

# Response ID ANON-R7KP-XEBB-5

Submitted to Child and Family Social Worker Workforce  
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## About this consultation

### Personal Details

1 What is your name?

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3 Are you responding as an individual or on behalf of an organisation?

Organisation

4 If you are responding as an individual, how would you describe yourself?

Please select one answer below:

If 'other' selected, please specify here:

5 If you are responding on behalf of an organisation, what type of organisation is this?

Please select one answer below:  
Local authority / children's service trust

If 'other' selected, please specify here:  
London Innovation & Improvement Alliance (LIIA) (RIIA) on behalf of Association of London Directors of Children's Services (ALDCS)

What is the name of your organisation? :  
London Innovation & Improvement Alliance (LIIA) (RIIA)

What is your role within the organisation?:  
Programme Manager & Workforce Programme Lead

6 If you would like us to keep your name and/or organisation confidential please check the box below

Name

7 Would you like us to treat all, or any part, of your response as confidential?

No

If yes, please specify and explain why you consider it to be confidential (250 words max) :

### National rules on the engagement of agency social work resource

8 Our aim is to move to a more stable and sustainable workforce model by reducing local authority spend on, and improving the quality assurance of, agency social workers. Do you agree in principle that the introduction of a set of national rules on the engagement of agency social work resource will support these aims?

Agree

9 Do you agree that we should set out the national rules by September 2023?

Agree

Would you like to make any other comments? (250 words max) :

London recognise that there has been significant response to the consultation and support a thorough analysis of all contributions. We have been encouraged by DfE's efforts to engage consistently and transparently with partners and social workers across the UK and strongly support the continuation of these efforts.

10 Do you agree that local authorities, and all procurement routes used by LAs to engage agency social work resource, should comply with the national rules by spring 2024?

Disagree

Would you like to make any other comments? (250 words max) :

We recognise that time will be important to allow all LAs and partners to prepare, but greater pace in implementing the national rules would be preferred. The cost pressures and instability of the workforce are significant, impacting on the quality of practice for children, with a concerning trajectory that inhibits investment in workforce development.

The national proposals are based on the terms of active MoUs held across a number of regions already, building on existing systems. It is positive that national proposals aim to bring these existing agreements in line nationally to provide consistency across the sector. Partners such as Managed Services Providers (MSPs) and specialist agency providers working both regionally and nationally are familiar with these agreements and work to them currently. Recent work undertaken in London to establish the London Pledge (London's Memoranda) for example, has provided a learning opportunity underpinned with strong and transparent data collection. London already support other regions adopting these methodologies and therefore understand and can support the scalability to enable a smoother implementation in other regions to enable national consistency, in particular where MoUs may not be active.

A clear transition plan is essential; outlining timeframes and associated expectations to ensure all LAs, regions and providers can work together to strengthen existing systems, adjust to the national proposals and establish regional governance structures that can feed into national reporting. The transition plan should provide a timely migration to the new proposals to build on what is already in place and ensure LAs have an opportunity to engage with existing agency social workers who are valued as part of the workforce and may wish to consider permanent appointments.

11 Which of the following measures at a national level would support LAs to comply with the national rules and reduce overreliance on agency social work resource and spend?

Commercial and HR support, Toolkits, Best practice materials and case studies on agency usage, Forum to discuss agency workforce issues and market concerns with other local authorities/regions and seek commercial/HR specialist advice, Recruitment materials, Best practice materials and case studies on effective retention strategies, Other

If other please specify (250 words max) :

All of the listed measures would play a role in strengthening compliance, consistency, quality and cost avoidance across the sector, all of which is welcomed.

Providing strong Commercial and HR support is important for all regions to ensure this work can be supported and implemented effectively regionally. It would also be helpful to have a coordinated approach to benchmarking and sharing best practice regarding the effectiveness of the national measures.

ALDCS have been encouraged by the development of national forums with significant representation from all corners of the profession and would continue to partake in such activities to support the collective identification of opportunities and effective feedback and shared learning loops that can help embed the changes required to improve recruitment and retention for all.

A workforce development strategy is essential to bring confidence of real change to the working environment of social workers. This workforce strategy must support local authorities to achieve meaningful and sustainable change together as a sector, with children, young people and their families at the heart.

London would welcome support from government in developing a national image raising campaign for children's social work. The profession commonly experiences negative perceptions publicly which impacts on recruitment and retention. A more accurate reflection of the profession, that celebrates our many valued social workers and the positive impact social work has on children and their families, will support greater engagement in recruitment and retention efforts for all.

12 Do you agree with the proposal that LAs must require and provide references for all candidates, including a fully comprehensive reference that relates to the standard of practice of any agency worker for assignments that are three months or longer, using a standard template?

Disagree

Would you like to make any other comments? (250 words max):

ALDCS agree that references should be completed for all social workers who are responsible for child and family cases, however the length of contract is irrelevant. All agency opportunities are initially intended to be short term assignments and in the interest of the child and quality of service, references should apply consistently to all no matter the intended contract length. This would add confusion and additional processes for extended contracts, creating duplication for all parties.

We would welcome the introduction of a standard reference template that can be utilised by all nationally. This will benefit agency social workers, agency providers and the MSPs overseeing compliance, who as national providers will be able to better monitor consistent referencing standards across the sector through a single template, and overtime this will support an improved speed of recruitment processes.

It is important that there is strong engagement with HR leads to avoid any conflicting corporate guidance on agency referencing.

13 Do you agree with the proposal that LAs must not engage agency workers for a period of three months after they have left a substantive role within the same region?

Agree but with a longer time period

Please specify length of "cool-off" period and/or additional exemptions or any other comments (250 words max):

The continuation of this protocol for London is positive based on experience and feedback collated over the last year. DfE reflecting on the length of period would however be welcome as the evidence base for a 3 month cool off period is not clear. London introduced a 6 month cool off period last year, with learnings gathered from other regions in adopting this protocol, who have the same (or longer) periods.

The exemptions outlined are otherwise considered fair and are aligned to London's current terms. We urge for clear and concise communication as to the terms and expectations of the cool off period to avoid any misunderstandings or misinterpretations in the market. The item is positioned to minimise consistent soliciting of the permanent workforce, rather than to inhibit any individuals in their own their career decisions.

14 Do you agree with the proposal that LAs must make provision for a minimum six-week notice period for agency social workers via a reciprocal arrangement between agency workers and LAs?

Agree but with a shorter time period

Please specify length of notice period and/or suggested exemptions or any other comments (250 words max):

London support increased and reciprocal notice periods that are developed with the child and family in mind to better enable effective handover periods and minimise disruption when locums do move on. London has already introduced an optional 3-week reciprocal notice period as part of the London Pledge that many LAs have adopted.

In practice, agency workers are often needed at short notice and there is concern that LAs will simply be unable to wait 6 weeks for a locum. This may therefore add pressure to LAs in recruiting in times of need. The additional wait time would also carry the risk of losing candidates during this elongated period.

We therefore recommend reconsideration of the length of the notice period to ensure it is both fair and practical.

## Procurement of social workers

15 Do you agree that all procurement routes used by LAs to engage agency social work resource should adhere to the proposed national rules?

Agree

Would you like to make any other comments (250 words max):

ALDCS consider the introduction of the national proposals across all procurement platforms as essential to ensuring consistency in market management and data capture, and to avoid unintentionally driving inflated costs or 'loopholes'.

It is important that the sector can work cooperatively and with confidence and unity in adopting the new national rules.

16 What would be the most effective approach to ensuring procurement routes adhere to the national rules? Please select all that apply:

Working with existing framework operators to embed the national rules

If Other, please specify (250 words max) :

Utilising the existing systems in place is undoubtedly the most effective and timely approach to adherence of the national rules. The social worker agency market is already regulated through frameworks such as MStar.

This approach would enable all the existing and established supply chain partners (Public Purchasing Frameworks, Managed Service Providers and agency suppliers) to embed the national rules through adjustments and improvements to current systems where other options, such as developing a new framework, would be extremely time consuming and costly.

A regional framework would not address the inter-regional pressure experienced by all London authorities, but particularly those bordering other regions.

17 What, if any, challenges and opportunities do you anticipate may arise from procurement routes being required to adhere to the national rules?

(250 words max) :

Not all LAs have centralised recruitment resources and where recruitment responsibilities are devolved there is greater pressure on communication and engagement at an operational level to support effective implementation.

We would therefore welcome the DfE's communication and engagement efforts, along with the proposed commercial and HR support, as part of supporting materials and toolkits in order to avoid inconsistencies in the early introduction stages and as the new rules establish themselves.

## Price Caps

18 Do you agree that there should be greater consistency between LAs in terms of basic pay to substantive employees for the same role profile type (for example: 'team manager', 'senior/specialist social worker') etc?

Don't know

Would you like to make any other comments? (250 words max) :

This question seems to relate to the comparison of substantive employee pay between LAs rather than to that of agency worker pay and is not considered relevant in the context of these national workforce proposals, which are not proposing a national pay scale.

Consistency through narrowing the range of basic pay by role type and achieving greater consistency of offer across London is a priority regionally, together with strategic workforce development. Wider consideration would need to incorporate a consistent approach to capturing the additional benefits and supplements offered such as referral bonuses, retention bonuses and so on that LA's have introduced to varying degrees to combat significant recruitment and retention challenges. This is unlikely to be possible, or valuable, as a national initiative and could serve to drive greater variability and inconsistency in the additional benefits and market supplements offered by LAs, creating further unfairness and competition.

However, London welcome the opportunity to support further work through regional benchmarking, building on data capture methodologies that can be deployed nationally to support consistency.

While London agree with the principle of bringing agency pay closer to that of permanent staff we cannot see how this can practically be implemented and may have unforeseen consequences of generating greater competition between LAs because of differing gradings and pay structures (and additional benefits and market supplements as above).

We support greater consistency in agency pay rates, as long as they are fair in comparison to permanent social workers and correctly recognise the difference between the 'cost of a worker' and the 'pay to a worker'. However, we understand that agency social workers are primarily employed as short-term resource and as such do not have comparable rights or benefits to permanent employees. A flexible workforce is necessary but rising pay rates has contributed to increased agency reliance nationally (and visa versa), which is unsustainable for the sector and impacts negatively on the permanent workforce and stability for children.

London seek consistency to improve overall control of the market through cooperation. National rules can provide a foundation for longer term efficiencies that sit alongside a wider workforce strategy.

19 Do you agree that agency workers' pay should be brought more fairly in line with the average substantive employee pay for the same role profiles?

Disagree

20 Do you agree with the proposal to introduce a cap on agency and framework fees in addition to a cap on the "pay to worker" component?

Agree

Agree

21 Do you agree there should be different price caps between LAs or regions for the same social worker agency role profile?

Agree

Different costs associated with region

If other, please specify (250 words max) :

London and other regions have made progress with introducing consistency of agency worker pay caps through the introduction of the London Pledge based on a regional agreement. This has brought consistency of pay rates and a continued commitment to collaboration rather than competition.

London would want to maintain a regional approach to costs, but with confidence of consistency of approach and commitment in other regions. Crucially this should include a single methodology for setting regional pay caps based on the regional data collection, and consistency of pay type included within MoUs (eg. PAYE and Limited) to avoid confusion.

DfE should also actively engage with other countries, such as Wales, who have recently introduced a regional MoU. As the national rules will not formally apply to Wales, we would at least hope for the pay rate caps to be applied consistently to ensure that there are no unintended consequence for either Wales or England.

If other, please specify (250 words max):

22 Do you agree there are reasons why LAs should be allowed to exceed the national price cap when engaging agency social workers?

Agree

If agree, please specify why (250 words max) :

Rather than define the reasons, which are challenging and often subjective, London would favour the creation of consistent governance approaches across all regions, that feed into national forums. This would increase confidence and enable LAs to work together transparently and identify solutions, work effectively with partners, manage market messaging and ultimately mitigate instances of non-compliance.

## Post-qualified experience

23 Do you agree with the proposal that to qualify for an agency appointment, social workers who graduated in or after April 2024 must demonstrate a minimum of five years post-qualified experience working within local authority children's social care and have completed the Assessed and Support Year in Employment (ASYE)?

Agree, but with a different minimum level of post-qualified experience

If agree, but with a different minimum level of post-qualified experience please specify (50 words max):

All social workers need time to develop their careers, which is best achieved in permanent employment. Experienced agency social workers are important and valuable members of the workforce and whilst London are supportive of providing a consistent level of experience and quality of service for children and their families, it is also important that proposals are pragmatic in the current market. London have therefore introduced a 3-year post-qualified experience threshold as part of the London Pledge to enable this. In practice an increase of post-qualified experience to 5 years for agency workers in the current market, would only serve to heighten candidate shortage and add additional pressure to the existing permanent workforce, potentially forcing LAs to explore further alternatives and creating a greater divide in the workforce.

24 Do you agree with the proposal that in order to qualify for an agency appointment in England, international recruits must demonstrate a minimum level of post-qualified experience working within local authority children's social care?

Agree, with variations

If agree, with variations please specify (250 words max):

This should be aligned to the expectations of post qualified experience for all social workers, but with the variation of 'post qualified experience in the UK'.

## Project Teams

25 Do you agree with the proposal that LAs must not use project teams for child and family social work?

Agree

If you disagree, when do you think it is appropriate to use project teams for child and family social work? (250 words max) :

London have outlined that project teams must not be used for any case holding roles as part of the London Pledge. The use of project team in this context is deemed an unacceptable approach to working directly with children.

The emergence and growth of project teams is of significant concern to London. Despite low take up of project teams in London LAs directly, the impact of their use nationally continues to be felt regularly. The supply chain and candidate base are the same as those available through existing systems and frameworks (although some agencies operate under pseudonyms or partner organisations). We have identified multiple instances of project team offers from agencies on the existing supply chain, representing the same candidates submitted through the existing systems at London Pledge rates, but at significantly increased costs. LAs however continue to carry all associated financial and case holding risks.

We have also conducted two counts of research on the experience and cost of project teams in London to better understand the London picture and have undertaken deep-dive analysis of several specific cases with the support of partners to understand the approach, benefits and impact better. This has also included engagement with several agencies that offer this alternative nationally to clearly understand the offer.

Our MSPs partners and agency supply chain in London continue to share our concerns about the behaviours surrounding project teams and are supportive of preventing their continued use.

A transition plan should outline expectations and clear timeframes for those authorities engaged in project teams to exit these approaches effectively.

## Data and Monitoring

26 Do you agree that these are the right data to monitor the impacts of the national rules on child and family social workers and to support workforce planning? Please select all that apply:

Other

If Other please specify. For example specific data items listed that should not be collected and/or additional data items that should be collected (250 words max) :

Please consult with us on the details of the questions and methodology when these are being prepared. It is important to collect data that also meets the needs of councils/regions, so that they can collect it too (or get it quickly from the DfE) for their own monitoring, control and workforce planning purposes. Many councils will not produce data for more than one survey, so many will provide data for the statutory survey only. If the data doesn't meet local needs and/or isn't available quickly, this could be a significant loss/set-back locally.

There are significant resource implications for councils in providing data. As well as consulting with us on the detail (as set out above) please also consult on the scale and frequency of the data collection.

Without first knowing the details of the proposed data collection it is impossible to judge whether these are the right data to collect; whether what is proposed is practicable on the frequency proposed; and whether they can be provided at all.

The above having been said, the job-types chosen should reflect and meet local needs as well as DfE needs and be practical and easy to map roles to. Ideally the same set of job-types should be used for both agency and perm SWs (to enable cross comparison by job-type). Definitions of job types need to be well-defined enough to ensure consistency across councils providing data. Changes to systems may be required so the lead-in time for the introduction of the data collection needs to reflect this and should be considered in the transition plan.

It is resource-intensive for Children's Services and HR to keep the vacancy data up to date on systems and numbers of vacancies may not be accurate/up-to-date on the specified data-collection date.

FTE of agency is not generally easy for councils to provide and is on a different basis to FTE data for perms. FTE agency is based on time worked in relevant survey period; FTE of perms is a contractually agreed long-term FTE.

Some supplements are paid as one-off payments – eg: golden hellos/handcuffs. It is difficult for those completing survey returns to report on these types of payments as they may not appear on standard payroll reports.

## Equalities

27 Are you aware of any equality issues or of any particular group for whom the proposals could have either a detrimental or differential impact?

Yes

If yes, please specify what these issues are and for which groups (250 words max) :

We recognise that disproportionality exists within the demographic of the children's social worker workforce, in particular gender and race. For example, whilst the quality of ethnicity data is poor in ascertaining the accurate demographics of agency social workers in London, it is understood that the representation of Black and Global Majority colleagues in the agency workforce is disproportionate.

Equality is firmly recognised as a systemic issue that impacts the whole workforce where, for example, tackling racism is central to ensure both our workforce and our children are represented, supported and that leadership is culturally competent at all levels. In London the Leadership in Colour Reference Group acts as a critical friend to ALDCS and are members of the workforce steering group to ensure racism and discrimination are consistently acknowledged and addressed across all activities as the programme expands.

These national proposals are understood to build on existing systems already in place that enable LAs to promote equity for all. This is believed to be of benefit for all to enable systemic and sustainable change.

We and the DfE should monitor closely how implementation of the new national rules impacts particularly on black and global majority social workers and support improved data on the ethnic makeup of the agency workforce.

28 Please provide any further comments on these proposals, including particular challenges and opportunities arising from the proposed national rules.

(500 words max) :

London would be interested to support the development of data efficiency, taking learnings from existing methodologies that are regarded in London.

London are also committed to supporting and piloting workforce development initiatives as part of a range of broader strategic interventions to address recruitment and retention across the profession as a whole and are confident of the firm, collaborative foundations on which these can be delivered.

Additional comments relating to Question 19:

The agency market is already regulated by frameworks such as MStar. This enables local authorities to control agency fees and mark ups currently.

We are however aware that there are small differences across these contracts and tenure reductions after 26 and 52 weeks, that can incentivise agencies to prioritise one LA over another or to move candidates after a tenure period is reached. London are in favour of achieving greater consistency in agency fees to minimise these behaviours, though they are not currently considered to be a primary driving factor.