

# Introduction

## 1.1 The role of international recruitment

1.1.1 The NHS has always recognised the important role that international health and care workers play in health and care service delivery in the UK, while remaining committed to ensuring that we recruit them in an ethically responsible manner. International recruitment continues to feature as an important part of the workforce supply strategy of NHS organisations, in line with the [NHS People Plan](#).

## 1.2 Which healthcare professionals are covered by this guidance?

1.2.1 This guidance covers all health and care workers recruited from overseas, who qualify for a skilled worker visa. This includes those under the subcategory of the Health and Care Visa.

## 1.3 Purpose and implementation of this guidance

1.3.1 This guidance was created by NHS Employers to help NHS trusts structure their approach to repayment clauses if they choose to use them. There are legitimate reasons for trusts not to use repayment clauses, and there is no expectation that trusts should use them.

1. Including a repayment clause allows employers to recover some of the costs incurred (such as travel fees) if they do not gain the anticipated benefit, due to the short tenure of the employee.

2. Employees may be reluctant to accept a job offer when they see a repayment clause is included, because they see the benefits accruing

only to the employer and not to themselves. However, having a maximum amount to be reclaimed back, will alleviate some of these concerns.

1.3.2 This guidance has been designed to go beyond the basic principles on the use of repayment clauses, as outlined in the Code of Practice for the international recruitment of health and social care in England (CoP), and sets out how NHS trusts can look to implement these principles in practice. As such, some of the additional elements of the guidance are based on employer and other stakeholder feedback and best practice.