of your sponsorship duties
- Key contact your main point of contact with UK Visas and Immigration (UKVI)
- Level 1 user responsible for all day-to-day management of your licence using the SMS.



#### 4. Applying for sponsorship licence

There are a number of supporting documents that will be required as part of the application process, these evidence your organisation's suitability to UKVI. What you are required to provide will vary depending on what type of organisation you are. The requirements for most non-public sector social care providers are set out in Appendix A of the Sponsor Guidance. Please see the Help Sheet on completing a sponsorship application for more help with the application process: Becoming a Visa Sponsor - Help Sheet for ASC Providers.

Getting these documents right at an early stage can help the process run smoothly.

The process should take eight weeks to complete, but it can take longer if there are requests for clarification and additional information from UKVI. To seek clarification a UKVI case worker

may contact you via email, by phone, or arrange a visit to seek clarification. You should make sure you take the time to read the guidance and gather the necessary information in advance, as the actual application process itself is short, but requires preparation.

#### Use of legal advisers

Some providers choose to use a solicitor to manage the application process on their behalf. Whilst this can help in getting the application right the first time, the process does not require legal expertise. It is important to know that the legal advisor cannot submit the application on behalf of the organisation, as this must come from the applicant themselves. An organisation also cannot appoint a legal representative against their licence at the application stage, they must first be granted the licence and then appoint the representative via SMS. The decision on whether to use a solicitor comes down to capacity and resources. Do you have a person in the business who can take this forward?

# **Application process**

You will need to collate supporting documentation from the outset of the application process. This is because UKVI will want to see evidence that your organisation meets the requirements of a sponsor when they are assessing the application.

- 1. Complete the online application form
- 2. Pay the fees required for a sponsorship licence application
- 3. Submit your supporting documents as instructed at the end of your online application. Sponsor guidance appendix A: supporting documents for sponsor applications gives a full list of the documents required.
- 4. Case workers will consider your application. They will be looking at what the prospective employee will be doing, how they fit into the structure of the organisation/ business and how they will fit moving forward over four years. If there are no requests for clarification/ further information you will not hear anything until the end of the process.
- 5. You should expect to be contacted by UKVI within eight weeks.
- 6. Once you have obtained your sponsorship licence, you will then gain access to the Sponsorship Management System (SMS) which is an online portal that will allow you to manage your license and Certifications of Sponsorship (CoS).



#### 5. Certificate of Sponsorship (CoS)

For each overseas worker employed you will need a Certificate of Sponsorship which is linked to the sponsorship licence. There is one certificate required for each worker.

#### There are two types of CoS:

**Defined CoS:** These are for people applying on a Skilled Worker visa from outside the UK. Applications are usually approved in one working day but can take longer if the application is deemed complex. Once in possession of a defined Certificate of Sponsorship the overseas worker can apply for a Skilled Worker visa.

**Undefined CoS:** These are for Skilled Workers applying from inside the UK, and applicants on all other visas who are seeking to switch to a Health and Care Worker visa. Applications can take up to 18 weeks for approval.

A number of undefined CoS are issued when the sponsorship licence is granted and they are then reissued annually in line with the business plan agreed at sponsor application stage.

If additional CoS are required at any point, applications can be made via the Sponsorship Management System (SMS). Organisations will get access to the SMS once their sponsorship licence is approved. Information about how the additional recruitment supports the business plan and how the new recruits fit into the structure will be required. Further details on supporting evidence required are outlined below.

UKVI advise applying for additional CoS at the start of your recruitment campaign in order to best align with their processes. A later application may result in a longer period of time before new recruits are able to start, whilst applying too early could mean that the certificates expire.

Unused Defined Certificates of Sponsorship expire after three months of being issued and unused Undefined Certificates of Sponsorship expire after 12 months.

You will need to assign a work location to each CoS which accurately reflects the working location of the overseas recruit. which can be updated in the SMS, but it must match the location of the actual workplace. Sponsors are required to report changes of work and location via the SMS. Failure to do so is a breach of sponsorship duties, which could lead to compliance action being taken.

In the event that the employee stops working for you, this must also be reported to UKVI via the SMS. The employee will no longer be sponsored by you, and their visa may be cancelled.

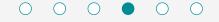
#### **Applying for CoS**

When requesting CoS, you may be required to provide evidence to UKVI to demonstrate that you have a genuine vacancy. This is so that UKVI can assess whether there is sufficient guaranteed work at the appropriate level available for the amount of CoS you are requesting.

When submitting CoS applications you will be required to explain why your business requires the number you are requesting. You must be able to justify this in the context of your existing business size, contracts, capability and structure.

#### **Documentation that may support CoS applications:**

- Contracts of work you are currently delivering
- Supporting written statement explaining how the documentation you have provided relates to your businesses recruitment needs



- Evidence that your current staff are working additional hours to meet the contracted hours your business holds
- Evidence that you have had to use agency staff so meet the contracted hours your business holds
- Evidence that you have attempted to recruit domestically

#### Documentation that cannot be used to support CoS applications:

Local Authority (framework) contracts that do not show evidence that you are currently delivering care packages. You must be able to show that you currently have enough work to sponsor international staff and that you will be able to meet the minimum salary requirements. Contracts that only demonstrate prospective work will therefore not be considered as evidence.

In some cases, UKVI may write to you to request additional information, so they can carry out further checks on your request. You should ensure that the evidence you submit to UKVI is relevant to their request, to avoid any additional delays in processing times.

#### Requirements for overseas recruits

An overseas recruit must ensure the following requirements are met as part of their visa application:

- They must have a confirmed job offer from a registered sponsor. They must be paid a minimum. salary of £20,960 per annum or £10.75 per hour, depending on which is higher (accurate as of September 2023, please always check the Home Office website for the most up to date guidance). The minimum salary is based on a 37.5 hour week but the minimum salary will be higher if the individual is contracted to work more hours. The minimum salary threshold for international workers will be increased in April 2024 to £23,200, whichever is higher. Please check gov.uk guidance for the most up to date information on salary thresholds.
- They must meet the English language requirements see Recruitment section for further information.
- In addition, UKVI will undertake a criminality check on every applicant. This is separate to checks required by the CQC, which are set out in Recruitment – background checks section.

#### **Health and Care Worker Visa**

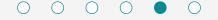
- There is an exemption from the immigration health surcharge for applicants A visa lasts up to five years with the opportunity to extend subject to eligibility. There is then the option to apply for leave to remain.
- The decision takes three to eight weeks depending on the applicant's circumstances.

#### 6. Compliance

UKVI will monitor your sponsorship licence and use of Certificates of Sponsorship. They reserve the right to inspect businesses to ensure that you are aware of your responsibilities and are carrying out your duties as a sponsor. They may visit or ring premises, without notice.

The Authorising Officer is responsible for ensuring compliance with the terms of gaining a sponsorship licence. There are various things that UKVI will check for to ensure best practice:

- Sponsors must abide by UK law, including the minimum wage and working hours requirements, as well as any other entitlements such as sick pay and holiday pay
- Payments can only go through bank accounts and applicable deductions made in line with HMRC rules for tax, NI contributions and in some circumstances, accommodation fees.



Additional fees related to becoming a sponsor and the CoS are the responsibility of the sponsor and are not to be passed to the recruits to repay. In particular, sponsors must not seek to recoup any part of the Immigration Skills Charge. If they are found to have done so, their licence will be revoked.

Investigations take place if UKVI suspects non-compliance with the sponsorship guidance. This can come from various sources such as the workers themselves or other government agencies that have concerns about an organisation. In the event of a compliance investigation, UKVI will take into the consideration the information gathered and form a decision as to whether the sponsorship licence guidance has been breached.

In a situation where acts of non-compliance are found, there are some penalties that may be put in place for the sponsor:

- Reducing your CoS allocation
- Downgrading your licence to a B-rating
- Suspending your licence
- Revoking your licence
- Cancelling the permission of your sponsored workers to remain in the UK
- In an instance where criminal offence has taken place, reporting this to the police or other relevant authorities

Full guidance on sponsor duties and compliance can be found on gov.uk - Workers and Temporary Workers: guidance for sponsors part 3: sponsor duties and compliance.

When sponsorship licences are suspended sponsors have 20 working days to provide representation and evidence to address UKVI concerns. On receipt of these responses, UKVI will review and consider the case and will write to the sponsor with a decision on revocation within 20 working days.

If a sponsors licence is revoked, they will no longer be permitted to sponsor international workers and will be ineligible to apply for a new licence for at least 12 months. Any sponsored workers will normally have their visa permission shortened, so they only have 60 days remaining. During this period, they must either find a new sponsor, regularise their stay via another eligible route or leave the UK. Where the worker is believed to have been complicit in the reasons for licence revocation, their entire permission may be cancelled and they will be required to leave the UK immediately.

You may become aware of international recruits who have lost their job due to their sponsor's licence being revoked. There are several ways you can offer support:

- advise them to check the gov.uk guidance on what to do if your visa sponsor loses their licence: Employees: if your visa sponsor loses their licence - GOV.UK (www.gov.uk)
- signpost them to the candidate guidance Applying for health and social care jobs in the UK from abroad - GOV.UK (www.gov.uk) which advises on their rights and where they can access further support (see Page 33)
- suggest they contact their local authority who can provide advice on other help and support available.

If you have your sponsorship licence revoked by UKVI, you may want to consider reimbursing your staff with the costs they have incurred taking up employment in your organisation and who, as a direct result of the licence being revoked, lose their job.



# **Employing** Refugee Care and Health **Professionals**

# **Employing refugee care and health professionals**

You may want to employ people who come from a refugee/displaced background.

A refugee is a person who has had a positive decision on their claim for asylum under 1951 United Nations Convention the Relating to the Status of Refugees (the Refugee Convention) and has been granted leave to remain in the UK. Once a refugee has been granted refugee status in the UK, they have a right to work and do not have any further specific requirements, beyond that of the recruitment process for domestic recruits. Refugees are forced to leave their countries due to fear of persecution, often because of direct state action. Asylum seekers are generally not allowed to work, however, they are permitted to work in the UK if they have been waiting for at least 12 months for a decision on their asylum claim, and find a job on the Shortage Occupation List.

The National Care Forum, working in association with the Care Provider Alliance and a wide range of partners, has developed a number of resources aimed at providing meaningful employment opportunities for those displaced from Ukraine and other parts of the world. This includes a <u>Care and</u> Housing Employers Together for Refugees resource hub and a Care and Support Jobs Board built in partnership with Cohesion, recruitment experts in the sector, which is free of charge for any care provider or housing employer to advertise their vacancies for Ukrainian refugees and other displaced people.

Considerations should be given to the specific pastoral care requirements of refugees and employers should be mindful of their needs. They should also ensure that staff have easy access to Mental Health and Wellbeing resources.

Where possible employers should connect with local authorities, including strategic migration partisanships, to understand the support available and reduce duplication.

The Skills for Care pre-employment checklist contains flexibilities that employers may exercise when an applicant is genuinely unable to present the documents as laid out in the standards.







The UK government has launched a **Displaced Talent Mobility Pilot** in collaboration with Talent Beyond Boundaries. Over the next one to two years, the pilot will aim to identify and address the administrative and legal barriers that refugees and other forcibly displaced job seekers face when seeking to move internationally as skilled workers. The pilot will have dedicated support and priority processing to Talent Beyond Boundaries candidates working in a variety of critical fields including IT, construction and engineering and will be placed via the Skilled Worker route.

# Recruitment

# Marketing your organisation

To attract talented candidates from overseas, you need to be able to separate your organisation from other care providers. Jobseekers are no different to any other consumer, they are looking for the best deal. This means different things for different people, so it is important to think about your potential candidates and what will be a priority for them. Once you have obtained your sponsorship licence, you will be added to the register of licence sponsors. This may mean that job seekers contact you directly with requests for sponsorship.

From a good reputation and culture, a strong pastoral and professional support package, to communicating your relocation package, individuals need to understand what is available to them both within the organisation and in the local area. But make sure you give candidates realistic expectations of the role and the location to make sure they know what to expect and minimise the risk of them leaving within a few months. From the beginning of the recruitment process, you should be clear about what your offer to potential candidates consists of. Providing candidates with a clear list of the costs that will be covered by your organisation, and the costs that they will be required to cover themselves, will help them to ensure that they are prepared for their relocation to the UK.

Marketing your organisation to generate interest from potential candidates must be a priority in the early preparation for international recruitment and should become an ongoing activity. Recruitment is not only about filling a vacant position(s) but about building a brand and reputation for your organisation. Skills for Care has tools and resources to support the activity of attracting candidates that can be referred to in order to successfully market your organisation.





#### **Advertisements**

It is important to consider the structure of job advertisements as they must include all relevant information and be appealing to candidates. Job adverts can be uploaded to the Care job board, which can be found here - Made With Care promotional resources. It is essential that advertisements clearly state that international candidates are welcome to apply, and sponsorship is available. Advertisements should also include the following information:

- A brief introduction to your organisation
- Salary and contracted hours
- Location
- Roles and responsibilities
- Key requirements, including if the holder is required to have a driving licence

Word of mouth is a particularly valuable promotional channel, so by ensuring your existing staff had a great recruitment and employment experience, you may encourage them to spread the word about your organisation and adult social care careers. This is a great opportunity to discuss with your existing international recruits why they chose to move to the UK and how their expectations have measured up against the reality. Being able to share positive experiences and case studies will be a powerful marketing tool for your organisation.

Care Friends is an employee referral app launched in partnership with Skills for Care to support finding and retaining high-quality care staff. Care Friends allows your staff to refer their friends for job opportunities at the tap of a button. Staff can share job roles directly with their contacts or on social media. We know that staff who have been referred by current employees stay for longer. Care Friends referrals see 50% less year one attrition compared to the sector average. Many of the candidates referred so far have been new to care. It is important to note that this app counts as active recruitment. This is because it offers incentives in the form of bonuses. In the International Recruitment Code of Practice, active recruitment is not permitted in red list countries. Ensure you familiarise yourself with the WHO Safeguarding List and the Code of Practice each time you recruit internationally. See the Ethical Practices section for more information on active recruitment.



#### The essentials

Is there more that can be done to promote your organisation? Are you communicating your values in your advertisements? What will prospective overseas candidates think of your organisation at face value?

What do staff get in other organisations that might be missing from yours?

Do you have opportunities to coordinate promotional activity across your local community?



# **Case Study**

# Risedale Homes

The care home offered, via a current recruit, local overseas community the opportunity to recommend friends and family to work at Risedale - if staff were offered initial accommodation.

The organisation pays for flights, meets the agency costs and ensures applicants are not charged by the agency.

The provider assists with bank accounts, GP registration, Dentist, biometrics, and local knowledge.



# Using a recruitment agency

Recruitment agencies can offer support with various stages of the recruitment process, particularly with promoting vacancies and supplying providers with potential candidates. If you choose to use a recruitment service provider, choose one on an approved framework.

This will give you reassurance that recruiting processes adhere to all legal requirements and that you are getting the best value from a service. You should also check that the service provider you contract with is on the Ethical Recruiters List, to ensure the recruiting processes are ethical. This list of providers, covers both health and social care, and the recruiters have declared they comply with the International Recruitment Code of Practice and it can be found on the NHS Employers website. The Code of Practice also includes various examples of both good and bad practices expected of a recruitment agency.

We also encourage employers to share with NHS Employers any information relating to agencies who appear to be recruiting unethically or contravening the Code of Practice. There are benefits to using the services of an expert, particularly if your organisation has not done international recruitment before. You will need to factor in the additional fees for the service and make sure you are clear about each other's responsibilities in the process for the working relationship to be successful.

You are likely to work closely with your chosen recruitment agency or service for some time, and there are therefore significant benefits to be achieved by planning for time to test the market and appoint the right organisation, such as:

- Appointing a partner who understands your situation and can tailor an offering to get you the best result. Tailor your specification and requirement to reflect the exact mix and level of service that you require.
- Forging a relationship with a partner who will 'buy-in' to what you are trying to do and support you on an ongoing basis. This could include providing ongoing advice and support around how to support your recruits once they have arrived, which will be key to worker retention.
- Having a dedicated contact at your organisation who can liaise with the service provider and your recruiting managers, and schedule regular management meetings to review progress against your contract arrangements. Having a detailed project plan may help with this.

#### Things to set out in your contractual agreement:

- Set clear expectations, such as being specific about expected numbers of recruits and cohort size.
- Set time-scales for the process and when you should expect to see your candidates arrive. Agree things like who will check references.
- Outline who is responsible for each element of the process, for instance, if the service provider will meet and greet staff at the airport, make sure it's written down and clear in the contract.
- Who is paying for what, and at what stage? Ensure all the expected elements and costs are included so both parties understand their commitment.
- Detail caps on costs where this is applicable, for example you will cover costs of flights up to £800 and no further.



- Define a rebate period of the recruitment fee should a candidate leave within a certain time period.
- Identify your agreed communication channels, specifying who will work with whom on a daily basis and a schedule of regular review dates. Be clear on how performance will be managed, and what information the service provider will give you and when. Also request a weekly progress report so you are kept informed.
- As part of your agreement, be clear about who will be liaising with the new recruits between the offer of employment and their relocation. Include a contractual statement in the service agreement about the point of payment. For example, you might want to stipulate that the service provider will not receive payment for their services until staff arrive in the UK.
- Ask the service provider to provide you with references from other organisations they have worked with and from candidates they have deployed. Follow these up directly to find out what their experience has been.



# **Person Specification**

#### **Background checks**

There are many processes that the provider must consider when recruiting internationally. International candidates require various background checks that will allow them to become eligible to gain a Health and Care visa.

Under regulation 19 of Care Quality Commission (CQC) standards, employment checks employees are required.

- To be of good character
- Have the qualifications, competence, skills and experience which are necessary for the work to be performed by them
- Be able by reason of their health, after reasonable adjustments are made, of properly performing tasks which are intrinsic to the work for which they are employed.

Candidates applying for a Health and Care visa must submit a criminal record certificate from any country that they have resided in for 12 months or more in the last 10 years. The application process for criminal record checks varies from country to country, with the certificate being issued upon request from the relevant embassy. If it is not possible to obtain a certificate, e.g. if a country does not have a functioning criminal record regime, then an explanation must be provided with the visa application. UKVI will consider the explanation and decide whether to waive the requirement. If waived, employers must obtain as much information as possible from references before making a formal offer.

Further to this, a DBS check must be undertaken on the basis that an individual may have a UK criminal record or come from a country where the DBS has sharing arrangements. Staff working with adults can only start work before a DBS certificate is received if they have been subject to an Adult First Check and subject to the following safeguard:

- An appropriately qualified and experienced member of staff is appointed to supervise them.
- Where possible, the supervisor is on duty at the same time as the new worker or is available to be consulted.
- New workers do not escort people away from the premises unless accompanied by a member of staff who has a full DBS certificate.

#### **Bringing Dependants to the UK**

As of 11th March 2024, care worker and senior care worker main applicants are no longer able to bring dependants to the UK.

It is important to know that no measures introduced as part of this package of reforms will be applied retrospectively. This means that:

- Care workers and senior care workers already in the visa route before 11th March 2024 will be able to remain with their dependants, including if they apply to extend their visas, change employer, and settle in the UK.
- Where a care worker and senior care worker is in the visa route before the rules change, but has not yet brought dependants, they will be allowed to bring dependants during their visa.
- Individuals who are in the UK on any other visa route before the rules change, including where that route permits dependants, who switch into the care visa as a care worker or senior care worker after rules change will not be able to bring over dependants.



### Language assessment

Employing organisations are responsible for ensuring that everyone involved in the delivery of services has the required level of English language competence to enable them to communicate effectively with people who use services and colleagues. The visa language requirement, as outlined below, is a general requirement to be eligible for the Skilled Worker visa. It does not guarantee that an applicant has the necessary level of English to do the job you are offering, and so you should ensure you review English language proficiency in your selection process.

Health and Care visa applicants need to be able to read, write, speak and understand English to at least level B1 on The CEFR Levels - Common European Framework of Reference for Languages (CEFR) (coe.int). Test results will only be applicable if:

- The test is on the list of approved English language tests
- The test was taken at an approved test location
- The award was given within two years before the date of your application

#### The only providers approved to provide Secure English Language Tests (SELT) tests are:

- ITELTS SELT Consortium Prove your English language abilities with a secure English language test (SELT) - GOV.UK (www.gov.uk)
- Language Cert
- Pearson
- Trinity College London (only available inside the UK)
- PSI Services (UK) Ltd (only available outside the UK)

Proof of knowledge of the English language is a requirement for the visa application, therefore the test must be carried out before candidates submit their visa applications. Applicants are exempt from taking an English language test if they come from a country where English is a spoken language or if they have a degree level qualification that was taught in English.

### Interview and Selection

International recruitment, like domestic recruitment, needs to centre around a positive candidate experience. It needs to be an engaging process and one which motivates candidates to continue with their application, especially because the process of UK immigration and registration can take time. You may want to conduct a series of virtual meetings before the interview to help you get a feel for each other's values and assess communication skills as part of this process. You want to avoid candidates dropping out of the process or accepting a job offer from another organisation if you haven't taken the time to develop a good rapport.

Interviewing has evolved over the years and employers are using a variety of methods to make the process guicker, easier, more accessible and varied, all of which enhance the candidate experience. Consider if you want to ask candidates to undertake tests or activities that are both values and competence related as part of the selection process. More information and support around values based recruitment can be found on the Skills for Care web page application and selection process.



# Technology vs face-to-face

To manage the international recruitment interview process in a resourceful way, some organisations are choosing to carry out video interviews using technology such as Skype or FaceTime. In some cases, pre-recorded interview questions are used, which allow individuals to be interviewed at a time that suits them. Other organisations prefer to send a team of experienced recruiters and staff to conduct the selection process face-to-face in the candidate's home country. This can demonstrate your dedication to the process, help to build a connection with candidates and to help them feel more comfortable about your organisation. However, this is a decision for you to make locally, having weighed up the pros and cons.

# **Post Selection and Pre-Employment**

#### **Maintaining contact**

During the period between offer of employment and relocation to the UK, it is important that you maintain regular contact with your new recruits. You should make every effort to reduce the risk of a candidate dropping out of the process or accepting a job offer from another organisation. Technology, like Microsoft Teams and FaceTime along with social media platforms, make it much easier to stay in touch. The Code of Practice outlines all information that a candidate should be provided with before they begin employment. You can use these communication channels to give regular updates, send tips and advice for relocation, share photos and news about your organisation and local area, start discussion groups and invite questions from your new recruits.



#### The essentials

During the period between the offer of employment and relocation to the UK it is important that you maintain regular contact with your new recruits.

Have you considered using technology like Skype, Microsoft Teams and Facetime to maintain contact with candidates?

If you are working with a recruitment service provider, do you have clear arrangements about who will be liaising with the new recruits between the offer of employment and the relocation?

Make sure candidates are clear about the process and know what their responsibilities are during every stage.

You may want to discuss your contractual agreement with the candidate to make sure they are aware of key elements such as notice period and remittance clauses



# **Avanti Homecare**

#### Recruitment

Avanti Homecare chose to create a recruitment process that allowed the organisation to get to know potential overseas candidates and allow candidates to get to know them too, through a five-stage recruitment process:

- 1. First application all candidates are required to apply to us directly and fill in our initial application form.
- 2. Pre-screening interview with our Internal Recruiter.
- 3. Second application form this allows us to review all documents needed for the visa application e.g. police clearance test, english test, TB test and ID documents.
- 4. Second interview The shortlisted candidates are invited to a second interview with our Internal Recruiter and two of our Registered Managers.
- 5. Post-interview reference checks are done and Certificates of Sponsorship are issued at this stage.



#### Retention

#### Recruit to retain

The first six months in a new role typically influences whether a recruit stays for the long term, making induction and early pastoral and professional support crucial. Integrating staff into your organisation and setting out what is expected in a clear and consistent way can help the settling-in process. Effective mentoring, understanding career progression at interview stage, professional support and a supportive learning environment will enable recruits to be as productive as possible in their roles. The following Retaining Your Workforce guide has advice on recruiting for retention.

#### Prepare for leavers

While your aim is to ensure your international recruits have the best possible experience and want to stay with your organisation, you must also be prepared for people to leave. Some people can't adjust or settle, they might want to move to another part of the UK or perhaps only had plans to come and work for 12-18 months before returning home. Having good two-way communication channels may encourage staff to be open about their aims to help you with your planning. Leavers can also provide some vital feedback on how things can be improved. Are there mechanisms in place for them to provide feedback in an open and transparent way? As an employer, consider having a transitional approach in place where you support potential leavers to move into different roles within the organisation or sector and therefore remaining within adult social care. As part of your recruitment process, you should ensure that you have assessed the suitability of a candidate to your specific role. However, there may be the risk that there is some circumstances where you have to terminate employment. You can withdraw an assigned CoS via the SMS, and you must justify this with the terms of dismissal. In this situation, an international recruit will have their visa curtailed to 60 days and will have to find a new sponsor, regularise their stay or return home.





# **Ethical Practices**

Throughout the recruitment process, you must familiarise yourself with the Code of Practice for International Recruitment. Planning and managing recruitment in an ethical way must be a priority for all organisations. Failure to do so is likely to impact on the reputation of the individual organisation and the adult social care sector. It is important to ensure that your recruitment practices are ethical to protect the rights of your workers, build trust between your organisation and potential recruits and attract the best candidates who will want to work with ethical organisations.

# Researching target countries

You may choose to target a specific country for recruitment. If you plan to do so, find out if there are any additional steps you need to take to recruit an individual from that country, so you can factor it into your planning. The Code of Practice has a red list of countries which should not be targeted for international recruitment, . It may be helpful to talk to other organisations with experience of recruiting from specific countries to establish their reasons for choosing those countries. You can also speak to those different nationalities in your existing workforce to gain knowledge on educational pathways and demand for employment from certain countries.

#### Best practice benchmarks -

It is essential that all providers demonstrate good ethical practices and these best practice benchmarks should be adhered to:

- There is no active international recruitment from countries on the red list.
- International recruitment will follow good recruitment practices and demonstrate a sound ethical approach.
- Employers or recruitment agencies will not charge candidates any recruitment fees in relation to gaining employment in the UK.
- International social care candidates will have the appropriate level of English language to enable them to undertake their role effectively.
- Employers will not charge candidates any additional fees in relation to gaining employment in the UK.
- All appropriate information about the role must be available to candidates at the start of the recruitment process so the candidate can make an informed decision on whether to accept a job offer.
- Employers will ensure that each recruit has a valid visa before entering the UK, has completed the appropriate pre-employment checks as required by UK legislation and will be offered appropriate support and induction with pre-enrolment/placement preparation to ensure a respectful working environment for all.
- Employers and recruiting organisations must observe fair and just contractual practices.
- Any repayment clause included in an employment contract must abide by the four principles of transparency, proportionate costs, timing, and flexibility.



- Employers and recruiting organisations should respond appropriately to those who are making a 'direct application'.
- Employers will record international recruitment activities to inform monitoring and measuring international workforce flows.

### **Active recruitment**

The Code of Practice has a red list of countries from which proactive targeted international recruitment is banned. These are developing countries identified by the WHO as having the most pressing health and social care workforce issues. Active recruitment is defined as targeting individuals - either physically or virtually - to UK employment opportunities, with the intention of recruiting to a role in the UK health or social care sector. This can include, but is not limited to:

- Advertising to candidates through all types of communication mediums
- Incentivisation activities such as referral bonus schemes
- Referring candidates to specific vacancies in the UK in return for a fee from the employing organisation – it is illegal under section 6(1) of the Employment Agencies Act 1973 for recruitment organisations of any type to charge fees to the individual applicant for job-finding services

The only exception to this definition is where a candidate has already been appointed by a UK employer, following an independent direct application and selection without the support of a recruitment organisation, agency, or collaboration. In this case, if required, these organisations can support and facilitate the employee's passage to the UK. In such cases, it is the responsibility of the recruitment organisation, agency, or collaboration, if challenged, to provide evidence that the services they are providing are permitted under this exception.

The Code also has an amber list of countries where active international recruitment is restricted to the terms of a Government to Government agreement. Amber list countries includes Kenya and Nepal where the agreements are supporting small-scale pilots for the recruitment of nurses with specific NHS Trusts. There should be no active recruitment from Kenya or Nepal outside of these pilots.

Countries not on the red or amber list are referred to as green countries and active international recruitment is permitted from these countries.







# **Direct applications**

The Code of Practice is mindful of an individual's right to migrate and candidates from Code of Practice red list countries can be recruited if they have made a 'direct application' to an employer which is when they make their application directly and on their own behalf and not using a third party such as a recruitment agency.

A direct application can only be made in response to a vacancy that is hosted by, and recruited to, the same sponsoring organisation. When considering how to handle direct applications from red or amber list countries, employers should be mindful of their responsibilities under the Equality Act 2010 to treat applicants equitably.

# **Ethical recruiters list**

If you choose to work with a recruitment agency, you should select one from the Ethical Recruiters List. This is a list of agencies and recruiting organisations who operate in accordance with the Code of Practice.

Although the ethical recruiters list is maintained by NHS Employers, the list should be used by all health and social care organisations engaged in international recruitment, both in the public and independent sectors.

# Contractual repayment clauses

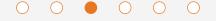
Repayment clauses may be used in health and social care employment contracts to recover some of the upfront costs that the employer has invested in recruiting, if the employee leaves within a given period.

Since the resource and costs associated with international recruitment are significant, it is not unusual for an employer to insert a repayment clause in contracts of employment, particularly to recover upfront costs if the international recruit leaves employment within a given period. Employers can decide on the terms and conditions of repayment clauses, but the Code of Practice guidance on repayment clauses must be adhered to.

Any repayment clause which an international employee could be liable to repay must be clearly set out in writing in the employment contract and abide by the following principles:

#### **Transparency:**

- The repayment clause must be set out in the contract or job offer letter and explained in full to the candidate before the job is accepted
- An itemised list of costs to be reclaimed should be provided to show how the amount has been determined
- Only genuine evidenced, auditable expenses incurred can be reclaimed
- It must be made clear how the costs will be recouped using an auditable method such as bank transfer or salary sacrifice. Payment in cash is not acceptable
- Confirmation must be sought that health and social care personnel did not contribute towards the costs or expenses being reclaimed prior to their arrival in the UK



#### **Proportionate costs:**

The cost must include only those expenses met by the employer on behalf of health and social care personnel. These include but are not limited to:

- Relocation expenses
- Visa fees
- Regulatory exam fees

Costs that the employer is liable to pay as part of the recruitment process must not be reclaimed from health and social care personnel. These include but are not limited to the:

- Agency fee
- Immigration skills charge
- Sponsor licence fee
- Certificate of sponsorship
- Cost of the interview process
- Expense costs must not incur any interest on the amount reclaimed
- Employers should give health and social care personnel the option to repay the costs or expenses through a monthly repayment plan

#### Timing:

Repayment schedule must be provided and rechargeable costs must taper downwards with time – for example, over a 2-year period. An example is set out below:

- 50 to 100% of the total itemised expenses if the employee leaves within 12 months of commencing employment
- 50% of the total itemised expenses if the employee completes 12 months of services but before completing 18 months service
- 25% of the total itemised expenses if the employee completes 18 months service but before 24 months service
- No repayable expenses after 24 months of service

#### Flexibility:

Employers should be flexible about when they levy the repayment clause and consider waiving them in certain circumstances. Each decision should be made on a case-by-case basis. Examples of when a repayment clause should be waived could include:

- Where the health and well-being of a health and social care recruit is being adversely impacted
- Where the health or social care recruit leaves due to bullying, discrimination or poor working conditions
- If a health or social care recruit's circumstances have changed beyond their control, either in the UK or in their home country
- If the health and social care recruit wishes to move roles for career progression



# **Modern slavery**

Modern slavery is defined as 'when an individual is exploited by others, for personal or commercial gain. Whether tricked, coerced, or forced, they lose their freedom'. International recruits may unknowingly be subject to modern slavery as they may not be fully aware of their rights in the workplace. It is your responsibility as a provider to ensure that you are following the best ethical practices, to avoid any mistreatment of your overseas recruits.

#### Things to be aware of -

- 1. Debt bondage whilst upfront costs for things like travel might be offered to international recruits to help them start working in social care, there is a danger that recruits that want to terminate their employment may be unable to do so until they have paid off their debts to the employer.
- 2. Remuneration risks such as the withholding of wages, excessive deductions from wages for food and rent, receiving a rate of pay below the national living or minimum wage, or not receiving a wage at all.
- 3. Recruitment and selection risks care home managers that use recruitment agencies could be left open to the possibility of omissions in recruitment and selection checks that fall short of regulation guidelines.
- **4. Occupational risks** care-workers could also be particularly vulnerable to excessive overtime as they have reduced opportunity to spend time with friends and family outside of working hours. For more information on modern slavery see the Skills for Care resources.













### Candidate guidance

DHSC has developed candidate guidance on applying for health and social care jobs in the UK from abroad for international candidates which aims to help them make informed decisions about taking a health or care role in the UK.

The guidance informs recruits of pitfalls to avoid, advises on their rights and expected workplace standards and signposts to further support. Provision of this information to candidates is a condition of adhering to the Code of Practice and we encourage you to share this with your international candidate eight at the start of the recruitment process.

#### The essentials

Familiarise yourself with the Code of Practice for the International Recruitment of Health and Social Care Personnel.

No proactive targeted recruitment is allowed from Code of Practice red list countries and candidates must not be charged recruitment fees in relation to gaining employment in the UK.

If you choose to use a recruitment agency ensure they are listed on the Ethical Recruiter List, Ensure your candidate is provided with guidance on applying for health and social care jobs in the UK from abroad right at the beginning of the













# Induction and Beyond

# Welcome, Induction, Pastoral and Professional Support

To be successful at attracting and retaining staff from overseas you will need to form a comprehensive plan for induction, pastoral and professional support. There will be areas of overlap with the standard induction for domestic recruits but you will also need to consider the additional needs of those recruited internationally. As their employer, you might be the only link to their new country of residence until they become more established, so it's important that enough resource and preparation is put into the pastoral and professional support your overseas staff will need. The components in this induction planning section are recommended as best practice to ensure that international recruits are successfully settled into their new life in the UK. You may wish to use a combination of the suggestions in this section to design a package that works best for your organisation.

Employers should engage with overseas recruits early and often. This includes maintaining contact after a job offer is made but before they arrive to the UK. This could include virtual meetings and introductions with the line manager and other key colleagues they will be working with. Given the value of staff from overseas and the high costs of running a recruitment campaign and relocation, a successful induction process and ongoing pastoral and professional support is extremely important.

#### The essentials



You need to prepare and resource for the welcome, induction, pastoral and professional support your overseas staff will need.

Open communication with your overseas staff about their career aspirations is important, this will help workforce planning.

Be prepared for repatriation situations, have a plan in case it happens.





# Designing an induction programme

Your organisation and those that you work with will already have a well-established corporate induction programme based on the Care Certificate but it is worth considering what additional support or information might be beneficial for your overseas staff. For example, introducing a programme of social adaptation will help your overseas staff to learn about adult social care and the cultural and working differences. A programme like this will also enhance English language levels, particularly in areas such as typical community and medical dialect and phrases.

Your overseas staff will need bank accounts, National Insurance Number, somewhere to live, access to shopping, public transport and other amenities, such as registering with a GP: How to register with a GP surgery - NHS (www.nhs.uk). Helping them with these arrangements will make a big difference to how well they ease into life in the UK. Biometric Residence Permits (BRP) cards need to be picked up within 10 days of arrival to the UK. It could be useful to take new staff to the allocated location to collect this. Recruits must bring their passport in order to collect their BRP card, and if possible, their decision letter so the BRP card can be located quickly.

Pastoral support arrangements can at times require 24/7 support from the employer and you may need to be available in case of situations such as flight delays or cancellations. This should be considered in planning and pastoral care requirements. Below are some ideas of things you might want to include in your induction.

#### 1) Welcome Pack

It is good practice to provide your new recruits with a welcome pack. You could include information about the local area, nearby facilities, doctors, dentists, emergency contacts etc. Depending on the season and the weather you may also want to check that they have the right clothes like coats. Makes sure you also provide a uniform if this is offered by your organisation. Also provide essential groceries and household essentials. Make sure they have access to laundering facilities in their accommodation or know where to find them in the local community. New recruits will want to contact family and friends in their home country to let them know they have arrived safely, so consider providing access to Wi-Fi/ mobile data on arrival.

#### You might want to provide the following basic essentials depending on the circumstances and accommodation arrangements:

- Basic kitchen starter set (includes cutlery, bowls, plates, mugs, glasses, basic kitchen equipment, pans and knife set)
- Groceries (milk, eggs, rice, noodles, bread, butter, coffee, tea).
- Bedding, linen, pillows and towels.
- General supplies (toilet paper).
- Kitchenware (crockery, kettle).
- Pre-paid travel card.
- UK SIM card.
- Financial information pensions, NI application, pay details, paying utility bills.
- Care worker trade union and professional association membership.



- Health information occupational, GP and dentist registration and information on how the NHS works
- Emergency contacts.
- Personal safety guidance
- Guide to the local area and transport system
- Brief guide to life in the UK including food habits and etiquette

#### 2) Greeting Lunch/Welcome Dinner

Organising coordinated social activities with previously recruited overseas staff, managers and other staff can prove very helpful in encouraging integration into teams. Welcoming new recruits in your newsletter is also another way of helping them feel included in your organisation and encouraging integration.

#### 3) Airport Pick Up

Meeting your overseas recruits at the airport when they first arrive and transporting them to their accommodation is a vital part of the pastoral support. This will help to settle the individual and orientate them to their new surroundings. It is good practice to have someone who they have met before during the interview process to welcome them, and always try and organise transport for them rather than explaining how to use public transport, which may be stressful and daunting.

#### 4) Accommodation

Take the overseas recruits to collect the keys for their accommodation and ensure any contracts or paperwork is completed and signed. It is good practice to provide up to four weeks' accommodation payment or rent and ensure the overseas recruit understands the process of repayment, if applicable. Some organisations that have limited or no accommodation have found it beneficial to make links with local university accommodation. For more guidance on accommodation, see **Accommodation section** of this quide.

### 5) Banking and Post Office Support

On their day of arrival, consider visiting the post office to pick up the Biometric Residence Permits and making them an appointment to set up a bank account. Consider establishing a relationship with the local bank so appointments can be booked in advance and large groups could be seen in a timely matter.

### 6) Getting their Footprint in the UK

Encourage your staff to establish their footprint in the UK by registering for their National Insurance (NI) number and NHS number. Getting their NHS number quickly will not only enable them to see a GP, but under COVID-19 regulations will also enable them to get their COVID vaccination guicker and with less administrative burden.



#### 7) Financial Support

It is good practice to provide some form of financial support to the overseas recruit on arrival. A salary advance of cash will ensure that the individual has access to money in case there are any delays in the bank account being set up. Recruits coming from some countries will not have the same level of local earnings to settle them into the UK, so a salary advance would provide much needed financial support. It is down to individual organisations to determine the reclaim period. However, any reclaiming of financial support needs to be undertaken in a fair and transparent way.

#### 8) Transportation

Consider purchasing a pre-paid travel card for your overseas staff. If your organisation reclaims for this, ensure this is explained. If your organisation does not provide this element of pastoral care, as a minimum, support the individual to purchase a travel card with their salary advance.

#### 9) Tour the Local Area

Helping your overseas staff to find their way around the local community is a good way of familiarising them with their surroundings. This could include taking them to the local supermarket, the post office, helping them use public transport and showing them the local places of worship.

#### 10) Peer Support Arrangements

Consider what additional one-to-one mentoring support your overseas staff may need to adapt to the cultural and working differences in the adult social care sector. Do you have other employees of the same nationality who can provide professional or social support? Existing staff with lived experience of relocating to the UK could become a buddy for a new overseas recruit. Your local trade union representative may also be able to help set up peer networks in the workplace.

#### 11) Inform Colleagues about Fraud

Overseas recruits will need to know how to avoid fraud and what they can do if they get targeted. Think about having some top tips to share. Fraud incidents should be reported to the police and fraud prevention team.





















## Case Study

# Close Care Home

The organisation collects all international recruits from the airport on arrival.

They also provide basic items to help recruits settle such as a map of the area and basic foods such as tea, coffee, bread, sugar, some treats like chocolate bars and crisps. They also make sure they add some toiletries and towels along with a welcome letter from the team. This package costs around £30 per recruit.

They offer all new staff a buddy in the workplace to help the recruit settle in, in an informal way.



### **Professional support**

When your overseas recruits arrive, your initial focus will be on providing professional specific training and education and supporting them to adjust to new systems and ways of working. Be mindful that you may need to adapt your training if they are unfamiliar with technical language or equipment that they will be using.

Longer term, your overseas recruits should have access to the same learning and development opportunities and support for career progression as your UK workforce. Professional support is important across an employee's whole career and should be based on each individual's preferences and career aspirations. As part of this process they should be offered an annual personal development review and a personal development plan should be agreed.

Trade Unions can offer members a range of courses and workshops to support professional development.

#### **Driving checklist**

Driving is a key requirement for many care workers, particularly those in domiciliary care roles who are required to travel to different patients' homes. Driving in the UK can be very different to driving overseas and international recruits may need support to become confident with driving in the UK. When recruiting adult social care workers internationally, the following areas need to be considered:

- Provide recruits with information on driving in the UK (i.e. how will they obtain a vehicle once in the UK, the steps needed to drive in the UK in the long term, information on the local road system, rules of the road etc.). Government resources, such as Driving in the UK, are a good source of guidance - Driving and transport - GOV.UK (www.gov.uk)
- Recruits who are eligible to drive in the UK may benefit from a confidence course to help them familiarise themselves with the UK road network and driving conditions. One such course is the UK Familiarisation Course (some of the things covered include: the law, defensive driving, motorways, dual carriage ways, town driving, country lane driving).
- A list of Driver and Vehicle Standards Agency (DVSA) approved driving schools and instructors can be found on gov.uk.
- Depending on the country of origin driving lessons and a test in the UK may still be required even if a licence is held. This government resource can help determine if you can exchange a foreign driver's licence.
- Volunteer driver schemes might help international recruits needing to travel while they are working towards their own driving competence.
- Visits could be clustered, for example to large care homes to reduce travel.
- Appointing a driving instructor may be more efficient than financing lessons depending on the number of recruits you have and the length of the recruitment campaign.
- Learning to drive takes time staff who cannot drive may not reach the required standard within the expected time.
- Access to hire/pool cars might be an option to help with finding a vehicle in the first few months



### **Engaging existing staff**

Integration between existing staff and new overseas recruits is strongest when you involve your existing staff as much as possible from the start of the process. When your new recruits arrive, a social event can be a nice way to help your existing staff and new recruits to get to know each other.

Overseas staff will be used to different English terminology and cultural norms. It is important for existing staff to understand this and where possible undertake learning about the cultures of their colleagues. This may help existing staff understand more about the culture of their international colleagues and in turn may help international recruits feel more welcomed into the workplace. It is important to recognise and understand cultural differences to ensure successful integration of staff.

It is important that you help existing staff to understand the need for international recruitment and support them through the changes that might be needed to their working environment and ways of working, particularly if your organisation is recruiting from overseas for the first time.

#### **Best practice benchmarks:**

- Conduct an introductory engagement activity with the teams who will be welcoming international recruits, to help staff feel involved. For example, asking them to contribute to the induction planning.
- Make sure you provide clear communication of the agreed organisational objectives and reasons for international recruitment.
- Ensure communication and feedback channels are made available so staff at all levels have ways to raise concerns or discuss anxieties.
- Ensure strong and consistent messaging from the leadership team throughout planning, recruitment and arrival of international recruits. Continue the dialogue over time so that teams stay engaged and up to date with the recruitment process and continue to see the benefits to them.
- Ensure you provide your existing staff and new recruits with informal opportunities to get to know each other.
- Identify and deal with dissatisfaction pro-actively, through exploring and identifying the source and focusing on solutions.





















#### **Accommodation**

#### 1. Setting expectations

International staff can find sourcing accommodation difficult when they first arrive in the UK so employers may wish to consider offering a relocation package to recruits to help them settle in quickly.

#### Questions to consider:

- Where will the recruit live?
- Do you offer temporary or permanent accommodation for recruits?
- Will you support your international recruits with securing short or long-term accommodation?

#### 2. Types of accommodation

For various reasons, international recruits are unlikely to be priorities for social housing. The following are some ways in which providers and recruits are finding both temporary and long-term accommodation. The facilities within the accommodation are an important factor to consider. Furthermore, the location and transport links should also be considered when searching for accommodation.

#### Privately rented sector

- There is a variety of accommodation on the privately rented sector including one or two bedroom apartments and 'houses in multiple occupation' (HMOs). HMOs require a licence and are shared households consisting of three or more tenants who share a bathroom and kitchen facilities.
- Privately rented accommodation is available to rent on some of the well-known property websites such as spareroom, rightmove, zoopla, openrent, etc. Where possible, it is useful to view accommodation before making agreements, to ensure the accommodation is of a good standard.
- Instead of relying on the above websites, there is also the option to directly contact local estate agents or private landlords.
- Some providers have purchased properties to house several recruits.

#### Formal home share schemes – e.g. The Homeshare Scheme and Homestay.

- These may be suitable for one person or a couple but not for families.
- Homeshare UK matches a person who would like some low-level support (Householder) and a person who needs affordable accommodation (Homesharer). This will involve a reference check and an interview. The Householder is usually a homeowner or tenant who has a comfortable room to spare. The Homesharer in exchange for low-cost accommodation provides around 10hrs of practical support per week.
- Homestay is a platform for renting a spare room in the home of a host for a cost. These can either be short or longer term rentals.

#### Short term rentals

Short term rentals, such as through AirBnB, can provide temporary options until longer term accommodation is secured.



#### Further options to consider:

- Could you secure a long-term room lets in an HMO which you could let out to international recruits or domestic staff?
- Do any staff members have spare rooms in appropriate accommodation that they would consider letting out, either temporarily or on long-term basis?
- If the numbers of staff you are looking to recruit internationally don't make a long-term let appropriate, could you join up with providers in your area on letting an HMO for the long-term or extend the offer to domestic staff?

#### 3. Standards of accommodation

Landlords must make sure that their homes meet certain standards. Homes must be:

- Safe and free from 'category 1 hazards' these are things that can cause death or pose a serious danger to your health (e.g., by causing lung cancer, 80% burn injuries, loss of limbs, poisoning)
- In a reasonable state of repair
- Equipped with reasonably modern facilities
- Warm enough

For further information, please see gov.uk.

#### 4. Supporting recruits to secure long-term accommodation

Beyond identifying accommodation, international staff may struggle to provide the necessary documents or funds needed to secure a tenancy agreement. Providers could consider supporting their international staff with the following:

#### Help with references

Landlords or estate agents may require references from a current or previous landlord and a previous landlord. This is to check if the individual is likely to be a reliable and trustworthy tenant.

#### Act as guarantors

Employers may be asked to act as a quarantor if the landlord is concerned that the potential tenant won't be able to pay the full rent. As the guarantor, you may be asked do a credit check or provide information about your financial circumstances. If rent is not paid by the tenant, you may be liable to cover this cost.

Approaching a landlord directly (without using a letting agent) may avoid the request for a credit check, but they may need proof of financial circumstances and renting history.

In some circumstances, where a potential tenant cannot provide satisfactory credit checks, there may be an option to provide 3-6 months' rent in advance.

If a provider gives upfront funds to secure accommodation that must be paid back, the repayment clauses discussed in the Code of Practice should be referred to in order to do this in a fair manner.



#### Paying a holding deposit

This can be paid to reserve the property while the tenant and landlord agree a tenancy agreement. Once an agreement is signed, the landlord will then return this to the tenant (or put it towards other costs if the tenant agrees).

#### Paying a security/tenancy deposit

A security deposit of a minimum of one month's rental will normally be required. The deposit is held to cover damages, breakages, and any other liabilities under the terms of your tenancy agreement. This should be refunded at the end of the tenancy unless clear reason is given. The landlord is obliged to protect this under tenancy deposit protection rules. Providers may wish to consider supporting recruits with funding the deposit to secure accommodation.

#### Pay rent in advance

Landlords usually ask for the first month's rent in advance of moving in. The cost of a security/ tenancy deposit as well as the first month's rent can be very high, providers may wish to consider supporting recruits with funding to secure accommodation.

#### Right to rent

Landlords or agents must view a tenant's right to rent details before they rent to them. Individuals who have been provided with digital status via an eVisa can only prove their right to rent using the Home Office online service on GOV.UK.

#### Furnishing accommodation

Many properties that do come on the market may be unfurnished, which may be a problem for international staff. Employers may want to support their staff with furnishing their home but there are also some second-hand stores with affordable furniture.

#### Accommodation on site

Employers who offer on-site accommodation need to ensure that their employees' privacy and time off are respected. For example, the employee should have their own private space and not be called on after hours to protect a healthy work-life balance.

#### **Accommodation offset**

Employers who provide accommodation are entitled to charge an accommodation offset, the weekly rate of which, from April 2024, is £69.93. If an employer charges more than the given rate, the difference is deducted from an individual's pay, which counts towards the minimum wage.

Employers must ensure that the minimum salary threshold is still met, as any accommodation provided cannot be counted as part or in place of the minimum salary requirement, and must be optional for the individual. If the charge is above the offset rate, it will have an effect on overall pay.

Further guidance can be found on gov,uk National Minimum Wage and Living Wage: accommodation: Accommodation rates - GOV.UK (www.gov.uk).



## **Case Study**

# **Avanti Homecare**

**Pastoral Support: Post-arrival** 

On initial arrival to the UK, Avanti Homecare welcomes new recruits at their accommodation in person after arranging airport transfers for them. They also rent a house for recruits to stay in for the first 2 months of their stay, and support recruits with the cost of living. They also arrange a 'Welcome Week' which is centred around getting new recruits set up to live in the UK, through means such as taking recruits for a food shop and tour of the local area, setting up a bank account, car insurance and tax, and registering with a GP and to vote. They also arrange a driver refresher course which enables recruits to drive confidently in the UK and have a partnership with a local garage which allows them to source cars for their team. As well as arranging a day for recruits to meet their colleagues, they are also mindful to allow recruits to have some time to find their own feet too.

## **Evaluation**

You should consider how you are going to evaluate the success of the recruitment process, any collaborations with partners and the impact of the overseas recruitment. From the beginning, you should be clear about what you want to achieve and regularly make time to review your processes in order to assess how successful it is, and if any changes should be made.

Your evaluation plan should be created at the outset of the international recruitment activity, setting out clear recruitment objectives and targets and considering all the evaluation methods available to you. Evaluating your international recruitment activity will help you to identify and replicate good practice, celebrate and share successes and prove the value of international recruitment.

As a starting point, your organisational workforce data will help to show what is happening with your international recruitment process. For example, high attrition at pre-employment stage. Have you looked at previous recruitment exercises and taken feedback into account? Of those interviewed and made appointable, how many took up the post? How long did the process take and, if they didn't end up starting in the role, do you know why? A review of this can help you identify any areas for improvement and prevent this pre-employment attrition in the future.

#### **Evaluation typically involves these stages:**

- Creating an evaluation plan
- Collecting evidence to enable you to measure performance
- Analysing the date and evidence collected and reporting on performance against the plan
- Sharing your findings with others







#### **Evaluation checklist**

- Gather your data and evidence in one place check you have everything you set out to collect in your evaluation plan.
- Review the data and evidence to check it makes sense are the results as you expected? If not, what is odd about the data and what might explain this? If you have been unable to collect elements of the planned data or something proves unusable, are there any options to use other data for a performance indicator?
- Work through your data and evidence check performance against your objectives and targets and summarise findings. If you have a number of data sources, are they pointing to the same conclusions? If yes, you can be more confident about these. If not, try to understand why not.
- Assess to what extent objectives were met look for reasons why things didn't work as planned and reasons for a particular success.
- If you worked with partners, assess how effective the collaboration has been what has worked well and what needs to change

#### There are many information sources for evaluation to consider:

- Workforce data, e.g. retention figures, pre-employment drop outs, agency spend etc.
- Website and social media statistics
- E-surveys
- Telephone discussions/interviews
- Informal feedback have a system to record it
- Appraisals and exit interviews
- At-event and post-event feedback
- Workshop-type discussion or focus group with staff



#### The essentials

Have you set clear recruitment objectives and targets?

Have you thought about all the evaluation methods available to you?

Identify evaluation tasks at the outset and build them into your planning.

Use data in a smart way - start with what you already know or have easy access to.

Gather as much information as you can while the international recruitment campaign is running.









# Glossary of Key Terms

Term	Definition	Link
Amber List	If a government-to-government agreement is in place between the UK and a partner country, it will restrict recruiters to the terms of the agreement.	Code of practice for the international recruitment of health and social care personnel in England - GOV.UK (www. gov.uk)
Candidate Guidance	The guidance is for individuals who are looking to work in health and social care in the UK. It aims to help candidates understand their rights and have the information they need to make well informed decisions.	Applying for health and social care jobs in the UK from abroad - GOV.UK (www.gov.uk)
Code of Practice	The Code of Practice sets out the necessary stringent standards to ensure that overseas recruitment is conducted in an ethically responsible manner.	Code of practice for the international recruitment of health and social care personnel in England - GOV.UK (www. gov.uk)
Ethical Recruiters List	This is the list of all recruitment organisations, agencies and collaborations, sponsoring health and care workers, who operate in adherence to the Code of Practice.	Ethical Recruiters List I NHS Employers
Help Sheet for Completing a Sponsorship Licence Application	The help sheet aims to support providers with completing the registration process and identifying the correct documentation to send to Home Office to apply for a sponsorship licence.	Becoming a Visa Sponsor - Help Sheet for ASC Providers (skillsforcare. org.uk)
Red List	These are the red graded countries on the WHO Safeguarding List, which means active recruitment is not permitted from these countries.	WHO health workforce support and safeguards list 2023







# Helplines

Helpline	Purpose	Contact
UK Visas and Immigration sponsorship, employer and education helpline	For any difficulties with applying for a sponsorship licence.	By phone: 0300 123 4699  By email: ukvinhsteam@homeoffice.gov.uk or  Businesshelpdesk@homeoffice.gsi.gov.uk
UK Visas and Immigration, Immigration Enforcement Hotline	If you have concerns about the conduct of an employer holding a sponsorship licence.	By phone: <b>0300 123 7000</b>
Department for Business and Trade, Employment Agency Standards	For any concerns about the conduct of a recruitment agency, organisation or collaboration based in Great Britain.	Call DBT on <b>020 7215 4477</b> to speak to an EAS inspector By email: eas@beis.gov.uk
Care Quality Commission	If you have any concerns about the quality of care provided by an employer.	By phone: 03000 616 161 By email: enquiries@cqc.org.uk
Gangmasters and Labour Abuse Authority	You can report to GLAA in confidence about an employer who may be exploiting the welfare and rights of their staff.	By phone: 0800 432 0804 By email: intelligence@gla.gov.uk











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