

Social Care Code of Practice for International Recruitment

Principles

1. International recruitment is a sound and legitimate contribution to the development of the registered and unregistered social care workforce.
2. International recruitment campaigns will only be conducted in countries where social care staff are in plentiful supply
3. Employers will respect the rights of individual applicants from other countries to improve their work and career prospects and not discriminate on the grounds of race, nationality or ethnic origin.
4. International social care staff will demonstrate a level of English language proficiency consistent with safe and skilled communication with clients, carers and colleagues
5. International social care staff will have a level of knowledge and proficiency equivalent to that expected of an individual trained and recruited in the UK by the end of their induction period.
6. International social care staff will be made aware of and demonstrate a commitment to the standards and principles of social care as set down in the General Social Care Council's Code of Practice for social care workers.
7. International social care staff legally recruited from abroad to work in the UK are protected by relevant UK employment law in the same way as other employees and will be made aware of their rights.
8. International social care staff will have the same support and access to relevant education and training and continuing professional development as all other employees.
9. International social care staff will undergo and satisfy the employer's occupational health assessment prior to leaving their country of origin and commencing employment.
10. International social care staff will undergo the most comprehensive criminal record checks in their country of origin, as that country is able to provide before departure. In the UK they will comply with any checks required by UK legislation and regulation as with any other employees.
11. All international social care staff will supply evidence of their right to work in the UK or have a valid work permit before entry to the UK.
12. International social care staff will receive appropriate information, support and induction to enable them to settle in and operate effectively in the role to which they have been recruited.

Principle 1: International recruitment is a sound and legitimate contribution to the development of the registered and unregistered social care workforce.

Employers will:

- Have workforce development plans based on current and future service needs and an assessment of the local, regional and national marketplace for appropriately skilled, experienced and qualified staff.
- Tackle retention issues within their control
- Demonstrate that they make training and employment opportunities available to their local workforce to encourage local employment first
- Make every effort to recruit individuals within the UK and Europe who have the right to work here.

Key sources of Information

Pre-employment checklist

<http://www.nhsemployers.org/practice/practice-201.cfm>

Post employment checklist

<http://www.nhsemployers.org/practice/practice-202.cfm>

Guidance on filling a vacancy from overseas. New employer guidance and forms from 3 April 2006

http://www.workingintheuk.gov.uk/content/working_in_the_uk/en/homepage.html

Safeguarding Children: Safer Recruitment & Selection in Education Settings
June 2005 publication

<http://www.ncsl.org.uk/media/C83/98/safer-recruitment-guidance-document.pdf>

The European Employment, Social Affairs and Equal Opportunities guidance

http://ec.europa.eu/employment_social/free_movement/index_en.htm

EURES – the job mobility portal with information for employers on recruiting in Europe <http://europa.eu.int/eures/home.jsp?lang=en>

Principle 2: International recruitment campaigns will only be conducted in countries where social care staff are in plentiful supply

Employers will:

- Seek up-to-date guidance on the ethics of recruiting in socially and economically developing countries/regions where recruitment activities could diminish the social care workforce
- Not work with agencies that actively encourage recruitment in these countries
- Treat applications from individuals who are already in the UK with a pre-existing right to work here in the same way as any other applicant.

Key sources of information

The Department of Health's Code of Practice for the International Recruitment of healthcare professionals.

http://www.dh.gov.uk/PublicationsAndStatistics/Publications/PublicationsPolicyAndGuidance/PublicationsPolicyAndGuidanceArticle/fs/en?CONTENT_ID=4097730&chk=DI/b1A

Department of Education and Skills, Commonwealth Teacher protocol

http://www.thecommonwealth.org/shared_asp_files/uploadedfiles/{90CCBAE1-D475-47EC-BD52-02BE05EA0D27}_PROTOCOL.pdf

Principle 3: Employers will respect the rights of individual applicants from other countries to improve their work and career prospects and not discriminate on the grounds of race, nationality or ethnic origin.

Employers will:

- Provide the same clear information in their advertisements/recruitment information for all potential candidates irrespective of where the request came from.
- Require all candidates to provide evidence of their right to work in the UK
- Review their recruitment policies and procedures covering travel expenses for interviews.

Key sources of information on avoiding discrimination

Immigration and Asylum Act 1999 Section 22. A Code of Practice for employers on the avoidance of race discrimination in recruitment practice whilst seeking to prevent illegal working

www.ind.homeoffice.gov.uk/lawandpolicy/preventingillegalworking/codeofpractice/fullcode

The European Employment, Social Affairs and Equal Opportunities guidance http://ec.europa.eu/employment_social/free_movement/index_en.htm

Principle 4: International social care staff will demonstrate a level of English language proficiency consistent with safe and skilled communication with clients, carers and colleagues

Employers will:

- Evaluate the listening, reading, speaking and writing skills required for different job roles
- Assess all candidates against those requirements and give feedback where there is a shortfall in requirements
- Identify local English as a Foreign Language (EFL) providers who could offer support if required

Key Sources of Information

International English Language Test system

<http://www.britishcouncil.org/learning-exams-ielts.htm>

English language proficiency qualifications

<http://www.ucas.ac.uk/studyuk/englang.html>

International English Qualifications with City & Guilds

<http://www.cityandguilds.hu/page.php?page=74&l=1>

Principle 5: International social care staff will have a level of knowledge and proficiency equivalent to that expected of an individual trained and recruited in the UK by the end of their induction period.

Employers will:

- Familiarise themselves with the model of social care within the countries they recruit in and the UK equivalent of any qualifications held by candidates
- Build into the planning stage any additional training or support likely to be required to operate effectively within the UK in the role they are recruiting for
- Offer competence based interviews with scenarios on the type of situation individuals might face in the workplace.
- Provide cultural orientation for internationally recruited staff

Key Sources of information

General Social Care Council's Code of Practice

<http://www.gsccl.org.uk/Good+practice+and+conduct/>

Skills for Care Common Induction Standards

<http://www.skillsforcare.org.uk/view.asp?id=751>

Children's Workforce Induction Standards

<http://www.cwdcouncil.org.uk/projects/cwdcinductionstandards.htm>

General Social Care Council provides details of the qualifications that applicants would be expected to hold from our top 10 countries of registrants.

<http://www.gsccl.org.uk/The+Social+Care+Register/How+to+register/Workers+from+abroad/Country+assessment+guidelines>

General Social Care Council's guidance for overseas workers

<http://www.gsccl.org.uk/The+Social+Care+Register/How+to+register/Workers+from+abroad/>

Example of an Orientation Handbook developed for Teachers

<http://www.teachingintheuk.com/OverseasTeachersHandbook2.pdf>

Principle 6: International social care staff will be made aware of and demonstrate a commitment to the standards and principles of social care as set down in the General Social Care Council's Code of Practice for social care workers

Direct links to the relevant Code and standards

General Social Care Council's Code of Practice

<http://www.gsccl.org.uk/good+practice+and+conduct>

Skills for Care Common Induction Standards

<http://www.skillsforcare.org.uk/view.asp?id=751>

Children's Workforce Induction Standards

<http://www.cwdcouncil.org.uk/projects/cwdcinductionstandards.htm>

Principle 7: International social care staff legally recruited from abroad to work in the UK are protected by relevant UK employment law in the same way as other employees and will be made aware of their rights

Employers will:

- Demonstrate the necessary knowledge of UK employment law including the working time directive, national minimum wage, the relevant social security and tax obligations, health and safety, unlawful discriminations, statutory notice, paid holiday, family friendly rights and protection from unfair dismissal and to redundancy after the relevant qualifying period.
- Inform staff of these rights and uphold them.
- Provide internationally recruited social care staff (registered and unregistered) with written terms and conditions detailing the identity of the employer, the rate of pay including any expenses payable, the hours of work, the type of work, the notice applicable and the right to paid leave. This should also include information, if relevant, on ownership, care and return of any assets like a car.
- Take a copy of their contract with them when recruiting in other countries along with an explanation of terminology i.e. guidance on UK contracts of employment and how they protect individual rights.

Key sources of information

Employment rights toolkit

http://www.direct.gov.uk/Dio11/EmploymentDecisionTrees/DecisionTreeArticles/fs/en?CONTENT_ID=10028510&chk=fjnHPU

Principle 8: International social care staff will have the same support and access to relevant education and training and continuing professional development as all other employees.

Employers will:

- Access local and regional training partnerships and funding for education and training support
- Demonstrate that relevant training is made available to all workers on equal terms and relate directly to service needs
- Review induction across the whole organisation and where induction needs are different for internationally recruited staff, state why

Key sources of information

Quick start to NVQs in social care

[http://www.skillsforcare.org.uk/files/Quick%20start%20to%20NVQs\(5\)\(1\)\(2\).doc](http://www.skillsforcare.org.uk/files/Quick%20start%20to%20NVQs(5)(1)(2).doc)

Guidance for support on funding

<http://www.skillsforcare.org.uk/view.asp?id=189>

General Social Care Council <http://www.gsccl.org.uk/Training+and+learning/>

Principle 9: International social care staff will undergo and satisfy the employer's occupational health assessment prior to leaving their country of origin and commencing employment.

Employers will:

- Ensure that all internationally recruited staff satisfies the same pre-employment occupational health assessment as staff recruited in the UK before leaving their country of origin.
- Establish procedures for candidates to undertake approved health assessments in their country of origin, when required

Key sources of information

Guidance on pre-employment health assessment

http://www.nhsplus.nhs.uk/your_health/preemploy.asp

Examples of pre-employment health assessments welcome along with tips for other social care employers.

Principle 10: International social care staff will undergo the most comprehensive criminal record checks in their country of origin, as that country is able to provide before departure. In the UK they will comply with any checks required by UK legislation and regulation as with any other employees.

Employers will:

- Seek guidance from embassies in the country where they are recruiting on what criminal checks are available, their limitations and how to authenticate them.
- Make offers of employment subject to satisfactory checks

Key sources of Information

DH guidance for care homes and domiciliary agencies on the Protection of Vulnerable Adults (POVA)

http://www.dh.gov.uk/PublicationsAndStatistics/Publications/PublicationsPolicyAndGuidance/PublicationsPolicyAndGuidanceArticle/fs/en?CONTENT_ID=4085855&chk=p0kQeS

Protection of Children Act 1999

<http://www.opsi.gov.uk/acts/acts1999/19990014.htm>

Criminal Records Bureau

https://www.disclosures.co.uk/google_adwords/?gclid=CLb5zdz9s4YCFR1pEgoduTiVRw

Principle 11: All international social care staff will supply evidence of their right to work in the UK or have a valid work permit before entry to the UK.

Employers will:

- Treat all candidates equally by asking them to provide documentary evidence of their right to work in the UK in the initial stages of the recruitment process and include this requirement in their recruitment policies.
- Seek up to date information from the Home Office on migration and work permits
- Where work permits are required, these should be prior to booking a flight.

Key sources of information

Guidance on working in the UK

http://www.workingintheuk.gov.uk/content/working_in_the_uk/en/homepage.html

UK Visa offers information on whether or not a visa is required to work in the UK and if so how individuals can apply for one. <http://www.ukvisas.gov.uk>

Work Permits.com offers weekly video updates on changing circumstances in relation to applications to work in the UK

http://www.workpermit.com//video/player.htm?video=2006_07_26&player=wmv

Principle 12: International social care staff will receive appropriate information, support and induction to enable them to settle in and operate effectively in the role to which they have been recruited

Employers will:

- Ensure that all new employees are aware of how to find help and assistance in all aspects of their appointment. They should achieve certification in the Common Induction Standards to ensure that they are practically and personally prepared to work safely and effectively within the English social care system.
- Provide a mentor or buddy to help new staff to settle in or some form of regular contact
- Support individuals through the Common Induction Standards, which address aspects of cultural awareness, equal opportunities and diversity, and may be supplemented by specific training.
- Provide an infrastructure of pastoral support, which goes beyond the job role requirements. This wider support for internationally recruited staff involves helping them to settle into working and living in England.

This could include:

- Meeting and greeting newcomers at the airport
- Finding at least temporary accommodation
- Helping them to obtaining a national insurance number
- Registering with a GP and dentist
- Providing information on travelling to work
- Information relating to professional organisations
- Union representation
- Introduction to social networks
- Cultural awareness training

Key sources of information

This will be provided in the resources section as the material becomes available.