

# How can the Health and Care Worker visa help you expand your pool of talent



## Immigration: How can the Health and Care Worker visa help you expand your pool of talent?

With increasing health and social care vacancies, Sarah J. Barker, Solicitor Apprentice and Safiya Sidat, Solicitor, at Naphthens explain how to recruit ethically from outside of the UK.

## What is a Health and Care Worker visa (HCW visa)?

It allows qualified medical professionals who meet the eligibility requirements to come to or stay in the UK to do an eligible job within the NHS, an NHS supplier or in adult social care.

Eligible applicants benefit from fast-track entry, reduced visa fees and dedicated support in processing the application, with an option to apply to bring their dependants with them to the UK. They are also exempt from paying the Immigration Health Surcharge, which is a saving of up to £5,000 per person. The visa can last up to 5 years and can be updated if there is a change in employment (i.e. different job role for the same employer or moving to a different employer).

On 2 August 2022, the Department of Health and Social Care [updated The Code of Practice for International Recruitment of Health and Social Care Personnel](#) (the Code). The Code sets out the principles and best practice for health and social care employers to follow in order to promote high standards of practice in ethical international recruitment and to protect and promote the health and social care system. It is recommended that health and social care employers read the Code to ensure the principles are followed in relation to international recruitment.

## How does this visa help the health and social care sectors?

There is a chronic shortage of these workers in the UK which has been exacerbated by the coronavirus pandemic. The HCW visa makes it cheaper, quicker and easier for professionals from around the world to come to the UK to work, opening the doors to a wider talent pool of health and social care professionals from a global talent pool.

## Who is eligible?

To be eligible for the HCW visa, an individual must meet the following requirements:

- Be a qualified doctor, nurse, health professional or adult social care professional employed or engaged by the NHS, or an organisation commissioned by the NHS
- Have an eligible health or social care job for the visa (eligible professions include care workers and home carers, senior care workers, residential, day and domiciliary care managers and proprietors)
- Work for a UK employer (also known as a sponsor) that's been approved by the Home Office
- Be a person taking up a job in one of the occupations specified within the list of Standard Occupational Classification ("SOC") codes
- Be paid the minimum salary or the 'going rate' for the type of work they'll be doing - whichever is higher; and
- Have a good working knowledge of the English language (meeting the required level)

In certain circumstances, applicants must also meet financial requirements for themselves and any dependants who are also applying to come to the UK with them (known as the maintenance requirement).

## What is the process?

An employer must hold a Skilled Worker Sponsor Licence granted by the Home Office and demonstrate that it has a genuine vacancy before they can offer a job to a migrant worker.

Once the employer has a Sponsor Licence, it must assign a Certificate of Sponsorship (CoS) to the applicant so they can apply for the visa. The CoS confirms that an individual applying for the visa has met the relevant conditions of the visa.

To hold a Sponsor Licence, the company must adhere to a number of duties and obligations to the Home Office, including reporting and record-keeping in respect of its sponsored workers. Many of these duties can be carried out via the Sponsor's sponsor management system (SMS).

## How can Napthens help?

Napthens' dedicated Business Immigration Team can advise on all business immigration matters and they offer 30 minutes of free advice to QCS members. If you would like to request a call back, please complete the enquiry form located on your QCS dashboard.