

Migrant health and care workers - UNISON Briefing

Autumn 2020



This information is an update for migrant workers employed in the NHS and the social care sector.

Current issues

1) Immigration health surcharge (IHS)

UNISON has campaigned against the unjust IHS since it was first introduced. After much pressure, the government has announced that NHS and social care staff will either be exempt or reimbursed of the charge. UNISON understands the following for any employee in any setting in an NHS or social care role:

- For those on a **tier 2 VISA** - anyone who has paid the surcharge since the March 31 should be receiving refunds, both for them and their dependents. In future, tier 2 VISA holders and their dependents will be exempt from paying the surcharge.
- For those **not on a tier 2 VISA** – Any who have paid the surcharge since 31 March are due reimbursements from 1 October. An online portal will be used and claimants will have to provide the last six months of their pay slips. In future, those not on tier 2 VISAs will continue paying the surcharge and will have to claim the money back in six month blocks.

The government portal for applying for refunds can be found [click here](#).

UNISON is campaigning to end this unfairness. It will leave some of the lowest paid health and social care staff under a terrible financial burden. Compounding this unfairness is a significant rise in the IHS to £624 this October. We are also calling for the surcharge to be dropped for all migrant workers.

2) VISA extension scheme

In response to the pressure faced by the NHS during the pandemic, the government had announced that NHS workers whose tier 2 visas were due to expire would have them extended for a year free of charge. This scheme ended on 1 October.

This was a very limited scheme that left out thousands of dedicated migrant care workers and NHS staff. UNISON is campaigning to widen the scheme to more staff and to extend the deadline.

The government has announced a new 'NHS' visa for Tier 2 workers that should see fewer costs and faster administration. This is welcome but does not go far enough. UNISON will continue its campaign for the skills and contribution of all migrant workers in the NHS and social care sector to be recognised.

VISA and Home Office delays

UNISON has been made aware of some our members experiencing very serious delays and problems in applying for VISA renewals and biometric residence permits. These include members not being able to secure important appointments for VISA renewals or officials holding onto official documentation for long periods of time, causing challenges planning lives and travel.

We are lobbying for the Home Office to improve their processes and minimise delays as much as possible.

It is very important you are in contact with sources of support and advice to ensure your employment is not threatened by any such delays. Employers may be wary of renewing your contracts and employment if they believe there is uncertainty around your immigration status.

If you are experiencing such problems:

- Keep records of your applications and any correspondence with the Home Office
- Contact your local UNISON branch early, they can liaise with your employer and ensure you are treated fairly.

3) Support from employers

With transmission of COVID-19 transmission rising and considering the disproportionate impact on the health of black health and care workers during the first wave, many are again concerned for their safety.

Support from your employer and local UNISON representatives will be important in protecting migrant health and care workers during the coming winter. It's vital you have a risk assessment with your line manager that considers your personal circumstances and implements measures to reduce your risk of exposure. Read more about this process [click here](#).

We have received too many complaints from staff who have not been well supported by their employer during the pandemic. If you feel this is the case do not hesitate to contact your local UNISON branch to ask for assistance.

4) The temporary NMC register and OSCEs

The NMC is operating a temporary register during the COVID-19 emergency and thousands of nurses from overseas joined this while the closure of OSCE centres prevented them completing their full registration.

Currently we are not aware of any professional complaints relating to nurses on the temporary register and most are progressing to their OSCE tests and passing. In case of any professional complaints or delays

to full registration, support from UNISON's Professional Services Unit could be very important so we encourage all nurses on the temporary register to join UNISON.

Senior UNISON officers are working on an advisory group which is monitoring the OSCE process. If you wish to raise concerns please e-mail health@unison.co.uk

5) International recruitment of nurses

There has been a dramatic rise in the international recruitment of nurses to the NHS in the last two years. Though this has been severely disrupted by COVID-19, NHS England is aiming to recruit a much larger number of nurses from overseas over the next few years.

We know there are often many challenges for nurses who come from overseas to work in the NHS. UNISON National Officer for Nursing Stuart Tuckwood is joining an advisory panel to NHS England which will scrutinise their work on international recruitment. If you recently came to work in the UK as a nurse from overseas or represent others who have done, we would be interested to hear about your experiences.

Please contact health@unison.co.uk

Sources of support

UNISON branches – Find your local UNISON branch [Click here](#). If they are unable to deal with your issue they will escalate to UNISON nationally.

UNISON Migrant worker pages –
For more information [click here](#).

Joint Council for the Welfare of Immigrants (JCWI)

If you have been a member of UNISON for more than four weeks and need immigration advice and information, please call UNISON Direct free on **0800 0 857 857**. Your contact details will be passed on to a JCWI adviser who will call you on Tuesday, between 10am and 4pm.

Join UNISON

Many migrant and overseas nurses are already members of UNISON - making us a strong and powerful voice for this group of healthcare staff in the UK.

Join online now at <http://join.unison.org.uk>