



HIRING MANAGER – BULLETIN 2 (SAS)

International candidates and eligibility to work October 2024

Background

All candidates must be considered in the same way when it comes to reviewing their application, whether or not they require eligibility to work in the UK.

This bulletin highlights important Do's and Don'ts as well as where you can find important information for the different stages in the process

1. Internationally educated candidates

It is essential that NHS Boards ensure that all recruitment of international health and social care personnel to fill vacancies or to take part in exchanges or education initiatives, is carried out in line with the Scottish Code of Practice for the international recruitment of health and social care personnel.

Information on what this involves as well as other useful supporting documents can be found on the ERRS website [here](#)

2. Recruitment Process – Application & Shortlisting Stage

All candidates have the right to be considered for any job to which they apply, regardless of from where they come. Being from overseas is not a reason to exclude a candidate, on a single basis.

Since the changes brought in as part of the BREXIT agreement, in 2021, there is no longer a Resident Labour Market Test in place (i.e. there is not a requirement to prioritise those who have eligibility to work in the UK over those who will need a visa to work).

Managers must assess all applications against the shortlisting criteria and make decisions on suitability to be selected against these requirements alone. Guidance on shortlisting can be found [here](#)

3. Recruitment Process – Interview & Preferred Candidate

Once an applicant has moved to be the preferred candidate for the vacancy, their eligibility to work in the UK is confirmed at this point.

As SAS is not a Skilled Worker/Health & Care Worker Visa Sponsor, it is essential that the individual can demonstrate that they have this eligibility to work via an alternative, established UK visa route and will not require to be sponsored. If sponsorship will be

required, it is a valid reason for withdrawing their conditional offer of employment, at this point, on the basis that SAS cannot sponsor them.

Further guidance is available from the ERRS team, by submitting a ticket via our [Service Now](#) platform, using the Overseas Worker Visa option.

Further information on what you can and cannot do when considering a candidate who requires eligibility to work in the UK, can be found on our Overseas Worker FAQ page, which is regularly updated, [here](#).

4. Introduction of the UK eVisa

After 31/12/24, candidates and employees will be able to prove their immigration status online instead of using a physical immigration document like a biometric residence permit (BRP).

The eVisa is an online record of:

- immigration status
- the conditions of the type of permission to enter or stay in the UK

Further information can be found [here](#)

5. ERRS website

Further information on all parts of the recruitment process is available on our [ERRS website](#)

Kind regards
ERRS Senior Management Team