

## RCN Scotland Briefing:

### Scottish government debate: A Migration System that Works for Scotland

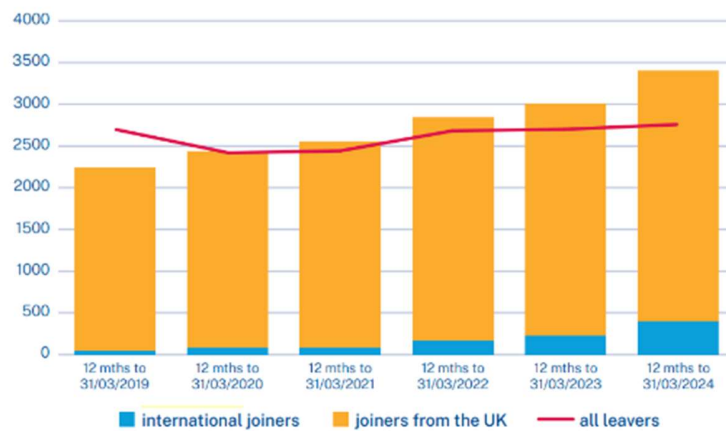
#### *Key messages*

- Internationally recruited nurses play an invaluable role in Scotland's health and care services. Our talented and dedicated colleagues from across the globe who choose to come to the UK to work in our health and care systems must be valued and treated fairly.
- The global nursing shortage means, however, that international recruitment must be conducted fairly and ethically.
- Scotland should aim to become more self-sufficient in finding and growing its nursing workforce to minimise reliance on overseas recruitment.
- Increasing domestic recruitment will help protect 'red list' countries – those with pressing health and workforce challenges – from depletion of their own nursing workforce. It's therefore a real concern that over 2,400 fewer nursing students have started university than planned in the last three years, which means that Scotland is failing to train enough nurses, and the workforce gap is set to widen even further in the coming years.
- For those who do come to the UK to work in our health and care systems, employers must make them feel safe, valued and welcome.
- However, the RCN's recently published report [\*Unreciprocated Care: why internationally educated nursing staff are leaving the UK\*](#), shows that, at present, the UK is failing to value its highly skilled international nursing staff.
- The RCN is proud to represent our brilliant nursing staff from overseas and we will continue to fight for the UK to be a better place for them to work and live.

#### *Trends in Scotland*

Over the past year we have seen increasing numbers of nurses joining the NMC register in Scotland who are internationally educated. To March 2024, more than one in 10 of all new nurses on the NMC register in Scotland was educated overseas. Figure 13 from our [\*Nursing Workforce in Scotland\*](#) report provides more detail and shows the balance between new entrants joining the NMC register in Scotland from UK and international sources.

**Figure 13: Number of nurses joining the register in Scotland for the first time by registration type by country/region of education**



Source: Nursing and Midwifery Council

Numbers rose steadily from 2.1% in the year to March 2019 up to 11.9% of all initial nurse entrants joining the register in Scotland in the 12 months to March 2024. This trend demonstrates the growing reliance on internationally educated nurses.

Over the past two years Nigeria, India, the Philippines, and Ghana have been the top four countries of education for internationally educated nurses joining the NMC register in Scotland for the first time, with numbers increasing again in the last year. Nigeria and Ghana are both included in countries designated by the World Health Organization where active international recruitment by employers is discouraged due to the countries' own pressing health system and workforce challenges (referred to as 'red list' countries).

International joiners to the register in Scotland in the year to end of March 2024 were from a wide range of red list countries, with more joining than in the year to end of March 2023. While the code of practice from the Scottish government for international recruitment of health and social care personnel does not prevent individuals from red list countries moving for employment, the code does direct that employers should not actively recruit from red list countries. The NMC has reminded employers and agencies across health and care in Scotland to be mindful of ethical codes of practice.

The NHS Education for Scotland (NES) Centre for Workforce Support Social Care team piloted nationally coordinated and accelerated international recruitment into adult social care roles during 2023-24. Recommendations from the pilot include funding infrastructure for international recruitment and pastoral support, and proposing work to explore how social care recruiters can join the NHS ethical recruiters list. However, changes to immigration policy by the UK government, including restrictions on care workers and senior care workers bringing dependants to the UK, are impacting on the ability of social care employers to attract staff from overseas. This will have implications for the current and future international workforce.

### ***Unreciprocated Care: why internationally educated nursing staff are leaving the UK***

This RCN report was published last month and is based on a survey of internationally educated RCN members. It warns that 42% of internationally educated nursing staff surveyed intend to leave the UK, with the majority of those stating that they are looking to move on to a new country, rather than the one they were educated.

While the number of survey responses from members in Scotland was relatively low, a similar proportion of respondents from Scotland said they are thinking of leaving the UK.

The report concludes that the UK is failing to value its highly skilled international nursing staff. Hostile immigration measures are making the UK a less attractive place to be an international nurse. The ban on sponsored workers from accessing public funds is leaving families struggling to meet basic needs, and restrictive family visa rules are separating staff from their loved ones. Meanwhile, registered nurses arriving in the UK are often put at the bottom of band 5 with no recognition of their years of experience.

Many of our internationally educated colleagues are experiencing racism at work. Racism has no place in health and care services and employers have a duty to their staff to stamp it out, alongside other forms of discrimination at work.

The survey also highlighted worrying examples of exploitative practices, particularly within social care (including in Scotland), including excessive or illegal recruitment fees and pressure to sign exploitative contracts under threat of sponsorship withdrawal. The practice of using migrant workers' immigration status to extort and abuse them must be stopped.

### ***Recommendations:***

In the context of a global nursing workforce shortage, there is a responsibility for all countries, to increase and sustain a domestic supply of registered nurses. We would like to see concerted action from Scottish government to ensure nursing is an attractive career, in order to increase the number of people choosing to study nursing in Scotland, as well as retaining our experienced nursing staff.

International recruitment must be conducted fairly and ethically and government and employers across health and social care must enact policies which are aimed at ensuring internationally educated nurses and nursing support workers are valued and treated fairly. This must include a significant overhaul of the UK's immigration system, which continues to make staff vulnerable to exploitative employment situations, restricts access to permanent settlement and social safety nets, and keeps families separated.

## **Recommendations for UK government**

- **Provide immediate indefinite leave to remain (ILR) for nursing staff.** Fast-track routes to settlement, such as those available in New Zealand and Canada, are needed to maximise the retention of internationally educated nursing staff. ILR also makes staff less vulnerable to exploitation as it provides the ability to move between employers freely.
- **Reduce immigration application fees.** All visa and settlement application fees should be capped at the cost of processing.
- **Abolish the ‘no recourse to public funds’ visa condition for migrant workers on temporary visas.** The NRPF condition is a key risk to the financial stability of internationally educated nurses and their families. It should be removed immediately.
- **Immigration rules must not arbitrarily separate migrant staff from their loved ones.** In the case of single parents, proof of sole custody should be enough to prove sole parental responsibility. The rights of families to appeal Home Office decisions, beyond simple administrative review, must be restored. UK government must publish data on decisions for adult dependent relative visas, and child visas (via the sole responsibility rule).

## **Recommendations for all governments in the UK**

- **Investigate exploitation in the care sector.** The UK government’s promised investigation into exploitation in the social care sector cannot wait. The practice of using migrant workers’ immigration status to extort and abuse them must be stopped. The Scottish government must also ensure that exploitative practices are identified and tackled and put in place systems to ensure all employers adhere to ethical recruitment standards.
- **Ensure that race equality strategies have clear actions for public sector bodies to tackle bias, racism and discrimination.** Race equality strategies should include clear lines of accountability and reporting, and governments must publish outcomes of these strategies.

## Recommendations for employers

- **Address the discrimination and bullying faced by internationally educated nursing staff.** Employers must acknowledge and address structural racism within health and care settings and the impact it has. Internationally educated staff must receive effective inductions and be provided with information on how to report racism they experience or witness, and where they can go to receive support.
- **Ensure compliance with ethical standards for recruitment.**
- **Ensure that internationally educated staff are made aware of the challenges of the immigration system during the recruitment process.** It is particularly important to ensure potential recruits understand restrictions around family visas, so that they can make a fully informed decision.
- **Provide bespoke inductions for internationally educated staff to support them in transitioning to live and work in the UK.** This should also include supporting newly arrived staff to find adequate accommodation.
- **Support internationally educated nursing staff to work at the full scope of their qualifications and experience and guarantee equal access to continuing learning and career progression.**

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The Royal College of Nursing (RCN) is the world's largest professional organisation and trade union for nursing staff, with members in the NHS, independent and voluntary sectors. RCN Scotland promotes patient and nursing interests by campaigning on issues that affect our members, shaping national health policies, representing members on practice and employment issues and providing members with learning and development opportunities. With over 52,000 members in Scotland, we are the voice of nursing.