

MEMORANDUM OF UNDERSTANDING (MOU)
BETWEEN
THE GOVERNMENT OF THE
UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND
AND
THE GOVERNMENT OF NEPAL
ON
RECRUITMENT OF HEALTH CARE PROFESSIONALS

The Government of the United Kingdom of Great Britain and Northern Ireland (abbreviated as the UK) and the Government of Nepal (abbreviated as GoN), hereinafter referred to as the Participants;

DESIRING to establish new bilateral labour relations in healthcare;

SHARING the mutual commitment to observe fair, ethical and sustainable recruitment for the employment of Nepali healthcare professionals in the UK;

CONSIDERING the importance of ensuring well-regulated and fair recruitment of Nepali healthcare professionals through mutual cooperation;

DESIRING to ensure commitment to training and development of healthcare professionals recruited from Nepal to the UK; and

RECOGNISING THE IMPORTANCE of exchanging knowledge and expertise between the Participants through cooperation in workforce recruitment of health care professionals.

HAVE AGREED AS FOLLOWS:

PARAGRAPH 1

Objective

The Participants shall endeavor to cooperate in delivery of recruitment and employment of Nepali health care professionals in the UK, in accordance with their respective existing national laws and regulations.

PARAGRAPH 2

Implementing Agencies

For the purpose of this Memorandum of Understanding (hereinafter referred to as "MoU"), the Implementing Agencies for Nepal will be the Ministry of Labour, Employment and Social Security (hereinafter referred to as "MOLESS") and the Department of Foreign Employment (hereinafter referred to as "DoFE"). For the UK and, acting on behalf of the devolved administration of Scotland, Wales and Northern Ireland, the Implementing Agency will be the Department of Health and Social Care (hereinafter referred to as "DHSC").

PARAGRAPH 3

General Principles

The Participants agree to abide with the following as the guiding principles to implement this MoU:

1. The recruitment of Nepali healthcare professionals for employment in the UK shall be pursuant to the existing laws and regulations of the Participants, including the UK published codes of practice for the ethical recruitment of health and social care staff.
2. No employer, recruitment or placement agency or any entity shall collect any placement fee, costs incurred by recruitment agency and other fees, directly or indirectly, from any Nepali healthcare professional to be deployed, that contravene the applicable laws and the rules and regulations of both countries. Interested applicants may need to fund some of the costs associated with recruitment, though for those recruited it is expected that these will normally be reimbursed by employers.
3. The entire process shall be run by the GON and Government of the UK (including government accredited agencies in the UK). Both participants agree to maintain dignity and integrity of this MoU.
4. The Government of the UK shall endeavor to provide support to the GoN to increase the number of Nepali healthcare professionals in Nepal. For this, the GON and the Government of the UK shall develop a mutually agreeable action plan.

5. The Participants shall promote the welfare of Nepali healthcare professionals employed in the United Kingdom of Great Britain and Northern Ireland and protect their rights as embodied in the employment contract, the UK and WHO Codes of Practice for international healthcare migration and in accordance with the laws and regulations of both countries. Nepali healthcare professionals shall be afforded the same rights and protection as other foreign nationals and UK citizens employed in the National Health Service (NHS), the UK.
6. The successful implementation of this MoU hinges upon both Participants' commitment to make it a sustainable, credible and smooth bilateral process.

PARAGRAPH 4 **Implementation Unit**

The Participants agree to undertake the recruitment process through an Implementation Unit, to be established at the Department of Foreign Employment, Nepal. The Implementation Unit shall be led by the Director of the DoFE. Possible support for the establishment of this unit shall be discussed with Government of the United Kingdom of Great Britain and Northern Ireland.

The Implementation Unit shall carry out the following activities:

1. Develop a sustainable recruitment pathway, initially focused on nurses and subsequently other healthcare professionals, from Nepal to the UK.
2. Intensify bilateral exchanges of policy thinking with regards to nursing and healthcare workforce development and best practices in the delivery of healthcare.
3. To involve professional staff and healthcare managers, particularly in relation to education and training of Nepali nurses and other healthcare professionals to be recruited to the NHS.
4. To draw up an action agenda to implement healthcare professional recruitment, especially with respect to addressing any gaps in the entire process of recruitment of nurses and other healthcare professionals.



PARAGRAPH 5
Joint Technical Committee

1. The Participants agree to establish a Joint Technical Committee comprising officials with not more than five members from each side to perform the following functions:
 - Share best practice in healthcare recruitment, development and delivery.
 - Identify other ways of cooperation in the field of recruitment of Nepali healthcare professionals from Nepal for employment in the UK.
 - Draw up implementing protocols for the implementation of the provisions of this framework MOU.
2. The Joint Committee shall require at least one member from each side to be quorate.
3. The Joint Committee shall meet annually either virtually or in person. It is the responsibility of either participant to organize such meeting on a rotation basis. Additional meetings may be called when the need arises.

PARAGRAPH 6
Dispute Resolution

1. Any dispute between the Participants arising out of the interpretation or implementation of this MoU will be settled by consultation at official levels or in discussion with the Joint Technical Committee.
2. Any dispute between the employer and employee shall be solved in accordance with the prevailing law of the UK.

PARAGRAPH 7
Amendment

Any amendment or revision to the text of this MoU shall be made by mutual consent of the Participants, in written form with sign off from MOU signatories or their successors.

'PARAGRAPH 8

Miscellaneous

1. This MoU shall come into force on the date of signing by the Participants.
2. This MoU shall remain in effect for a period of five years and thereafter it shall be automatically renewed for a similar period, unless and until either Participant notifies the other Participant of its intention to terminate it in writing through diplomatic channels. Such termination shall be effective thirty (30) days after the date of such notification.
3. The termination of this MoU shall not affect ongoing activities or projects undertaken under it until they are fully implemented unless the Participants decide otherwise.
4. Any notice, request or consent required or permission to be given or made pursuant to this MoU shall be in writing.

PARAGRAPH 9

Focal Point for Communications

Any such notice, request or consent shall be deemed to have been given or made when delivered either in person to the authorized representative at the Head Office of the Participant to whom the communication is addressed or when sent by registered mail or by fax or by email to such Participants at its registered address.

For the United Kingdom of Great Britain and Northern Ireland:

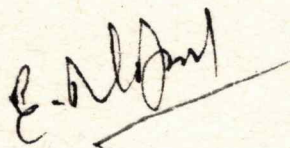
Permanent Secretary, Department of Health and Social Care
39 Victoria Street, London, SW1H 0EU

Email: permanent.secretary@dhsc.gov.uk

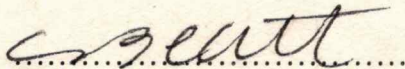
For the Government of Nepal:

Joint Secretary, Employment Management Division
Ministry of Labour, Employment and Social Security

Singhdurbar, Kathmandu **Email:** emd@moless.gov.np



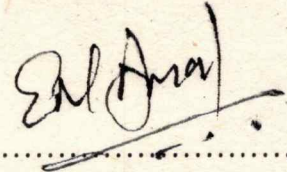
Signed in duplicate on this 22nd Day of the Month of August, In the Year 2022,



NICOLA POLLITT

**BRITISH AMBASSADOR TO
NEPAL**

**FOR THE GOVERNMENT OF
THE UNITED KINGDOM OF
GREAT BRITAIN AND
NORTHERN IRELAND**



EAKNARAYAN ARYAL

**SECRETARY OF THE
MINISTRY OF LABOUR,
EMPLOYMENT AND
SOCIAL SECURITY**

**FOR THE GOVERNMENT
OF NEPAL**

