

Quality seal “Fair recruitment healthcare Germany”

Germany

GENERAL INFORMATION	
Name of the organisation	Federal Ministry of Health
Type of organisation	Ministry
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Topic of the good practice	Labour and skills shortages in the health and care sector Strengthening accessible and cross-border information provision in the long-term care sector
Geographical focus	Cross-country (please specify) The quality seal “Fair Recruitment Healthcare Germany” awarded by the Federal Ministry of Health of Germany applies to the private-sector placement and recruitment of care workers from countries outside the EU (third countries) to Germany. Companies that have at least one branch or their head office in the EU or the EEA are eligible for the quality seal.
Duration	13/7/2021
Summary of the good practice	Germany needs nursing professionals and nursing assistants to ensure long-term care security and high-quality, professional care. In addition to domestic measures that have helped make the nursing profession more attractive (including improved working conditions and better pay), the recruitment of nursing professionals from third countries is necessary to meet existing needs.

	Recruitment in Germany should be fair and ethical and comply with the international standards of the World Health Organization (WHO) and the International Labour Organization (ILO). This means, among other things, that the recruitment process must be transparent to skilled workers in every respect from the very beginning, that recruitment costs are borne by the employer (the “employer-pays” principle), and that the host company has an integration management system in place to ensure the successful and sustainable integration of skilled workers. In particular, these skilled workers are provided with written information in advance about the nursing profession in Germany; they are informed about the process of their labor migration and prepared for their arrival and life in Germany. The brochure „Information for labour migration to healthcare professions in Germany“ is available in many languages(https://www.faire-anwerbung-pflege-deutschland.de/hilfe---downloads). To this end, the Federal Ministry of Health (BMG) has created the government quality Seal „Fair Recruitment Healthcare Germany“. Organizations that use this seal voluntarily commit to the listed criteria, thereby contributing to a fair and transparent recruitment process from the very beginning.
OBJECTIVES AND ACTIVITIES	
Background/context What challenge, need or gap were you trying to solve or respond to? Why was this issue relevant or urgent in your context (sector, region, country)?	► In its strategy for skilled workers, Germany relies first and foremost on effective domestic measures. Nevertheless, Germany is also dependent on nursing staff and care assistants from third countries to ensure the long-term security of care provision and high-quality, professional care. Around 20 per cent of care workers in Germany hold a foreign passport. The job growth in recent years is attributable exclusively to foreign workers. Care workers constitute the largest occupational group among all skilled workers recruited from abroad. Around 90–95 per cent of recruitments take place through private channels and private agencies. ► Existing German law, such as Sections 296 et seq. of SGB III, protects and regulates placement contracts

	within the German legal system. However, many risks arise beforehand: in the country of origin, through sub-agencies, language schools, advance payments or binding clauses. The voluntary, statutory quality seal translates abstract protection obligations into verifiable standards: no costs for care workers, clear contracts, documented information, complaint procedures and fair support. In the sense of a supply chain or service chain, it also extends to processes in the country of origin. ► The quality seal provides employers and agencies with guidance in a complex market. They can demonstrate that they take human rights, labour law and ethical due diligence obligations seriously. Candidates can also use the quality seal as a guide.
Objectives What were the main goals of this practice (e.g. better compliance, faster processing, improved worker protection)? (Please limit to three) Who or what were these goals intended to help or change? (Please limit to three)	► The fundamental aim is to ensure fair, ethical and sustainable recruitment that complies with the WHO Code of Practice and takes account of the ILO's international standards. To this end, it was necessary to ensure that German legal standards could also be effectively applied abroad. ► This involves protecting candidates from exploitation and excessive debt, which is achieved through compliance with the criteria of the quality seal, requirements regarding transparency and informed decision-making, and, finally, the written form and traceability of contracts and agreements. ► Finally, the quality seal's requirements ensure that all costs attributable to the recruitment process – including language course fees – are borne by the employer. Together with integration measures, this ensures sustainable recruitment and high retention rates both in the country and within the recruiting companies.
Main activities What were the main steps or actions you carried out to put the practice into effect? Were any tools, materials, partnerships, or processes created?	► The German parliament has enacted the “Act on Ensuring the Quality of the Recruitment of Care Workers from Abroad”, which came into force on 20 July 2021. The Act sets out the respective competences and responsibilities. The quality seal “Fair Recruitment Healthcare Germany” is administered by the Federal

	Ministry of Health, whilst the “Kuratorium Deutsche Altershilfe” is tasked by law with defining the criteria for fair recruitment. A specific legal and contractual framework governs the awarding of the quality seal, the monitoring of quality and the updating of the criteria. The quality seal is awarded as the RAL quality seal of the same name, and its quality is assessed and ensured by independent auditors under the auspices of the RAL Quality Association. The criteria and any amendments to them require the approval of the Federal Government. ► In parallel with the establishment of the quality seal, the Federal Ministry of Health has commissioned the development of the ‘Integration Toolkit’, a resource designed to help recruiting companies develop their integration strategies. The Federal Ministry of Health has supported the roll-out of the quality seal through a one-off recruitment programme and, at the same time, has provided incentives for companies that recruit using the quality seal. The expansion of the quality seal is continuously supported by information, press and public relations activities carried out by the Federal Ministry of Health and its cooperation partners.
Funding/organisational resources	The introduction, development and expansion of the quality seal have been supported and funded by the Federal Ministry of Health, both in terms of concept and organisation. To this end, a dedicated operational unit was established within the Federal Ministry of Health: the Department „Skilled Labour Migration“. This department closely and proactively supported the development process. It was necessary to ensure that the legal requirements were met throughout this highly complex development process. Specialist legal advice was sought. In addition, the establishment of the German Competence Centre for International Skilled Workers in the Health and Care Professions (DKF) within the Kuratorium Deutsche Altershilfe e.V. was funded in parallel. In addition, the aforementioned funding programme was launched, which provided financial support for recruitment in accordance with the criteria of the quality seal. New structures also had to be developed and implemented for this purpose, which

	was achieved with organisational and financial support from the Federal Ministry of Health.
PARTICIPATION	
Stakeholders involved Organisations or entities actively contributing to the design, implementation, monitoring, or support of the good practice (e.g. labour inspectorates, social security institutions, trade unions, employers' associations, or other).	► Even before discussions began on how to improve the recruitment of care workers to Germany, a broad alliance of stakeholders was brought together as part of the so-called 'Concerted Action on Care in Germany', including the associations representing care and health insurance funds, the professional associations for the care sector, social and welfare organisations, the churches, trade unions and employers' organisations, the Federal Employment Agency, the Institute for Employment Research, and the federal ministries. All relevant stakeholders were involved in the subsequent concrete steps of developing, legislating for and implementing the quality seal „Fair Recruitment Healthcare Germany“, including the private agencies themselves, which were later to bear the seal. Specifically, the German Society for International Cooperation (GIZ) and the Kuratorium Deutsche Altershilfe were involved in drawing up the criteria; they consulted with international organisations such as the WHO and the ILO and also involved the private agencies.
Target groups Main groups or categories that the practice is directly aimed at, who should receive its services or who engage with it (e.g. employers, mobile or posted workers, labour inspectors and social security officers, or other).	► The quality seal "Fair Recruitment Healthcare Germany", in line with its aim of ensuring fair, ethical and sustainable recruitment, is aimed at several target groups. Firstly, it is aimed at private agencies. They are expected to voluntarily comply with the quality seal's criteria and thus contribute to the objectives as key players. Secondly, employers – that is, care homes and hospitals – are a target group. For them, the quality seal is intended to enable a quality-assured selection of agencies, giving them the assurance that they are part of a quality-assured recruitment process that is fair and sustainable. However, it is also the employers who must commit, within this framework, to bearing the costs of recruitment and ensuring the integration of care workers. Another target group is, of course, the care

	workers themselves. For them, the quality seal offers protection against exploitation, transparency and realistic management of expectations, a recruitment process free of charge, and support with integration. And finally, the partner countries are a target group to whom Germany can demonstrate that it cares deeply about the fair treatment of their nationals and their successful integration in Germany.
Final beneficiaries Individuals or groups that ultimately benefit from the outcomes of the practice, even if they are not the direct target or user (e.g. mobile or posted workers, vulnerable workers at risk of exploitation, employers benefiting from clearer rules or reduced admin burdens, or other).	► All the target groups listed above under "target groups" benefit from the regulations and criteria of the quality seal „Fair Recruitment Healthcare Germany“. These may include private recruitment agencies, employers of care workers (such as hospitals or care facilities), the care workers themselves and the involved partner countries. In the end, of course, people with care needs in Germany also benefit from the availability of qualified care workers.
GOOD PRACTICE CRITERIA	
Achievements and outcomes What specific results did the practice achieve? (e.g. How many workers or employers were reached, number of publications created? What processes became faster?) What kind of broader benefits did it bring? (e.g. Did it improve understanding of rights and obligations, enhance cooperation between authorities, or reduce legal uncertainty and inconsistent application of rules?)	► Since the introduction of the quality seal, the number of participating agencies has risen to over 85. According to internal estimates, over a third of nursing staff recruited to Germany are now likely to be placed through agencies and organisations bearing the quality seal. We are seeing in the market that recruiting clinics are stipulating in their tenders that agencies must hold the quality seal 'Fair Recruitment Healthcare Germany'. Under the Federal Ministry of Health's funding programme, for which the quality seal was a prerequisite, over 1,000 care nurses from third countries were ultimately recruited for care homes and hospitals. A follow-up survey conducted one year later revealed a retention rate of over 90 per cent. Figures from the market indicate average retention rates of 30–40 per cent, and the state report from North Rhine-Westphalia even cited a retention rate of just 25 per cent. ► The criteria of the quality seal – particularly transparency, information about living and working in Germany, early contact with the employer and, finally,

	integration measures – contribute to the success of the quality seal, as measured by the retention rate. ► Awareness of the quality seal and its positive effects is growing. The authorities involved in the complex process of skilled labour immigration – such as visa offices, immigration authorities, labour market authorities and recognition bodies – also recognise that recruitment using the quality seal offers added value. ► Perhaps the most important outcome is that an increasing number of skilled workers recruited to Germany have been protected from exploitation, have been able to start their careers in Germany debt-free, and have been successfully integrated. Meanwhile, the first candidates are now taking on roles as mentors and trainers themselves.
Cost effectiveness How did you keep costs low while still achieving results? (e.g. Did you reuse existing tools, automate processes, or share resources across teams?) Can you show that the outcomes were worth the investment? (e.g. Did small changes lead to big improvements, or were expensive tools avoided?)	► With the chosen structure of the quality seal “Fair Recruitment Healthcare Germany” – whose awarding is essentially funded by the agencies themselves and monitored by an independent quality assurance body – we have found a streamlined and cost-effective solution that works. The Federal Ministry of Health provided the start-up funding and currently still provides annual support as part of a contract, delegated the publication to the Kuratorium Deutsche Altershilfe. The aim, however, is to achieve self-sustainability through the further roll-out of the quality seal, public relations work and the provision of incentives. ► With 85 holders of the quality seal to date, an estimated market share of just over a third and a retention rate of over 90 per cent at the first employer after one year among the care workers recruited, the quality seal is regarded as a success.
Transferability What are the key features that make this practice work well? (e.g. a digital platform, clear guidelines, a joint inspection process, or strong coordination) What would another country or organisation need to make this work for	► A whole range of factors has contributed to this success. Firstly, the fact that the quality seal is enshrined in law sends a clear signal to all those involved as to the legislator’s intention. However, the success is also due in part to the clear criteria of the quality seal and the fact that these criteria could be

them? (e.g. certain laws, IT systems, or staff training)

based on existing international standards (WHO, ILO). The participatory approach taken in the practical development of the criteria, involving stakeholders, has also contributed to its acceptance and relatively rapid uptake. The organisational support provided by the Federal Ministry of Health to the Kuratorium Deutsche Altershilfe and the GAPA secretariat (Gütegemeinschaft Anwerbung und Vermittlung von Pflegekräften aus dem Ausland e.V.; <https://www.faire-anwerbung-pflege-deutschland.de/guetegemeinschaft>) in developing business processes and ensuring their efficient implementation has helped to keep costs low and maintain streamlined, transparent procedures. Finally, the funding programme designed to provide initial support to quality label agencies and to offer incentives to employers collaborating with such agencies was another key factor in the scheme's success.

- The guiding principles underpinning the quality seal – **documentation in writing to ensure verifiability; free-of-charge recruitment processes for nurses; limitation of the financial risks borne by recruited professionals; transparency regarding organisational structures, services, and costs; sustainability and participation; and overall responsibility** – can serve as a blueprint for the ethical recruitment of any occupational group. The specific formulation of verifiable indicators can then, as in this framework, be negotiated collaboratively among the various relevant stakeholders affected by their implementation.

Sustainability

How is the practice sustainable from a social, financial or environmental perspective?

What makes this practice able to continue over time? (e.g. It is now part of regular work or has been built into law or procedures?) and how are you making sure it lasts beyond the pilot or project phase?

- The chosen approach is cost-effective and efficient. The results mentioned above show that all market participants benefit when they use the quality seal in their recruitment efforts. We will drive forward the further expansion of recruitment using the quality seal through accompanying press and public relations measures, as well as further consideration of incentive schemes. Our

	aim is to transition the entire scheme to a model that is self-sustaining for the parties involved.
Innovativeness What makes this practice new or different in your field or country? (e.g. Is it the first of its kind, or does it combine actors who don't usually work together, or activities not performed before?) How does it improve older or less effective approaches? (e.g. By reaching more people, using data better, or simplifying complex procedures)	► The concept of voluntary quality seals is not new in Germany. However, this type of quality seal is certainly new in the health and care sectors and in the context of securing a skilled workforce. It therefore took some time for a significant number of agencies to come on board. Also new is the chosen, streamlined and self-governing structure, the targeted recruitment programme to launch the quality seal, and the accompanying incentives provided through statutory measures and sub-statutory measures by the relevant specialist department. This also involved engaging other departments, state authorities and foreign authorities, who were informed about the quality seal and its positive effects through round-table discussions and exchange forums. In the process, new networks have formed, and an increasing number of authorities are now recognising the benefits of the quality seal in their collaboration with recruitment agencies.
Digitalisation What kind of digital tools or platforms were used in this practice? (e.g. online portals, automated case tracking, data sharing, digital databases or other) How did these tools help in reaching your goals? (e.g. Did they save time, facilitate access to data in real time, reduce errors, help detect fraud, or improve coordination between authorities?)	► With support from the Federal Ministry of Health, the administrative processes involved in awarding and reviewing the quality seal have been optimised. Software has been implemented for submitting applications and recording evidence of compliance with the requirements set out in the requirements catalogue. This ensures that the processes are cost-effective, swift and transparent. All parties involved (the auditing firm, the secretariat, the applicant and the quality committee) thus retain a clear overview of the entire process. Furthermore, the software simplifies the uploading of documents and their review by the auditing firm and the secretariat, and enables the audit report to be made available to the quality committee in a structured manner.