



Llywodraeth Cymru
Welsh Government

GUIDANCE, DOCUMENT

Employing international workers in social care (Health and Care Worker visa)

Learn how international workers can get work in social care in the UK under the health and care worker visa.

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Contents

Overview

Initial considerations

Ethical recruitment practices

Sponsorship licence and Certificate of Sponsorship (CoS) requirements for employers

Requirements for international recruits under the Health and Care Worker visa

Employment checks

Costs and times

Regulation, registration, and risk management

Employing foreign social workers in Wales

Successful international recruitment

Other useful links

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Overview

Welsh Government supports employing international workers. There are various benefits for a social care employer in recruiting internationally. Workers from overseas can bring language skills, cultural diversity, resilience and more into a team.

International recruitment is not a quick solution for staffing issues. It is a serious commitment that places significant responsibilities on the employer. The process can be challenging but gets easier with practice. Most employers say the benefits outweigh the costs and effort.

Immigration is not a devolved matter and sits with the UK government. Welsh Government continues to work with the Home Office on the effects of immigration policy in Wales.

This resource focusses on the Health and Care Worker Visa (HCWV). It is the most used visa for social care workers, social workers, and nurses in social care. Links to more detailed guidance which we encourage you to look at are available in the relevant paragraphs below. Links to other routes are at the end.

Initial considerations

International recruits must meet the eligibility criteria of their chosen visa. Similarly, employers must ensure candidates are suited to work in social care. They must have the right skills and appropriate qualifications for the role. This ensures they meet both immigration regulations and sector standards.

Before recruiting internationally, employers must follow safe recruitment practices, and meet their obligations. These include having:

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- vacancies which meet the requirements for a HCWV such as the minimum salary (see below)
- the capacity to support the whole process
- a commitment to the process of international recruitment, which takes time
- an awareness of the long-term duty of care for the people they recruit

The needs and experience of people being cared for must remain the highest priority as their safety and wellbeing are paramount.

Ethical recruitment practices

The Code of Practice for International Recruitment applies to hiring health and social care workers from abroad in the UK. This includes permanent, temporary and locum staff. As an employer it is important to be familiar with this. The code derives from World Health Organisation global principles for ethical international recruitment. Following the code will help to keep the recruitment process transparent and fair. It helps to ensure that both employers and international recruits are protected and safe. The code has a traffic light list with countries an employer can, and cannot, actively recruit from. It also contains the **Ethical Recruiters List | NHS Employers**. This lists recruitment agencies who have signed up to the code of practice.

Best practice benchmarks for international recruitment include:

- the UK government **red list**, where active recruitment from countries rated red is not permitted
- that international recruitment services should not charge recruits gaining employment in the UK
- that all recruits will have an appropriate level of English
- that applicants will have proper pre-employment checks, including for convictions or cautions in line with UK law

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- that applicants offered a post will have a valid visa before entering the UK
- that all recruits have access to appropriate support and induction

Sponsorship licence and Certificate of Sponsorship (CoS) requirements for employers

UK organisations wanting to employ international workers must apply to UK Visas and Immigration (UKVI) in the Home Office for a sponsor licence.

Valid for 4 years, the single sponsor licence can be used to employ (or to 'sponsor' using UKVI terminology) an allocated number of international workers.

A registered sponsor licence holder will get access to the Home Office's online portal, the Sponsor Management System (SMS). Through the SMS, the sponsor/employer gives electronic CoS to future staff. The CoS must be populated with the worker's personal information and details of the role. Only one CoS may be issued to a worker at a given time. Each CoS is unique, and the visa applicant must refer to their certificate number as part of the visa application process. Using the SMS, sponsors must justify to the Home Office the number of CoS they expect to give each year to support recruitment internationally.

A sponsor licence and a CoS is not needed for all visa routes. Workers who present any one of the following visas will not need sponsorship and/or a CoS to work:

- Ukraine schemes
- Youth Mobility
- Start-up
- UK Ancestry

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- British National (Overseas)
- Overseas Domestic Worker
- Turkish Worker
- Frontier Worker permit
- European Union Settlement Scheme
- PBS Dependants
- Students, Graduates and High Potential Individuals
- Family routes and Private Life

Before seeking a licence, it's advisable to assess the suitability of hiring an international worker for the specific vacancy in question.

Steps toward sponsorship licensing

1. Check the business is eligible

Sponsorship can only be undertaken by a business. Individuals cannot be sponsors for the purposes of the HCWV.

Unspent convictions including for immigration offences, fraud, or money laundering preclude sponsor licenses. Employers are also barred from applying for a sponsor licence if they previously held a licence that was revoked in the last 12 months.

Employers need to show they have systems in place to monitor sponsored employees. Together, these obligations are called the 'Sponsorship Duties'. Employers should be familiar with them before applying for a sponsor licence.

2. Check the job's eligibility for sponsorship

The two main visas that apply to the social care sector are the **Skilled Worker visa** and its variant, the **Health and Care Worker visa**. Before starting the sponsorship process, employers should check if the vacancy and/or the worker

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meets their visa's criteria. See below.

3. Decide who will manage sponsorship in the business

Employers applying for a sponsor licence must nominate an individual to take up three specific roles. The same person can do all roles, and they include the:

- authorising officer, a senior, competent person liable for the organisation's immigration compliance;
- key contact, the main point of contact with UKVI
- level 1 user, liable for day-to-day management of the sponsor licence, carrying out any sponsorship duties using the SMS
- level 2 user(s): additional personnel that may optionally assist the day-to-day management of the SMS

Note, the authorising officer must be British or settled, with indefinite leave to remain.

4. Apply for sponsorship licence

The sponsor licence application is done online.

The application submission will involve paying the fee as noted below. The employer will receive a submission sheet that needs to be printed and signed by the nominated authorising officer.

Within 7 days of applying, employers must send information and 4 documents about their organisation to the Home Office. The specific information and documents to send are listed in **table 2 and table 4 of appendix A**.

The supporting documentation should show to UKVI:

- evidence in the application that there is a genuine vacancy that fits within the

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rules

- that the organisation knows the rules and responsibilities of sponsorship
- what the prospective employee will be doing
- how they fit into the structure of the organisation now and over the next four years

It is best to gather the essential information before sending the online sponsor licence application. Also, prepare electronic copies of supporting documents in case they are needed again.

The application process should take about 8 weeks, and employers will receive the outcome by email. It may be processed quicker through the “priority” service for an extra fee. However, it can take longer if UKVI needs clarification or more information. UKVI can also visit to check employers know their sponsorship duties, and their systems for sponsoring workers.

Some employees choose to use a solicitor to manage the application on their behalf. This can save work and time, but it will increase the costs. The sponsor licence application does not require legal expertise. Importantly, employers cannot delegate their sponsorship duties to a solicitor.

Compliance

UKVI can visit an employer’s premises at any point during the 4-year cycle of a sponsor licence to ensure all Sponsorship Duties are being met. Enforcement teams can investigate whether the employer has properly made all ‘right to work’ checks. They can interview both employers and workers.

Certificate of Sponsorship (CoS)

The terms and conditions of any sponsored workers must be consistent between

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the employment contract and the CoS. Employers should only assign a CoS to a worker if they are sure they meet the immigration requirements.

As explained above, the CoS is a digital certificate assigned by the sponsor to the worker/visa applicant. A CoS is “undefined” or “defined.”

Sponsors will be given a limited number of "undefined" certificates per year. These can be allocated to international staff who are eligible to apply for a visa from within the UK. Typically, they are for people on Skilled Worker visas who need visa extensions. As part of a sponsor licence application, employers are asked to estimate the number of CoS they intend to assign in the following year. Using the SMS, this annual allocation must be renewed each year with an explanation for the anticipated CoS requirement. Employers can request additional CoS beyond those which are allocated to them. These requests can take up to 13 weeks to process. For an additional fee, requests can be processed within 5 working days.

Sponsors must assign a "defined" CoS for international workers applying for their visas from outside the UK. Defined CoS requests are submitted through the SMS and are assessed by the Home Office on a case-by-case basis. There are no restrictions on the number of defined CoS that can be requested.

A CoS will expire after 3 months. The worker must therefore submit their visa application within three months of their CoS being assigned. Also, it is important to note that a visa application cannot generally be made more than 3 months before the intended employment start date. Timing is therefore a consideration when planning international recruitment.

Employers need to inform UKVI if a sponsored worker stops working for them. There are other circumstances that prompt similar reporting requirements. In turn, UKVI will curtail the worker’s visa. Sponsors should also consider the effects of ending job contracts in line with standard employment law.

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Requirements for international recruits under the Health and Care Worker visa

The HCWV is a subcategory of the Skilled Worker visa. It is the most used visa to recruit international workers into the social care sector.

An applicant must meet certain conditions to be eligible for a HCWV. Specifically, applicants must show they:

- will be undertaking an eligible occupation
- will be paid a minimum salary that meets the requirement for the specific visa route
- have a valid CoS from an employer with a sponsor licence
- meet the English language requirement by either:
 - being a citizen of a majority English speaking country
 - passing a UKVI-approved English language test
 - having appropriate qualifications taught in English
- have sufficient personal funds

Certain applicants, depending on their nationality and prospective role in the UK, must also provide:

- a tuberculosis test
- an ATAS certificate (detailing the course or research and higher education institution involved)
- a criminal record certificate

The visa decision takes 3 to 8 weeks depending on the applicant's circumstances. However, it may be processed earlier by paying an additional “priority” service fee which is available at certain locations.

A HCWV can last up to 5 years, with the opportunity to extend subject to

eligibility. On meeting certain conditions, workers may be eligible to apply for indefinite leave to remain after 5 continuous years in the UK.

Employment checks

Workers' right to work

All employers must check the right to work for any person they intend to recruit. Guidance is available on the GOV.UK website: [Viewing a job applicant's right to work](#).

Pre-employment checks

Employers must apply the same process for staff recruited from abroad as they would for staff recruited in the UK.

The Disclosure and Barring Service (DBS) cannot access criminal records held overseas. But it is still recommended that employers undertake DBS checks, in case a person:

- is barred
- has a criminal record in the UK
- comes from a country where the DBS does have information sharing arrangements

If an umbrella company says DBS checks aren't possible until arrival in the UK, consider challenging this or using a different company.

Employers need to contact the relevant overseas embassy to check for criminal records. There is more detail on the DBS section of the 'gov.uk' website. It is important employers check that international job applicants have the necessary

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permits to work in a UK care setting. Employers may be breaking the law if they do not make sure that international workers have all the right documents. There is information about this on the UKVI website.

Costs and times

Cost of recruiting an international worker

The average cost of recruiting someone internationally varies depends on several factors, such as:

- use of a solicitor and/or a recruitment agency
- the type and length of the visa
- additional charges related to immigration
- what extras the employer pays for (such as flights)
- the extent of support provided after recruits arrive in the UK (such as initial accommodation)

Recruitment agencies should not charge applicants to match them to roles. Their fees should fall to the employer, and not the employee. Be cautious if a recruitment agency offers to match you to international recruits for free. The agency might charge the applicant instead. That would fail the **Code of Practice for the International Recruitment of Health and Social Care Professionals**. Packages without support for workers after arrival are not considered best practice. Some agencies ask for a percentage of the annual salary of the recruited post (such as 10%). Others have a flat fee, depending on the post, package, and country of origin. They are payable by the employer.

The Immigration Skills Charge is an additional charge for the employer to pay to UK government. It is due when the employer assigns a CoS to a worker applying for a Skilled Worker visa/HCWV. The amount of the charge is based on

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the length of the visa and on the size of the business. The employer needs to pay the full charge in one go.

The costs for recruitment under HCWV are:

- the fees for a Sponsorship Licence depend on the **type of licence is applied for**, and the type of the organisation (small, charitable, medium or large, see **UK visa sponsorship for employers: apply for your licence**). Medium and large businesses usually meet two of these criteria: employing more than 50 staff, having assets worth more than £5.1m, or having a turnover over £10.2m
- individual certificates of sponsorship per worker, see **UK visa sponsorship for employers: certificates of sponsorship** for the latest fees
- the Immigration Skills Charge
- the Health and Care Worker visa costs see **Health and Care Worker visa: how much it costs**

Other costs may include:

- recruitment agency fees, which vary as they offer different packages
- solicitor/advisor fees to assist with the process
- English language assessments if required of usually around £200
- Home Office priority fees if wanting to expedite sponsor licence decisions and/or visa decisions
- the Objective Structured Clinical Exam (OSCE), preparation, travel to the exam, nurse registration
- the Social Care Wales professional scrutiny fee for social workers, and registration costs.
- costs of translations and verification of documents
- costs of health checks and requirements such as tuberculosis screening
- settlement costs such as relocation, flights, airport transfer, initial accommodation/bonds, phone card

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Length of the process

Sponsorship Licence applications usually take 8 weeks to be processed once the documents are received by UKVI. However, UKVI offer a priority service which can reduce further. The service works on a first come first served basis and can only take limited numbers. It can turn around applications within ten days and costs £500 in addition to the regular application fee.

Once the sponsor licence is granted, employers can give recruits Certificates of Sponsorship (CoS). Workers must apply for their visas within 3 months of the CoS issue date. A visa application must be submitted no earlier than three months before the job start date as set out on the CoS.

Health and Care Worker visa decisions take about 8 weeks (from overseas) or 3 weeks (from the UK) depending on the individual's circumstances. There are also priority options available to reduce these processing times, for additional UKVI fees. Timing is important because an international worker needs a CoS for their visa application.

Regulation, registration, and risk management

Regulation and registration

The Regulation and Inspection of Social Care (Wales) Act 2016 also affects international workers, as do regulations made under it. See the Regulated Services (Service Providers and Responsible Individuals) (Wales) Regulations 2017. Part 10 notes the fitness requirements for someone working for a registered social care employer. See the [Statutory Guidance for service providers](#).

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Registration means social care workers, social workers and nurses in social care are part of a professional workforce. Whether registration is needed depends on the role. All rules apply for international workers in the same way. A worker must register with Social Care Wales (SCW) within six months of the date they start employment, if employed to provide care and support in:

- a care home for children or adults
- secure accommodation
- a domiciliary support service
- a residential family centre

Social workers need to register with SCW before starting to work in Wales. Applications to register must be endorsed. This is to confirm that there are no reasons why the person should not be on the Register. A person from a list of approved people in the organisation can endorse the application. Social Care Wales takes a supportive approach to international applicants and their employers. For more information contact the registration team on enquiries@socialcare.wales. SCW is reviewing requirements and processes for international applicants to the social work/care register. Check the [Social Care Wales](#) website for the latest information.

Risk management

It is the employer's duty to assess and manage risks identified during recruitment. They must ensure all people in the service are safeguarded and protected. This is regardless of whether the applicant has a criminal record. Having a criminal record does not necessarily mean the person will present a risk to people. The absence of a criminal record (or inability to obtain one) does not mean a person does not present a risk. It is important to carry out all pre-employment checks. It can be helpful to record the checks in a pre-employment risk assessment. This risk assessment could consider for example:

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- any declarations the individual may have made including about past offences
- if they are a 'fit' person for the role
- any discussions the employer had with the applicant about their criminal records checks

An employer also needs to make sure their recruitment is safe for the applicant. In some cases, it can be a risk for people from overseas if their home country authorities know of their intent to emigrate. It should be discussed with the applicant, allowing them to voice concerns.

Employing international social workers in Wales

There are additional requirements for international recruits to practice as a social worker in Wales.

Before working in Wales, applicants must have a qualification akin to the Welsh social work qualification. Alternatively, they must evidence equivalent training and experience. The applicant has to pay a scrutiny fee to Social Care Wales for this. If the application is successful, an annual regular registration fee is due.

For more detailed information on registration as a social worker in Wales and the fees, [contact Social Care Wales via their website](#). An employer will need evidence that the applicant is registered as a social worker in Wales.

There are no language requirements as such for registration as a social worker with Social Care Wales. The employer is responsible to ensure that the recruit has suitable English (or Welsh) for the role.

Nurses in social care

Nurses who trained overseas must register with the Nursing and Midwifery

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Council (NMC). This is in addition to their visa requirements. They will need to pass a **Nursing and Midwifery Council Test of Competence**. The test consists of two components, a computer-based knowledge test (CBT) and a practical test (OSCE). There are five sites to do the OSCE across the UK. They can be sat in any order and candidates need to pass both.

The CBT can be done in test centres in many countries across the world and in UK cities.

To apply to become a nurse in the UK, applicants must also achieve (as of January 2024):

- a 7.0 International English Language Test System (IELTS) score in the reading, listening and speaking sections
- a 6.5 in writing
- a 7.0 overall

The Nursing and Midwifery Council will only accept the Academic IELTS tests.

Successful international recruitment

The key to success is the support and effort the employer puts in to help people settle in the UK, and into their new role. It helps to be proactive and think what would support somebody starting work in a new country. What the employer might want to provide depends on several factors. They include location, accommodation, and if new recruits have friends or family already here. Equally important is to prepare the current team, the people being cared for, and their families.

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Capacity

The organisation needs to have the right capacity to manage recruitment and compliance. Some employ a solicitor and/or recruitment agency because they find it makes the front end of the process easier for them. However, this adds to the costs. Some, often smaller or family run businesses, do everything themselves. This might be a steep learning curve. Peer support or asking for advice from somebody who has done it can be helpful. Some employers do the compliance internally but employ a recruitment agency to source candidates.

Supporting the international recruit

Having regular contact with the recruits such as via Zoom or WhatsApp is important. If using an agency, they usually do this. Close contact helps to keep everyone informed where things are at and who needs to do what. It also can pick up issues early. Examples of other support includes:

- an information pack for recruits before coming the UK, with information about what to bring such as clothing or adaptors
- a virtual meeting or group to connect with new staff; many employers have existing platforms they could use for this
- meeting and greeting at the airport
- a welcome pack with items such as a SIM card, groceries, and bedding
- help to apply for a national insurance number, enrol at GP/dentist, and open a bank account
- information and/or a local guide to familiarise recruits with things like shops, green spaces, places of worship, transport
- securing short-term accommodation, and/or support to find longer term accommodation
- a buddy scheme between local staff and international recruits; where possible, choose someone in a similar role and/or with a common interest

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- information such as ethnic support networks, and shops

Preparing staff and the organisation

Employers might find their existing staff have mixed feelings about international colleagues. Many employers prepare their teams to get them ready to welcome international recruits. Some examples are already mentioned in the chapter above. More ideas include:

- being open-minded and using different cultural approaches if suitable
- taking the time to do the research about the country you are recruiting from
- reading and understanding guidance about the international recruitment process
- planning well ahead and allowing time
- following ethical recruitment guidance and practice
- ensuring a recruitment agency is ethical; it is best to use those from the NHS Ethical Recruiters List
- aligning everything (like work checks, or accommodation) so recruits can start smoothly on arrival
- involving staff to develop things like a welcome pack or guide for new recruits
- sharing photos/bios provided by new recruits with the staff team in advance
- investing in time looking after the recruits when they arrive and helping them settle in

Preparing people who receive services, and their families

There are incidents where care receivers and/or their families have not accepted the cultural or ethnic diversity of care staff. All staff have a right to care for others without fear of being attacked or abused. It is important as an employer to be pro-active and supportive. Examples are:

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- raising awareness with international workers by telling them what abuse is, as well as relevant policies and processes
- informing care receivers and their families of applicable policies such as zero tolerance to abuse
- briefing workers thoroughly, so they can for example prepare a conversation about a favourite subject of a new care receiver
- making a suitable introduction of new workers to care receivers and other appropriate people in their lives

Accommodation

Accommodation is a complex area and securing housing can be a challenge. Many employers obtain initial accommodation for their international recruits. Helping people secure longer-term affordable accommodation is also becoming difficult. The situation will vary depending on location, but it is advisable to plan well in advance. Guidance published by Care Inspectorate Wales covers accommodation. See [Care Inspectorate Wales: Modern day slavery and recruitment checks](#).

Modern slavery awareness

Modern slavery is the illegal exploitation of people for personal or commercial gain. International workers, refugees and other displaced people are especially vulnerable. There have been recent cases of modern slavery in the social care sector in Wales. It is important to be aware of the signs. Victims of modern slavery can be any age, gender, nationality, or ethnicity.

Advice about responsibilities as an employer is available from [Acas](#). If there are concerns about labour abuse or exploitation, [report this to the Gangmasters Labour Abuse Authority \(GLAA\)](#). Alternatively [contact the Modern Slavery and Exploitation Helpline on 08000 121 700 \(or online\)](#). More information on

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modern slavery and how to report concerns can be found in [Modern slavery and labour abuse in social care](#).

Other useful links

Resources and support from Welsh Government include:

- [online resources for foreign nationals interested to work in social care in Wales](#)
- [online resource on refugees and Ukrainian Schemes](#)
- webinars and other support for international recruitment in social care

Some other routes for international workers include:

- [general visas](#)
- a [student visa](#) with up to 20 hrs/week of work allowed
- an [ancestry visa](#)
- [British Nationals from Overseas \(Hong Kong, British National \(Overseas\) visa\)](#)
- [some asylum seekers being allowed to work](#)

More [information on modern slavery and what to do is on Wales Safer Communities](#).

See [the National Care Forum's Pastoral Care Guide for International Recruitment in Social Care too](#).

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For more information refer to our [accessibility statement](#).

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