International Recruitment East

ETHICAL International Recruitment

Ethical International Recruitment Planning Tool





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What is this tool for?

This tool has been created to help providers plan and implement a complete, ethical and effective and international recruitment process for bringing overseas health and social care workers to the UK. The document is aimed at adult social care providers (but would be applicable to most providers of health and social care) and is targeted particularly at providers who are new or have limited experience of international recruitment. Providers recruiting workers who are already in the UK, whether under the Skilled Worker Visa programme, or holders of student or Graduate Immigration Route visas will find at that not all parts of this tool are applicable to them.

International recruitment can look different from person to person and organisation to organisation. It is always important to listen to and communicate with overseas recruits to understand their needs and tailor your approach accordingly, that may mean using parts of this tool as a template for your own organisational process.

The primary purpose of this tool is to help providers achieve ethical outcomes from recruitment and demonstrate compliance with the benchmark statements set out in <u>The</u> <u>Code of Practice for the International Recruitment of Health and Social Care Personnel in</u> <u>England</u> (the Ethical Recruitment Benchmarks). We strongly recommend you read the Code of Practice carefully before you begin working with this tool.

This tool is not designed to provide legal, compliance or immigration advice – specialist advice should be sought from appropriate professionals where required.

How to use this tool

This tool is organised to help you sequence your ethical international recruitment process from initial planning to overseas workers being fully embedded in your team.



The process is broken down into stages, each stage maps to one or more of the Ethical Recruitment Benchmarks. There are 8 stages:

Stage	Content
Stage 1	Is international recruitment right
	for you?
Stage 2	Are you ready for international
	recruitment?
Stage 3	Pre-recruitment planning
Stage 4	Compliance planning
Stage 5	Financial planning
Stage 6	Selecting a recruitment partner
Stage 7	An ethical recruitment process
Stage 8	On-boarding & pastoral support

Each stage will help you understand what international recruitment will involve, the ethical considerations at each stage and show how ethical recruitment is integral to all parts of the process.

Each stage contains a 'task table'. The task table contains tasks and poses questions that will help you consider your readiness for international recruitment and help you to build a robust, ethical international recruitment process.

At the end of each stage, you can reflect on your progress and confidence, and identify gaps in knowledge or capability that will need to be filled and, if applicable, whether to continue to the next stage. This tool is not intended to be a business case or process document in itself but the structure and content could be used as the basis for either.

We suggest you develop a process document while you work through this tool, this could be a flow chart or a list of tasks that you need to do to create your own ethical recruitment process.

Who is this tool for?

This tool is designed for adult social care providers operating in the local authority areas that form the ADASS Eastern Region. It is intended for any adult social care provider to use but is particularly aimed at providers who are new to international recruitment, especially those who are yet to recruit/employ overseas workers.



This tool is primarily designed for providers who are new to international recruitment and with providers who are or are considering bringing workers to the UK under the Skilled Worker Visa scheme in mind. Although, much of the advice is relevant to providers employing workers under the Student Visa and Graduate Immigration Route schemes. This tool is focused on the Skilled Worker Visa scheme as this is the more complex process but it is also the one most likely to bring long-term workforce sustainability with highly skilled workers and very high levels of retention.

The tool is focused on the recruitment and retention of front-line care staff such as overseas nurses, senior carers and carers but the advice and processes outlined would also be largely applicable to recruitment to other roles.

If you are completely new to overseas recruitment, you will probably want to work through all of the stages in order. If you are more experienced, you may want to use the stages selectively, or use them to inform or benchmark your existing processes.

If you only recruit overseas workers who are **already in the UK**, you will find sections 3-8 relevant to you.

If you recruit overseas workers **who are in the UK who do not require you to hold a sponsor licence** (students, post-study work (GIR) visa holders and in some cases, dependants of overseas workers), you will find sections 7 and 8 most relevant to you.

Finally, in designing this tool, our intention was to be as comprehensive as possible, not to make you feel overwhelmed. For most providers, if you haven't done this before, there will be gaps, often big gaps and things you need to learn. Don't forget, you can fill those gaps and develop your team to go on an international recruitment journey with you. Also, you don't have to do this alone. A lot of the tasks we highlight here are tasks a recruiter can help you with and you can also access a lot of help for free, we give details of this at the end of the document.

Need help or advice?

This tool has been developed as part of a suite of ethical recruitment tools available to all providers in the ADASS Eastern Region. Providers can also access free, impartial advice on international recruitment and ethical recruitment practice by booking a consultation with us.



You can book a consultation via our website or using this link:

https://calendly.com/rsc-bahealthcare/60minutes

If you'd like to know more about BA Healthcare, the services we offer to providers and our work in the sector, please visit our website (<u>www.ba-healthcare.org</u>) or email us at <u>uk@ba-healthcare.org</u>. You can also read our profile at the end of this document.



Stage 1- is international recruitment right for you?

What is this stage for?

Working through this stage of the process will help you to:

- 1. think about what international recruitment will involve, especially if you have not done it before or have limited experience;
- 2. become familiar with the Ethical Recruitment Benchmarks;
- 3. decide whether it is the right thing for you as a provider at this time;
- 4. help gather evidence that will help you to apply for a UKVI sponsor licence and/or certificates of sponsorship;

Why does this matter?

This stage is important because:

- Planning and reflecting on why you want to recruit international workers is important but often overlooked. This leaves gaps in planning and knowledge that must then be filled later on.
- An ethical recruiter will want to ensure there is a well-considered process in place before beginning to recruit overseas workers and ensure the need to do this is understand across the existing team.
- An employer's lack of understanding about international recruitment and can lead to a poor experience for an overseas worker.
- An employer's lack of understanding about international recruitment could jeopardise the safety, well-being or immigration status of an overseas worker in the UK, or in their home current or country of residence.
- Recruiting international workers, particularly as a sponsor is a major commitment. You and your teams will need to learn new processes and new regulatory requirements and there may be costs to consider (these are explored in depth in Stages 3-5).



- The new workers will need to be properly embedded into existing teams and you will
 often be asking your overseas workers to leave behind friends, family and jobs to
 relocate to work for you. It is essential therefore, that you and your team are
 committed to the process, have the capacity to run a robust and ethical process and
 will be able to provide a good working environment for overseas workers but also
 support them more widely through what could be a challenging time.
- The evidence gathered at this stage may be important in supporting an application to become a UKVI sponsor and/or requesting Certificates of Sponsorship (CoS).

Task table 1

Work through all of the questions in the table to build a clear picture of where you are now, think about what steps you could take, if any, to attract more staff locally, then consider if international recruitment may be the way forward.

Try to provide as much information as possible, take your time, make sure you build a detailed picture of your current position. The information you gather here will help you to build a business case for international recruitment within your organisation, understand gaps in your knowledge and have data and information that may be useful in applying for a UKVI sponsor licence, on-boarding new colleagues and working with recruitment partners.

Where are you now?	
The current recruitment picture	
What is your current vacancy rate?	
What is your average vacancy rate over the last 24 months?	
What is your current chum rate?	
On average, how long does a member of front-line care staff stay with you?	
How many roles are you currently recruiting for?	
What proportion of those roles are for front line nursing/caring staff?	
How often have you advertised job opportunities over the last 12 months?	
Over the last 12 months, where have you placed job advertisements?	



On average, how long do you advertise a role before you	
get applications?	
Do you have roles you no longer advertise because you do	
not get applications/quality applications?	
What steps have you taken to attract more applications	
locally? E.g. incentives, recruitment drives and initiatives,	
working with agents, etc	
What do you think are the main reasons why it is difficult	
to recruit to or retain people in front line care roles in your	
organisation? E.g. location, local population, competition	
from other employers or sectors.	
What is the effect of the current recruitment pictu	ure?
Are you able to operate at full capacity? If no, on average,	
how much capacity are you unable to staff?	
Over the course of a year, how much income do you lose	
from this unused/under-utilised capacity?	
Are you using bank or agency staff?	
If yes, on average, over the last 12 months, how many	
hours per week have been covered by bank/agency staff?	
What proportion of total worked hours does this represent?	
When you do recruit locally, are you able to recruit workers	
with the right skills and personality to succeed in the sector?	
Do you feel that you have to offer roles to workers who do	
not meet the standards you would ideally like them to?	
Are recruitment/retention challenges affecting your ability	
to enhance your services as you would like to?	
Looking forward	
Have the recruitment challenges you have faced eased	
over the last 12 months?	
Do you think it will get easier or more difficult to recruit	
retain people over the next 24 months? Why?	
Are you planning any initiatives to improve recruitment over	
the next 12 months? Do you think they have a good	
chance of improving the current situation?	1
What is the cost of current recruitment challenge	S.
How much have you spent on bank or agency staff over	
the last 12 months?	
What do you expect to spend on bank or agency staff over the next 12 months?	
What do you estimate you have spent on recruitment over	
the last 1 2 months? Include the cost of advertising, sifting,	
applications, interviewing, administration, on-boarding, etc.	
(N.B. Skills for Care estimate the total cost of recruiting	
and on-boarding candidate at around £2,500).	
Are recruitment challenges preventing you from growing	
your service? What do you estimate is the lost annual	
revenue from being unable to grow as you would like?	



What additional costs have you incurred as a result of recruitment challenges?

Reflect – time to move forward?

Review the answers you have given to the questions above, try to calculate what recruitment has cost you in the last 12 months. Add this to your spend on bank and agency and, if relevant, add to that revenue foregone because you cannot operate at full capacity or revenue you might have earned if you were able to expand your organisation. Make a note of this number. Then, think about whether overall there are any steps you can take to improve recruitment, is the situation going to get any better? If it isn't, how do you feel about international recruitment? Write down your honest thoughts about how you feel about it now, what you feel the challenges are and ask yourself if this is something you want to do.

Next Steps

Is international recruitment the thing that you need? It's a big conversation and a big decision. Having answered the questions above, if you feel international recruitment is something you need to do, or at least need to consider more seriously, move on to Stage 2 which will help you to understand whether your organisation is ready for international recruitment and introduce important ethical recruitment concepts.



Stage 2 – are you ready for international recruitment?

What is this stage for?

Building on the first stage, which focused on recruitment challenges in general, which are often the main factor that leads providers to consider overseas recruitment, this section will help you to:

- 1. consider wider questions around international recruitment and whether it is right for you and your organisation.
- 2. Be prepared to move on to Stage 3, which starts to look in detail at the regulatory requirements you will need to be familiar with.

Why does this matter?

- Successful placements where international workers thrive, feel valued and contribute to the best of their ability happen where a provider not only needs them but is also ready to welcome them into their community and have the capacity to provide the support they will need.
- An ethical recruitment process is also built on both the provider and the candidate working with a proper understanding of what that placement will involve and the provider being able to show that they have a genuine long-term need for the overseas worker and can create a welcoming, nurturing, supportive environment for them.

Task table 2

Work through all of the questions in the table to build a clear picture of where you are now, think about what steps you could take, if any, to attract more staff locally, then consider if international recruitment may be the way forward.

You may want to re-visit this table after you have completed stages 3 and 4.

Are you ready for international recruitment?



Understanding of international recruitment	
On a scale of 1-10, how would you rate your understanding	
of international recruitment? (1 being no understanding)	
If you have recruited and/or managed overseas workers in	
the past, briefly outline your experience and the skills you	
have learned from this. (You might also want to think	
about when you gained this experience as immigration	
rules change regularly.) What gaps do you think there are in your knowledge of	
international recruitment at this stage?	
Thinking about your team/organisation – on a scale of 1-	
10 how would you rate your team/organisation's	
understanding of international recruitment?	
Are there people in your team who you feel have got	
existing skills and experience	
What knowledge or skills gaps do you think there in your	
team or organisation at this stage?	
Do you think you or your team have the capacity to take	
on additional task such a recruiting and on-boarding	
international colleagues? If you need additional resource,	
would it be available?	
Is your organisation ready for international recruit	ment?
How diverse is your current workforce?	
Do you feel your team is ready for international	
recruitment? Do you foresee any issues for international	
recruits joining your current team?	
How diverse are the people you provide care to? How do	
you feel they would respond to you having a more diverse	
team?	
Would overseas workers face challenges integrating into the local area or community?	
·	
Why do you want to do this?	
Which of the following are your main motivations for consid	ering international recruitment?
□ Recruiting people locally is not possible.	
 Retaining local workers is challenging. 	
□ I want more diversity in my team.	
Residents/service users want more diversity in my team	
□ I want to grow but can't recruit locally to support this.	
□ I believe overseas workers work harder and/or are more	
\Box I am spending excessively on bank/agency and want to	reduce this.
\Box Recruitment challenges threaten the viability of my orga	anisation.
□ It just seems like the right thing to do.	
\Box I need people who will work a lot of hours and accept a	lifferent terms to my current team.
\Box I need people who will get on with the job work a lot of	hours and not complain



Reflect

Think about the answers you have given above. Does international recruitment feel like something you can take on? Will your team support this? Are you existing workers ready for this? Are you doing it for the right reasons?

International recruitment is not a short-term fix but medium to long term, it can be a huge benefit and transform your organisation but only if you provide the support to make it work and take your team with you. Of course, it is important to be realistic too, recruiting overseas may be the only way you can staff your service or grow and that is going to have a huge impact on your decision but to see the biggest return on your investment you must be able to provide support and development and be able to properly integrate overseas colleagues into your service and create an environment where they are and feel like they are an asset. Overall – reflecting honestly, is this right, are you ready?

Next steps

If having reflected and feel this is the right thing for you and now is the right time to move forward, continue to Stage 3. Before you do this, consider taking evidence of current workforce pressures and recording them in a separate document – this may be useful if you decide to apply for a Sponsor Licence.

If you feel this is not the right thing at the moment, list up to 5 main things that are preventing you from moving forward now and think about how you could move past those blockages, the work that would involve whether that is something you are able to do. Perhaps develop a project plan that will help be prepared in the future and agree to revisit this process in 3-6 month's time. In the meantime, make sure you stay up to date with any proposed changes to the Immigration Rules which could make it easier or harder to recruit overseas workers.



Stage 3 – pre-recruitment planning

What is this stage for?

By this point in the process, you should have good sense of whether international recruitment is something that is right for you. Moving forward, we will look at what you will need to do to recruit ethically, including scoping out costs and regulatory requirements. However, to properly understand those things, in this stage, we will consider the people you want to bring into your team, how many, into what roles and over what period of time.

Why does this matter?

- There is a financial and time cost to recruiting overseas, this is directly linked to how many people you employ, you want to ensure you have a clear idea of what you want to achieve so you can budget accordingly.
- If you bring workers to the UK, you are sponsoring them and are responsible for providing them with full-time work for the period of sponsorship. This is a commitment from you and there is a commitment from them in relocating to work for you. From an ethical standpoint, it is important that you plan to ensure you are able to offer secure roles to overseas recruits but it is also important that you plan your recruitment to reflect your ability to embed and support overseas workers.
- From an ethical standpoint, it is important you are able to support workers properly and have the resources to do this and also that you can support your service users and existing team in welcoming new overseas colleagues.
- From a compliance standpoint, particularly if you are sponsoring overseas workers, you need to ensure you have sufficient work for them and that you are recruiting in line with what you have told UKVI your needs are, so you have access to Certificates of Sponsorship when you need them. You also need demonstrate to CQC that you have thought about planning an ethical, diverse recruitment process, pacing your overseas recruitment to ensure your organisation is properly prepared for it and providing the necessary support to staff and service users.

Task table 3



Working through this table will help you to create a recruitment plan. You can then sense check and refine this plan after completing the next two stages.

Pre-recruitment planning	
What are your top-level international recruitment objectives? Identify the strategic goals behind your international recruitment. If you can, identify strategic objectives to achieve over years 1, 2 and 3. For example, year 1 – reduce bank and agency spend by 50%, re turnover by 20%, year 2, grow headcount to 250, etc. What is important is that you have a clear set of want to achieve and that they align with the international recruitment you do.	duce staff
Who do you need? Identify how many people you need to achieve those top-level objectives and into what roles. E.g. 10 care as occupational therapists. You can find a full list of skilled workers occupations at:	ssistants, 2
Will you need full-time or part-time workers or a mix and do you need long-term commitment or short-term do you need people with existing skills and experience or people who are willing to leam? Skilled Workers come to the UK to work full-time for you and retention rates are usually very high, but you a able to offer them full-time hours for the duration of their sponsorship. Employing overseas students, gra dependants will give you more flexibility and may not require you to be a sponsor but you may not be able people with the same level of skills and knowledge and retention rates are usually much lower.	need to be aduates or
What skills, qualifications and attributes will overseas workers in each of these roles need to demonstrate – lis important attributes for each role, or refer to a job description. Remember, if you are sponsoring a Skilled W will also need to satisfy the requirements set out by UKVI. You can find the full list of requirements for each occupation at: <u>https://onsdigital.github.io/dp-classification-tools/standard-occupational-classification/ONS_SOC_occupation_coding_tool.f</u>	′orker, they recognised



When will you need people?

Use this space to develop a deployment schedule. If you are new to international recruitment, even if you intend to work at scale in the longer term, begin with a small pilot cohort of 4-10 people. Avoid bringing in people individually, especially at the start. Small groups provide ready-made support networks and help people get through the difficult first weeks after they arrive. Think about how frequently you can take in new groups of overseas workers. You may want to give the first group 2-3 months to bed-in, after that new workers could join the team every 6-8 weeks.

For example:

Total international requirement year 1: 12 FTE nurses, 60 FTE carers (location/s)

- Q1 2 nurses, 4 carers (location/s)
- QI 2 nurses, 10 carers (location/s)
- QI 4 nurses, 20 carers (location/s)
- QI 4 nurses, 26 carers (location/s)

Total international requirement year 2: 24 nurses, 60 carers

- QI 4 nurses, 30 carers (location/s)
- QI 6 nurses, 0 carers (location/s)
- QI 8 nurses, 30 carers (location/s)
- QI 6 nurses, 0 carers (location/s)

Total international requirement year 3: 120 carers

- QI 0 nurses, 30 carers (location/s)

Note also What proportion of these roles would be full-time i.e. may require sponsorship or part-time i.e. be filled by students, dependants, etc. – does this matter?

Where will you find people?

Use this space to consider where you find/recruit you overseas team. Think about the following:

Are you willing to become a UKVI sponsor? If you are, you can employ Skilled Workers from all over the world, including people already in the UK. If not, you will only be able to employ overseas workers who are in the UK as students, graduates or potentially, dependants.

If you are going to recruit outside of the UK, which countries will look to? You must avoid red list countries (see useful links) and need to be aware of restrictions on amber list countries. Do you have contacts or experience of a particular country you may be able to recruit from? Do you have access to people already in the UK who might like to work for you e.g. students or a diaspora community? We will look at the ethical issues hiring from particular countries below, here you just need to think about whether you would hire outside of the UK and if so, where.



Reflect

You should now have a plan which makes clear why you want to recruit overseas. Use this space to clearly set out:

- who you want to recruit, when and from where.
- decide on the next actions particularly, determine if you will need to obtain a UKVI sponsor licence in order to lawfully employ overseas workers in the UK under the Skilled Worker Visa.

Next steps

You are now ready to learn how to build a compliant recruitment process. It is essential you understand all the compliance processes before you start recruiting overseas. You should also think about whether your planning so far will ensure you a team that is diverse – CQC are increasingly looking at the diversity of international hires and it is important that global diversity and the diversity of your service users is reflected in your team.



Stage 4 – compliance planning

What is this stage for?

Working through this stage will help you to understand the new regulatory requirements you may have to satisfy to recruit overseas workers. This is not a comprehensive guide to all compliance requirements but will help you to highlight the areas where you and your team will need to build knowledge in order to ensure a robust and ethical recruitment process.

Unlike the previous stages which were very much about you looking at your organisation, staffing and skills, this section is about providing you with tasks you will need to do in order to legally sponsor and employ foreign workers. Your understanding will of course develop overtime and especially as you start to do the tasks described here, so you will want to revisit this section as you build skills and knowledge.

Why does this matter?

- For most providers, employing overseas workers will almost certainly require some changes to their current processes. For providers who are sponsoring overseas workers for the first time, this will probably mean developing new compliance processes. It will also mean changes to CQC compliance processes.
- Getting compliance right is important both for your organisation and for overseas workers. CQC are looking in ever more detail at the processes by which overseas workers are selected and UKVI are increasingly aware of the abuse of overseas workers and are conducting most inspections but also expecting providers to provide more evidence of their need to employ overseas before they will grant them a Sponsor Licence or Certificates of Sponsorship.
- If you do not understand or develop compliance processes at the outset, you could put your sponsor licence in jeopardy and risk serious concerns being raised by the CQC. This could directly or indirectly lead to overseas workers being forced to return home, with their families and significant financial hardship.
- Compliance with immigration law and professional standards are at the heart of ethical recruitment.



• A good ethical recruitment process will put the safeguarding of overseas workers at its heart, providing them with clarity and stability. It is in your interests and your overseas workers to be able to

Task table 4

Task Table 4 is different from the previous task tables in that you should use it as a checklist. Working through it will help you develop your understanding of ethical recruitment. This and the following sections will allow you to build a recruitment plan and

Compliance Planning
UKVI/Immigration
Will you require a UKVI sponsor licence to hire the people you need?
Would it be beneficial to obtain a UKVI sponsor licence to have the option to recruit Skilled Workers inside or outside the UK in future?
Who will be responsible for making the licence application? Do they require training or support? How will this be provided?
Who will act as Authorising Officer, Key Contact and Lever I user under your licence? How will they gain familiarity with the Sponsor Management System (SMS)?
Do you understand how to confirm how overseas workers demonstrate their right to work in the UK?
Do you have the data required to make a strong case for becoming a sponsor and securing Certificates of Sponsorship? If not, what gaps need to be filled? This could include rotas, evidence of (unmet) demand for your services, evidence that you are unable to recruit locally.
Are you clear on the processes for sponsoring an overseas worker and when this process must be followed? If not, what do you need to know?
Would you be ready to respond effectively to a UKVI audit including having accurate and detailed record keeping that would evidence that a sponsored worker is working within the terms of their sponsorship considering the location of their work, the tasks they are undertaking, their working patterns and their pay and conditions? Is your current HR record keeping adequate to produce this information quickly and accurately?



For non-sponsored workers, are you able to ensure that they are	
working legally?	
For sponsored workers, are you familiar with the process the	
worker will have to go through to obtain a UK visa – will you be	
able to assist with this?	
Quality of care/CQC	
Can you develop an effective international recruitment strategy	
that reflect a strong ethical approach, is owned within the	
organisation with wide buy-in and reflect the diversity of service	
users, while also encouraging diversity in the organisation?	
How will you review and develop your current induction and on-	
boarding processes to ensure these are effective for new overseas	
workers?	
How will adapt existing policies to ensure you monitor and	
develop overseas worker effectively?	
Will you be able to ensure all overseas workers have access to	
an appropriate OT assessment?	
How will you determine what level of English workers must have?	
How will this be confirmed?	
What requirements will you have in relation to references and	
how will you verify overseas references?	
How will you ensure adequate DBS or overseas police checks are	
obtained and kept up to date (N.B. workers coming to the UK	
will have to produce 10 years of records to UKVI in order to	
obtain their visa).	
Training and professional registration	
Are you familiar with relevant registration and training	
requirements for overseas workers?	
Who will be responsible for overseeing the workers transition to	
fully registered status (and will there be financial assistance)?	

Next steps

Task Table 4 should have helped you to understand the compliance requirements that are an integral part of a quality, ethical recruitment process. Most importantly, it will have helped you to identify gaps and training needs that you can then incorporate into your project plan.

The next stage will then help you assess the costs of international recruitment and determine whether this makes commercial sense for you, taking into account the current costs of recruiting in the UK and using bank and agency staff (if applicable).



Stage 5 – financial planning

What is this stage for?

International recruitment, especially of workers working under the Skilled Worker Visa, must be seen as a medium to long term investment in a sustainable workforce and the creation of a position where providers are able to offer real continuity of care and be free to focus on service improvement and growth. In short it comes with a cost. That cost can be paid back in a matter of months. Over a period of years, because of very high retention levels, employing quality overseas candidates means savings and financial sustainability in the longer run.

Equally, the charging of overseas workers for unlawful fees is probably the most common form of unethical treatment and abuse.

This section of the tool helps you to understand what fees you are legally required to pay, calculate what the total costs of sponsoring an overseas worker (again, the focus is on Skilled Workers you are bringing to the UK) and therefore, how much you will need to budget in order to properly support them.

If you are employing overseas Skilled Workers in the UK or students or dependants, you may not incur all of these costs, but retention rates and levels of skills, expertise and English language ability may be far lower, which presents ethical issues for you as a provider and the workers themselves.

Why does this matter?

- Financial abuse is the most common form of unethical treatment. Providers very often believe that they can hire Skilled Workers at no cost. This is not true and is one of the main causes for exploitation of international ASC workers.
- It is important as a provider you have a clear sense of what the cost of overseas recruitment is, so you decide if it is right for you and ensure you will be able to offer overseas stable jobs.



- Understanding the costs also helps you to think about how that cost can be ethically spread between you and the worker.
- It is ethically and legally important you know what you can charge the worker for and what deductions you can make from salary on a monthly basis or if they leave their employment earlier than expected.

UNDER NO CIRCUMSTANCES SHOULD YOU EVER CHARGE A WORKER FOR FINDING THEM OR PROVIDING THEM WITH A JOB OR WORK WITH ANY PARTNER WHO DOES THIS. IT IS ILLEGAL FOR YOU TO PASS ON THE COST OF A COS OR THE IMMIGRATION SKILLS CHARGE TO AN OVERSEAS WORKER.

YOU MUST ALSO ENSURE YOU ARE NOT BREAKING MINIMUM WAGE RULES AS A RESULT OF DEDUCTIONS FOR ACCOMMODATION, TRANSPORT, ETC. OR MAKING UNLAWFUL DEDUCTIONS FOR WAGES.

Task table 5

This task table will help you calculate the cost of employing an overseas worker. It is based on bringing someone to the UK to work for you. If you are hiring a Skilled Worker who is already here, some costs will not apply. If you are hiring students, graduates or eligible dependants, you may avoid many of these costs and costs such as the Immigration Skills Charge will not be applicable.

How much does it cost? Who Pays?		
Preparation		
UKVI licence fee	Provider	£
UKVI licence legal fees (optional)	Provider	£
Capacity building, planning and training (estimate approx.	Provider	£
cost, consider if cost could be avoided or lowered by working		
with a recruiter).		
Recruitment		
Marketing of job opportunities	Provider	£
Costs of running recruitment events overseas (if applicable).	Provider	£
Recruiter fees (if applicable)	Provider	£
Additional costs in running overseas recruitment process (if	Candidate or provider?	£
applicable)		
Immigration		



Cert. of Sponsorship (CoS) & Immigration Skills Charge	Must be paid by provider.	£
Visa fees	Candidate or provider?	£
IELTS (English language) test fees	Candidate or provider?	£
Medical/TB test	Candidate or provider?	£
Verifications of certificates and qualifications	Candidate or provider?	£
Police checks (if charged)	Candidate or provider?	£
Express service for visa (optional)	Candidate or provider?	£
Pre-departure & transport		
Candidate air fare (could be divided of advanced to repaid)	Candidate or provider?	£
Transportation on arrival in UK (if applicable)	Candidate or provider?	£
Accommodation available on arrival in UK.	Candidate or provider?	£
Post-arrival		
Professional fees e.g. NMC	Candidate or provider?	£
Additional mandatory training/examinations e.g. OSCE	Candidate or provider?	£
Claw back		
Will you seek to claw back costs you have incurred and how	·	
will you incorporate this into the contract of employment (the		
Code of Practice provides guidance on this matter).		
Reflect		
• Looking back to the costs of staffing from the existing recruitment?	g local workforce, is there a find	ancial case for internationa
• Could you help be advancing some costs to be paid be	ack over time?	
• Are there any other costs you would want to meet, or	expect the candidate to meet?	
• Will you offer different packages of support depending	, g on the roles you are recruiting	to?
 How will you ensure parity of treatment with other wo 		
• Is the division of costs you propose here genuinely fair		

Next steps

At the end of this stage, you will have a clear sense of the costs involved in international recruitment and the extra administrative and other burdens that it could create, as well as the problems that it can solve.

You can now make an informed decision about whether you can proceed to recruit internationally and decide how you will divide the costs of that process in a way that is fair and ethical.

You can also consider:



- are there any additional items of financial support you would consider offering.
- whether the support you give will be given, partly advanced and over what period I would be paid back (taking account of NMW rules) and if it would be fair and ethical to do this.
- whether you would be willing to offer a more generous package to help with recruitment to certain roles e.g. nurses.

Have a final sense check to ensure the way in which you plan to divide costs is legal and ethical and ensures parity with current worker and then continue to the next stage.

The next stages take you through the process of selecting a recruitment partner – an important step if you are considering recruiting from outside the UK – and how to conduct an overseas recruitment process ethically.



Stage 6 – selecting a recruitment partner

What is this stage for?

- Although international recruitment is a process you can design and run yourself, many
 providers recognise that it will create additional work and, particularly if they are
 looking to bring people to the UK, it may be challenging to identify genuine, qualified
 applicants and screen them remotely. Providers with specialised needs may have
 additional difficulties in sourcing candidates and verifying their credentials. Recruiting
 at scale may also require significant additional human resource requiring a long-term
 investment that can be avoided using a recruitment partner.
- To bridge the gap in expertise and access support with international recruitment, many providers work with overseas recruiters to source and filter candidates and to work alongside them during candidate selection and on-boarding.
- Many providers also rely on recruiters to help their candidates deal with UK immigration processes. This stage of the process will help you to undertake a process to verify that your recruitment partner is a fit and proper organisation that can deliver what they promise.

Why does this matter?

- Working with an overseas recruiter has many benefits but it can also expose providers and workers to significant risks.
- Recruiters are often involved in unethical practices sometimes in collusion with candidates, providers or others which can expose workers and employers to significant risks.
- Particular risks including illegal charges and fee, charges and fees for services that are of poor quality or that are not needed and the fabrication or qualifications, references and experience.
- Recruiters may be involved in illegal loans or other behaviour which could amount to debt bondage or human trafficking.

Task table 6



Quality, well-regarded recruiters can make a process which can seem difficult straightforward and relatively quick. A quality, recognised recruiter should have a good understanding of your business and the health and social care sector in general and be able to help you structure long term plans as well as to give clear, impartial advice.

Before you complete the table, reflect on the knowledge of international recruitment you have in the countries or areas you want to target. Even if you have the knowledge, do you have the capacity to find the people you need and if not, do you want to build, or would it be more efficient to work with a partner that has the knowledge and processes already in place?

The questions in this table will help you to build a picture of the recruiters legal obligations in their home country and provide a template for you to carry out a due diligence exercise before moving forward with them. You may want to add a scoring system or use a RAG rating.

A competent recruiter with access to people with experience and qualifications should be able to answer all of the questions fully and provide references and evidence for their claims. It takes time to recruit from overseas so it is important that the recruiter is someone you can trust and you feel understands what you are trying to achieve.

Recruitment Partner Due Diligence	
Understanding the recruiter's operating environment	
Agent name, address, contact details, country/ies of operation.	
Is there a system that regulates or licences agents in that country?	
Are there meaningful enforcement mechanisms against agents that act illegally?	
Does the country allow migrant workers to be charged fees? If so, what fees can be charged?	
Does the country have proper protections in place for migrant workers or those seeking to work outside the country e.g. rules against confiscation of passports, data protection, etc.?	
Due diligence checklist	
Are there licencing requirements for you as an employer where you are recruiting? E.g. The Philippines.	
What is the recruiter's business model – does it rely only on the fees you are paying, i.e. are candidates being charged? Is their account of their business plausible?	
How does the recruiter gather and select candidates?	



Can the recruiter provide references from other providers or people	
they have placed in the UK?	
Premises – where is the agent physically based. Do the premises	
match the claims they make about the business?	
Do they know and understand adult social care?	
Are they actively interested in your organisation and in the people	
they place?	
What pre-departure and immigration work are they doing?	
If your partner is going to have access to your SMS, how will ensure	
they do not abuse this, do you have a plan in place to quickly block	
their access if there are any concerns?	
Ravian	

Do you want to work with a recruiter? Is this recruiter for you? Look at the costs the recruiter is proposing, compare this to costs of developing the knowledge and expertise you need in house. Looking at all the evidence the recruiter has provided - is this someone you can work with, someone who you would trust your name and reputation with? Someone who you feel can source the right people and genuinely add value?

There could be serious legal consequences for you if you work with a recruiter that is charging illegal fees, loaning large amounts of money, offering to pay you to employ an overseas worker, or telling you that you do not need to pay for the COS or Immigration Skills Charge. Working with recruiter that work in this way could endanger your UKVI licence, your CQC registration and your reputation.



Stage 7 – an ethical recruitment process

What is this stage for?

Whether you are recruiting overseas, or recruiting overseas workers in the UK, there are important changes you need to make to your recruitment processes to ensure that it is ethical. The stage will help you to tailor your recruitment processes so that they embed ethical recruitment principles but also to prompt you to think about some of the challenges of recruiting overseas/recruiting overseas workers that you may need to address to ensure your processes are fair and ethical.

Why does this matter?

It is important to remember that overseas workers will often have very limited knowledge of how social care is provided, structured and delivered in the UK. They may also have little or no experience of a workplace in the UK and little understanding of life in the UK may be like.

An important aspect of an ethical recruitment process is ensuring that overseas workers make their decision to work in a particular country or for a particular employer freely, with access to proper information and that they have the benefit of fair and ethical recruitment processes.

As a provider, you also want to ensure your processes are clearly robust and defensible, demonstrate planning and knowledge, respect cultural differences and are designed to ensure you are able to properly scrutinise candidates who you may not meet in person until they come to work for you.

Task table 7

This table breaks down the different phases of overseas recruitment. It is designed to be worked through in order and is designed with recruitment of Skilled Workers coming to the UK for first time in mind. Much of this table will still be relevant to providers recruiting overseas workers from within the UK.



Recruiting Overseas Workers
Before you start
Are you planning to actively recruit outside of the UK? If you are,
where will you do this?
For each country you plan to recruit in, identify at least five reasons
why that country has been chosen.
For each country you plan to recruit in or from, compile the
following information for each role and ensure all colleagues who
will be involved in the process have access to it:
 Is the country red, amber or green listed?
• How is health and social care structured in that country? E.g.
is social care usually delivered by live-in carers rather than in
a care home environment?
• How are health and social care workers trained? What is
the structure and content of training?
 How are health and social care workers regulated?
 What are the main risks in recruiting from that country both
to providers and candidates? Do these risks require
mitigation?
Do your processes capture that some candidates may have
worked in several countries and have experience and qualifications
across several health and care systems?
Notwithstanding professional body and visa requirements, what
level of English will you require for each role you are recruiting, and
how will this be evidenced?
What qualifications will you require for each role you plan to recruit
to? How are will you ensure that the qualification is at the correct
level, genuine and the content is relevant?
Selection processes
What channels will you use to advertise vacancies overseas?
Are you happy that these channels will not damage your brand or
lead to your brand being used in recruitment scams?
If you are advertising outside of the UK, how will you ensure your
chosen channels will reach an appropriate audience while keeping
the number of applications manageable?
How will you communicate with candidates relevant information
about your organisation and what it will be like working for you?
What do they need to know to?
How will you sift applications to decide which candidates to
interview – will your usual UK processes be appropriate?
Will you conduct the recruitment process entirely online, or can
some or all of it take place in person?
If the process will take place online, can all elements of the process
be structured to ensure that they are fair and accessible, especially
for candidates who may only have access to a smartphone, may



not ha able to access a bijusta en quiet abase, para brue yen	
not be able to access a private or quiet space, may have very	
limited time, if any, away from work, and unreliable internet connections?	
If the process will take place wholly or partly in person, who will be	
involved? How will you structure the process away from the UK to	
ensure you achieve the same outcomes while recognising you may	
have a limited amount of time to deal with a small number of	
candidates?	
Whether the process is online, in person or hybrid, who will be	
responsible for ensuring cultural differences are understood and	
taken account of before the process begins?	
If a skills assessment is required how will this done?	
Do standard interview questions need to be reviewed to ensure	
they are phrased in a way that candidates who do not speak	
English as a first language, or do not have experience of ASC in	
the UK can understand them? E.g. an overseas candidate may not	
be familiar with the word 'safeguarding' or a 'DoLS even though	
they know and understand the concepts.	
Successful candidates	
Successful candidates will need to be issued with an offer letter.	
Is your current offer letter suitable? Overseas workers will often	
realise after an interview there could be major gaps in their	
knowledge of the role they have applied and they may be reluctant	
to ask questions. Ensure you offers letters provide detail on:	
• The role applied for and the duties involved.	
 Working patterns, holiday, rates of pay, etc. 	
• When you expect the job to start.	
• Where the applicant will be based.	
• What financial and other support will be provided and	
on what basis including flights, accommodation,	
allowances for training, retention, bringing dependants	
to the UK, (if any), etc.	
• What the process will look like from here and how long	
you expect the steps to take.	
An ethical recruitment process relies on candidates making	
\sim ended recruitment process relies on condidates making [
informed decisions. What changes will you need to make to ensure	

Do you feel confident you and your colleagues can effectively and fairly recruit overseas colleagues? Are you clear on the gaps? Are there are features of your organisation, location, or ways of working that you think an overseas applicant ought to know before they decide to apply to work for you, or accept a job offer from you?



Next steps

You are now near the end of the process. You have developed an understanding of international recruitment processes, put in place the structures to ensure the process is ethical and compliant and attracted and selected overseas recruits in a fair and ethical way. The next step is to then on-board them, for some this will include bringing them to the UK and helping them to become established. In all cases, it will involve well-designed on-boarding and induction process, which Stage 8 will help you to create.



Stage 8 – on-boarding & pastoral support

What is this stage for?

This final stage of the process will help you to understand what you need to do to design and implement an effective on-boarding and induction process and to provide on-going support to overseas workers. This process, will vary for different workers, depending on their job role and whether they are already in the UK or not. For workers that are outside of the UK, the process will involve practicalities such as travel and helping them

Why does this matter?

An overseas worker's experience before taking up their post and in the first few weeks of their new job have a significant effect on how long they will stay in that job.

An ethical recruitment processes recognises that for international workers, changing jobs may also mean a significant life change too, understanding that they may be dealing with a new culture, language, work environment and ways of working all at the same time, recognising that it is the right thing to do to provide meaningful support during this early period to ensure a new colleague is able to become embedded quickly, reach their full potential and stay for the long term.

An ethical recruiter will want to develop a clear process that will help the candidate to quickly adapt to their new working environment, help them to feel embedded and welcome and where they have relocated to the UK, help to begin to build a new life here.

Finally, this part of the process is important because newly arrived overseas workers may be at significant risk of exploitation e.g. from private landlords without their employer's help and assistance.

Task table 8

This final table provides prompts to help you build your own localised on-boarding and support plan for new international workers, particularly those coming to the UK for the first time and provide evidence of this to show that you have developed an ethical recruitment process.



Before new overseas colleagues join you, it is important to tell a story about who you are, where you operate your service, what life is like for the people you provide for, what your values are. You can then make your new team members part of that story. This table should provide prompts to help you do that.

On-Boarding & Support

Pre-departure support	
Which members of your team are best placed to be points of	
contact with new overseas colleagues?	
How will you build rapport with the new recruits? E.g. Whatsapp	
groups. Can you develop a comms plan to provide updates and	
useful information over several weeks, ensure recruits receive	
relevant updates, while also being assured the necessary processes	
are moving forward?	
Are you able to offer immigration advice? If not, are you confident	
candidates will be able to do their own immigration work?	
Pre-departure preparation	
What essential items will new recruits need before they join you?	
This will differ if they are coming to the UK for the first time. Ensure	
new arrivals bring appropriate clothing and footwear with them, as	
well as some suitable bedding and personal items.	
How can help new recruits to be prepared for their first few weeks	
in the UK – for example, getting a UK SIM card, bank account,	
Transport & arrival	
What times of the year would ensure the best experience for new	
international colleagues starting work? Think about the availability	
of staff to provide a good welcome, to deliver an induction, to	
introduce new starters to your organisation working as it would on	
a normal day? Try to avoid periods like Christmas, especially for	
new arrivals to the UK.	
If you are bringing workers into the UK, remember they will need	
to bring a lot of possessions with them. What is the best airport	
for them to enter the UK then travel to you?	
Which airlines balance value fares with large standard baggage	
allowances to ensure new arrivals do not have to spend excessively	
on buying essentials on arrival. Are you able to meet new arrivals when they get to the UK, or help	
those already here to travel to you?	
What does a new international worker's first 48 hours with you	
look like?	
Making Connections	



Do you have existing overseas workers whose experiences would	
help new overseas workers? How could you connect them? Would	
a buddy system work?	
Can you help new overseas worker connect with other members	
of their community?	
Are there organisations that can help overseas workers to build	
their network or provide support in your community?	
Accommodation	
It is vital that you are able to help new overseas workers source	
and probably secure accommodation at least for the first few	
weeks after their arrival.	
Workers already in the UK may not need this level of assistance.	
Accommodation should be safe, secure and conveniently located.	
It is important to consult with workers where possible to discuss	
the available options and costs. It is likely you will need to help	
fund accommodation initially. Workers should not be tied to	
accommodation for an excessive period or pay over market rates.	
Do you have capacity to source accommodation locally? Where	
will you look for suitable accommodation? What are the needs of	
the people you are housing? What are their priorities e.g.	
maximum space or lowest cost?	
Induction	
Does your induction include basic information:	
• on working in the UK including information on	
deductions from salary, taxation, pensions, auto-	
enrolment, workers' rights, etc.?	
 to help new overseas worker to understand the sector 	
they are working in, how it operates and how it is	
structured?	
help newly recruited overseas workers to understand the	
way a UK ASC workplace operates, including the roles	
different people play, when it is appropriate to raise	
concerns and to who?	
What are the gaps that need to filled?	
How will you identify more serious gaps in the skills or experience	
of new overseas workers that result from little or no experience in	
the UK in the past?	
How will identify the training needs over new overseas workers?	
Do you think your existing induction will need to be reviewed to	
make it suitable for people who may not have worked in ASC in	
the UK before? What changes would you make?	



Conclusion

Having worked through each stage of this process, you should now have a better sense of whether international recruitment is for you and understand how to prepare for it. You should have been able to bring to together evidence to support your decision to move ahead with it (or not), understand the costs and compliance requirements and most importantly, have a project plan and/or understand the gaps you may need to fill to ensure a positive experience for your international colleagues.

Additional Help & Support

One to one support

If you are a provider in the ADASS Eastern Region, you can access free, impartial advice sessions with BA Healthcare as part of the package of work commissioned by the IRE project. To book a free, confidential international recruitment/ethical recruitment advice session use this link: <u>https://calendly.com/rsc-bahealthcare/60minutes</u>, or email <u>uk@ba-healthcare.org</u>.

Useful resources

Below you will find links to resources that will help you plan your ethical recruitment journey. You will also it useful to connect with other providers, local authorities, care associations, community groups and religious organisations and organisations that help to place overseas workers in the UK – ethical recruiters should be willing share their knowledge and expertise.

Online resources	
Ethical Recruitment	
Code of Practice for the International Recruitment	https://www.gov.uk/government/publications/code-of-practice-for-
of Health and Social Care Personnel	the-international-recruitment-of-health-and-social-care-
	personnel/code-of-practice-for-the-international-recruitment-of-
	health-and-social-care-personnel-in-england
Intl Labour Organisation index of fair and ethical	https://www.ilo.org/global/topics/fair-recruitment/lang
recruitment resources	<u>en/index.htm</u>
NHS Ethical Recruiter List	https://www.nhsemployers.org/articles/ethical-recruiters-list
WHO code of practice	https://www.who.int/publications/i/item/wha68.32
WHO red and amber list	https://www.nhsemployers.org/articles/code-practice-red-and-
	<u>amber-list-countries</u>



Immigration	
Apply for a UKVI Sponsor Licence	https://www.points.homeoffice.gov.uk/gui-sponsor-
	jsf/SponsorHome.faces
Graduation Immigration Route guidance	https://www.gov.uk/graduate-visa
Share Code guidance	https://www.gov.uk/view-prove-immigration-status
Skilled Worker Visa Guidance	https://www.gov.uk/skilled-worker-visa
Skilled Worker Visa – eligibile occupations	https://www.gov.uk/government/publications/skilled-worker-visa-
	eligible-occupations/skilled-worker-visa-eligible-occupations-and-
	<u>codes</u>
Skilled Worker Visa – occupation coding tool	https://onsdigital.github.io/dp-classification-tools/standard-
	occupational-
	classification/ONS_SOC_occupation_coding_tool.html
Student visa guidance	https://www.gov.uk/student-visa
UK government sponsor guidance for employers	https://www.gov.uk/uk-visa-sponsorship-employers

About BA Healthcare

BA Healthcare is the first choice overseas resourcing partner to the health and social care sector. For 23 years, we have been helping providers create thriving, sustainable, diverse workforces, helping them to strengthen *and* grow. We have deployed over 10,000 nurses, carers, senior carers and other professionals all over the UK. We are a British-owned business with an Anglo-Filipino team, we are headquartered in Malaysia, and have bases in the UK, the UAE and Hong Kong and work almost exclusively with ex-pats from The Philippines based in those countries.

Working with us, our clients reduce bank and agency spend by up to 90% in 6 months and enjoy a 99% retention rate (over 3 years). They benefit from an expert, integrated service that can successfully deploy hundreds of people and pays for itself in as little as 3 months. Working with us, our clients are able to operate sustainable services at full capacity, while planning future growth.

BA Healthcare is the *only* supplier of overseas healthcare workers recommended by the National Care Forum and the Institute of Health & Social Care Management and holds memberships of Care England and Care Forum Wales. We work closely with several local authorities and care associations providing consultancy and training alongside our recruitment services and advise DHSC on international recruitment matters.

BA Healthcare has an absolute commitment to fair, ethical and transparent recruitment practices, assured by our NHS-approved status. We make significant investments in robust



selection processes and in ensuring every person we deploy is properly vetted, prepared for work and life in the UK, has appropriate qualifications, good standards of English and is committed to their new role. Many of the people we have placed have been working in health and social care in the UK for more than two decades – a testament to the investment we make in fair, transparent processes.



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