



Department  
for Education

# **Child and Family Social Worker Workforce Consultation Analysis**

**IFF Research**

**July 2023**

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## Glossary of terms

Term	Definition
Agency child and family social worker	An individual social worker who has either a contract for services or a contract of employment with an agency. The social worker's services will be supplied to a local authority either by the agency directly or through a managed service provider for the specific purpose of providing child and family social work
Agency Workers Regulations 2010 (AWR)	A set of statutory regulations giving agency workers the entitlement to the same or no less favourable treatment for certain defined basic employment and working conditions, if they complete a qualifying period of twelve weeks in a particular job.
Assessed and Supported Year in Employment (ASYE)	A programme providing newly qualified social workers with additional support during their first year of employment to develop skills, knowledge, and professional confidence.
Cool-off period	A defined period of time during which local authorities in a particular region may not engage agency workers in a substantive role if they were previously employed by another local authority in a substantive role within the same region
Framework agreement	A type of agreement defined in regulations 33 and 34 of the Public Contracts Regulations 2015 which may be used to procure goods, services or works by central government, local authorities and other public bodies, including those provided by Central Purchasing Bodies as defined in Regulation 37 of those regulations.
Local authority	Any public body that is responsible for providing a range of services to the local community. This is used throughout and should be read to include legal entities such as Children's Service Trusts or other entities created by local authorities under Alternative Delivery Models.
Managed service provider (MSP)	A managed service provider (MSP) manages recruitment of the temporary workforce for an organisation. This can be delivered via a neutral vendor model (where there is separation between the MSP and supply chains) or a master vendor model (where the MSP has its own supply chain). MSPs will typically manage temporary worker recruitment across a whole local authority.
Pay spine	A scale of different rates of pay (pay points). The point at which an employee enters the scale and the rate at which an employee progresses up the scale may depend on a number of different factors such as grade, seniority, and performance.

Project team	A defined team of social workers created or organised by an agency, sometimes with its own manager and administrative staff, but not necessarily comprising the same individuals at all times, to provide relevant social care services to a local authority.
Public buying organisation (PBO)	<p>A public buying organisation (PBO) is a public-sector-owned procurement organisation, specialising in supplying products and services to customers in the public sector, including local authorities. PBOs also operate framework agreements.</p> <p>Also referred to as Central Purchasing Body and Purchasing Organisation.</p>
Substantive child and family social worker	An individual social worker who is directly employed by a local authority. The individual will be entirely or primarily practising child and family social work.

## Executive summary

Between 2 February and 11 May 2023, the Department for Education (DfE) ran a public consultation to gather views of on a set of draft national rules on the engagement of agency social work resource in local authority children’s social care. These rules were:

- 1) A requirement that all procurement routes used by local authorities to engage agency social workers must adhere to the national rules.
- 2) The introduction of national price caps on what local authorities may pay per hour for an agency social worker.
- 3) A requirement for social workers who graduated in or after April 2024 to demonstrate a minimum of five years post-qualified experience working within local authority children’s social care and completion of the Assessed and Supported Year in Employment (ASYE) to qualify for an agency appointment.
- 4) No longer using “managed service” / “project” teams for child and family social work.
- 5) A requirement for employers to request and provide references for all agency social worker candidates.
- 6) Not engaging agency workers for a period of three months after they have left a substantive role within the same region (excluding certain exceptions).
- 7) A requirement for a minimum of a six-week notice period for agency social workers via a reciprocal arrangement between agency workers and local authorities, to minimise immediate or quick departures and the associated impact on children and families and the wider workforce.
- 8) The collection and sharing of core agency and pay data, to support better workforce planning and the ability to monitor, enforce and assess the impact of the proposals.

## Methodology

IFF Research was commissioned to undertake with the analysis and reporting of the consultation responses. The overall objectives of the work were to:

- Analyse the responses to the questions included in the consultation.
- Compare the views expressed within and between different groups of respondents.
- Summarise key findings in relation to each of the eight proposals.

There was a total of 1,243 respondents, with 1,230 completing the consultation online and 13 providing a non-standard response via email. For the respondents who completed the standard consultation online, the analysis covered all responses to the 21 consultation questions with a mixture of closed-ended and open-ended questions. For the closed-ended questions, analysis involved producing descriptive outputs using charts and tables to explain the data. For the open-ended questions, the researchers used an



inductive analytical approach to identify key themes and subthemes in the responses and used these to develop coding frames for each question. Inductive analysis involves developing coding frames from the raw data to ensure the analysis is data driven and avoid preconceptions. It is a 'bottom-up' analysis strategy that helps you develop themes and findings from raw data and start to identify trends and meaning from the data. The coding frames were tested by researchers coding a sample of responses and checking where any views differed or were problematic and amending the frame where necessary. The researchers then used the coding frame to manually code responses to each of the open-ended questions. Having completed the coding, the researchers prepared frequency tables for all the closed-ended questions and open-ended questions and used these tables to identify where different groups had contrasting views and where there was consensus.

Throughout this executive summary, differences between sub-groups (e.g., individuals and organisations, and type of individual/organisation) are highlighted where they are interesting and meaningful for the analysis. Where these differences are also statistically significant, this is indicated with an asterisk (\*).

## Key Findings

### Profile of respondents

A total of 1,243 respondents completed the consultation, the majority via the standard online template (1,230) and a minority providing a written response via email (13).

The majority of responses came from individuals (89%), with a much smaller proportion of responses on behalf of organisations (11%). In terms of individual type, the largest proportion were substantive child and family social workers (42%), whilst around a third described themselves as agency child and family social workers (28%).

For organisation type, the vast majority of these came from local authority/children's services organisations (74%), followed by recruitment agencies (9%).

The email written responses were mainly (8) from organisations<sup>1</sup>, with five individuals responding this way. These responses did not answer all question in the consultation, meaning the base size for quantitative analysis was 1,230.

### Proposed national rules

Over two-thirds of respondents agreed in principle with the **proposed national rules** (64%), whilst a third disagreed (33%). Those who agreed felt that the rules would reduce reliance on agency social workers, lead to greater competency in the workforce, and create more consistency for children and families.

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<sup>1</sup> Three representative bodies, three agency sector organisations, and four responses on behalf of a local authority.

Respondents who disagreed with the proposed rules had concerns around the practicalities of implementation, including the potential impacts on social workers leaving the profession. There was a suggestion that any changes should focus more on generally improving conditions for all social workers, rather than worsening conditions for agency workers. There was also a view that the proposed rules signified too much interference from central Government and that the changes would not actually address the key workforce challenges.

Over half (56%) of respondents thought that **rules should be set out by September 2023**, and a similar proportion (57%) of respondents thought that **local authorities should comply with the rules by spring 2024**. When asked for further comment, most felt that making the changes were important to support with the ongoing workforce crisis and these changes would improve the retention of social workers. The respondents who disagreed with setting out the rules by September 2023 (37%) and requiring compliance by spring 2024 (35%) felt that the practicality of implementing the rules to this timeline had not been thought through, and the changes could exacerbate current challenges and reduce the workforce further.

The vast majority (87%) of respondents were positive about introducing rules requiring local authorities to **require and provide references for all candidates** using a standard template. Respondents felt this would lead to increased accountability and provide transparency on skills and experience.

Views were mixed on the proposed **cool-off periods**. Two-thirds agreed with the principle of this change, though often with suggestions for different time periods. Over a third agreed with the proposed three months (35%), while just under a fifth agreed but with a longer time period (18%) and under one in ten respondents agreed but with a shorter time period (7%). Those who thought there should be a longer time period were most likely to say that it should be of 3-6 months or 9-12 months.

The majority (81%) of respondents agreed with the concept of a **notice period**, with around a quarter (26%) saying it should be a shorter than six-weeks and under one in ten (6%) wanting a longer than six-week notice period. The respondents who disagreed (17%) with the notice period rules felt that flexibility was a driving factor for agency work and this rule would reduce that.

## **Procurement of social workers**

It should be noted that there was some confusion from respondents about the questions asked in relation to the proposed rule on procurement routes, with many responding about the general introduction of rules around procurement, rather than specifically about the rule that local authorities should ensure agency procurement routes comply with wider national rules.

Just over two-thirds (65%) of respondents were in support of the proposal that procurement routes should adhere to the national rules, with higher levels of support from substantive child and family social workers than agency social workers (85%\*<sup>2</sup> compared to 18%).

Generally, those in agreement with the proposal thought that the rules would create increased consistency and ensure better market regulation. Respondents did note, however, that local authority compliance should be monitored to ensure that the rules were followed.

Respondents who disagreed with the proposal that procurement routes should adhere to the national rules (25%) felt that this would have a negative impact on local authorities' ability to develop their own procurement process which would better fit their local context. There were also concerns that these rules could increase unnecessary bureaucracy.

When asked how to ensure procurement routes adhered to the national rules, respondents thought the introduction of a new national framework (46%) would be most effective, followed by standard clauses for local authorities to use in procurement contracts (31%) and then working with the existing framework operators to embed the national rules (21%).

## Price caps

Around two-thirds (65%) of respondents thought there should be more consistency around basic pay between local authorities for substantive social workers with the same role profile. This was higher amongst organisations than individuals (79%\* and 63% respectively), as well as substantive child and family social workers (81% compared to 27% of agency social workers).

Those who agreed felt that it would improve permanent staff pay and allow for standardisation across types of social worker. However, they noted the need to consider local costs and contexts in any form of price cap. Those who disagreed felt local authorities should have the freedom to set their own rates and that individuals should be allowed to negotiate pay.

Around two-thirds felt that there should be a cap on agency fees and a cap on framework fees (62% for both statements). This was higher amongst substantive child and family social workers than agency workers (for agency fees, 84%\* of substantive and 18% of agency child and family social workers and for framework fees this was similar with 81%\* of substantive and 18% of agency child and family social workers agreeing with the proposed caps).

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<sup>2</sup> \* Denotes a statistically significant difference between groups.

Less than half though there should be price caps variation between local authorities for the same social worker agency role (48%). Those who agreed with different price caps noted that there were different costs associated with different regions and that different areas had more challenging caseloads. Those who disagreed with price cap variation believed location adjustments were already accounted for.

There was no specific agreement on whether price caps should be allowed to be exceeded, with similar figures agreeing as those who disagreed (46% and 43% respectively). Those who felt price caps should be allowed to be exceeded felt there were circumstances where this was necessary, for instance high vacancies, following poor Ofsted reviews, or if there is a large or complex caseload. Those who disagreed reported the need to ensure measures were enforceable and clear, with no room for misinterpretation or loopholes.

## **Post qualification experience**

In terms of the proposed minimum post-qualification period, the majority were in support of some form of this (88%). Half agreed to five years (53%), and a third were in support but suggested a different length (35%). A shorter period of three years was the most common suggestion.

Responses from government and agency organisations also supported the introduction of a post-qualification period, with three years commonly suggested again as their recommendation. Another suggestion, from an agency aligned organisation, was an incremental approach, introducing a three-year period from April 2024, which would increase to four years from 2025 and finally to five years in 2026.

In terms of international recruits, the vast majority of respondents thought that there should be some form of requirement in relation to post-qualification experience (90%). Over three-quarters agreed with the consultations proposals (78%), whilst a tenth agreed but with variation (12%). Those who agreed felt that the rules would allow parity between social workers, but some thought that existing levels of practice and experience should be considered when thinking about the post-qualification period.

## **Project teams**

Over half of respondents agreed that project teams should no longer be used, whilst almost a third disagreed (57% and 30% respectively). Substantive child and family social workers were more likely than agency social workers to think that project teams should no longer be used (69%\* compared to 24%).

Whilst over half thought that project teams should not be used, there were circumstances in which some respondents felt they were necessary. For instance, when caseloads were high or when local authorities had a high level of absence or vacancies.

## Data and monitoring

Respondents were asked whether they believed the consultation set out the correct information and data to help monitor the national rules and to support workforce planning. Around half agreed that it was the right data to collect on agency social workers (51%), and two-fifths thought it was the right data to support workforce planning and substantive social workers (39% and 37% respectively).

Just over one-in-ten (13%) reported that they did not think any of the data collected was correct to monitor impacts of national rules on child and family social workers and support workforce planning. Just under a quarter (23%) of respondents were not sure whether the data collected was correct.

## Equality considerations with the proposals

Half of respondents were not aware of any detrimental or differential impacts on groups with protected characteristics or any other particular groups as a result of the proposed changes (51%), whilst a quarter suggested some groups that would be impacted (26%). Those who respondents felt were most likely to be affected were:

- Ethnic minority social workers. This was mostly positioned around workers who had left local authority social work due to structural discrimination and/or a 'glass ceiling effect'<sup>3</sup>.
- Social workers who had an increased need for flexibility. This was particularly raised in relation to those with caring responsibilities or those with disabilities or health conditions.
- Social workers who had legitimate reasons for leaving a post. Though not strictly an equalities concern, respondents raised examples around those who had disagreements with senior leadership, and allegations of bullying and discrimination.

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<sup>3</sup> The 'glass ceiling effect' is a metaphor used to represent an invisible barrier that prevents a given demographic, in this case ethnic minority groups, from achieving promotions and success in the workplace.

# 1. Introduction

## Policy context

A high quality and stable child and family social worker workforce is at the heart of enabling better relationship building with children and families, development of expertise, and quality supervision. The latest DfE workforce data<sup>4</sup> shows a difficult picture for social workers' recruitment and retention. The 'agency worker rate' was 18% in 2022, an increase on the previous year and the highest rate since data collection started. The longitudinal survey of child and family social workers also indicated that more of those who have just completed their Assessed and Supported Year in Employment (ASYE) plan to move into agency work in the next few months.<sup>5</sup>

A number of challenges are associated with an overreliance on agency workers that are in direct conflict with core social work standards and values. In some cases, high usage of agency workers can lead to poor engagement in face-to-face interactions with the community they are practising within, or with the local authority's (LA) social work practice models.<sup>6</sup>

In addition to the inequity of offering more favourable terms to agency workers, the perceived over-reliance on this temporary workforce was seen as impacting budgets, due to their higher salaries and agency fees. Local authorities bringing in agency teams has also led to agency social workers working in isolation, and permanent staff were not always benefitting from their experience.

Within this context, the independent review of children's social care recommended a number of national rules aimed at reducing overreliance on agency social work resource. This was with the aim of enabling a higher quality and more stable workforce and to reduce costs.<sup>7</sup> By improving workforce stability and quality assurance of agency workers, and reducing spend on agency workers, it was felt that local authorities could free up resource to invest in supporting children and families and enhance the offer to permanent employees.

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<sup>4</sup> [Children's social work workforce, Reporting year 2022 – Explore education statistics – GOV.UK \(explore-education-statistics.service.gov.uk\)](https://www.gov.uk/explore-education-statistics/service-statistics/childrens-social-work-workforce-reporting-year-2022)

<sup>5</sup> [Longitudinal study of local authority child and family social workers \(Wave 4\) research report \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/114444/longitudinal-study-of-local-authority-child-and-family-social-workers-wave-4-research-report)

<sup>6</sup> ADCS. (2022). Safeguarding Pressures Phase 8: Final Report.

[https://adcs.org.uk/assets/documentation/ADCS\\_Safeguarding\\_Pressures\\_Phase\\_8\\_Full\\_Report\\_FINAL](https://adcs.org.uk/assets/documentation/ADCS_Safeguarding_Pressures_Phase_8_Full_Report_FINAL).

<sup>7</sup> MacAlister, J. (2022). The independent review of children's social care: Recommendations annexes. (p. 158).

## Child and family social worker workforce: government consultation

The [child and family social worker workforce consultation](#), which ran from 2 February 2023 to 11 May 2023, sought views on the introduction of this set of national rules. The national rules include eight proposals:

1. A requirement that all procurement routes used by local authorities to engage agency social workers must adhere to the national rules.
2. The introduction of national price caps on what local authorities may pay per hour for an agency social worker.
3. A requirement for social workers who graduated in or after April 2024 to demonstrate a minimum of five years post-qualified experience working within local authority children's social care and completion of the Assessed and Supported Year in Employment (ASYE) to qualify for an agency appointment.
4. No longer using "managed service" / "project" teams for child and family social work.
5. A requirement for employers to request and provide references for all agency social worker candidates.
6. Not engaging agency workers for a period of three months after they have left a substantive role within the same region (excluding certain exceptions).
7. A requirement for a minimum of a six-week notice period for agency social workers via a reciprocal arrangement between agency workers and local authorities. This is to minimise immediate or quick departures and the associated impact on children and families and the wider workforce.
8. The collection and sharing of core agency and pay data, to support better workforce planning and the ability to monitor, enforce and assess the impact of the proposals.

## Aims and methodology

The Department for Education (DfE) asked IFF Research to undertake an independent analysis and reporting of responses to the consultation. The overall objectives of this work were to:

- Analyse the responses to the questions included in the consultation.
- Compare the views expressed within and between different groups of respondents.
- Summarise key findings in relation to each of the eight proposals.

DfE supplied IFF Research with an anonymised file of all responses to the consultation. Names of individuals and organisations were removed but the data indicated whether the response was from an individual or an organisation. A total of 1,243 respondents completed the consultation, with 1,230 using the standard online questionnaire and 13 providing a non-standard written response via email. More details on the profile of respondents can be found in [Chapter 2](#).

For the respondents who completed the standard consultation online, the analysis covered all responses to the 21 consultation questions with a mixture of closed-ended and open-ended questions. For the closed-ended questions, analysis involved producing descriptive outputs using charts and tables to explain the data. For the open-ended questions, the researchers used an inductive analytical approach. Inductive analysis involves developing coding frames from the raw data to ensure the analysis is data driven and avoid preconceptions. It is a 'bottom-up' analysis strategy that helps you develop themes and findings from raw data and start to identify trends and meaning from the data. This approach was taken to identify key themes and subthemes in the responses and used these to develop coding frames for each question. The coding frames were tested by researchers coding a sample of responses and checking where any views differed or were problematic and amending the frame where necessary. The researchers then used the coding frame to manually code responses to each of the open-ended questions. Having completed the coding, the researchers prepared frequency tables for all the closed-ended questions and open-ended questions and used these tables to identify where different groups had contrasting views and where there was consensus.

The consultation included 21 questions, some of which were follow on questions. For these questions, respondents were asked for more detail or to answer other questions relating to it. However, routing to limit questions to only those providing responses to previous questions was not included, meaning all respondents were asked all the questions regardless of their previous answer. To include all views these responses were analysed and included in the reporting and were grouped according to their answers.

For the respondents who submitted a non-standard written consultation response, the first stage of analysis involved reviewing the responses to understand the content and composition before developing an analysis framework. The second stage involved using a content analysis method known as framework analysis<sup>8</sup> to interrogate the findings and identify key themes and patterns from the data.

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<sup>8</sup> Framework Analysis involves organising and analysing data using a predefined analytical framework. The analytical framework is a set of predetermined themes or categories that are derived from the research questions or objectives. The framework provides a structured approach to data analysis and can help to identify patterns, themes, and relationships in the data.



For both datasets, the research team conducted targeted analysis to identify connections and differences by groups, where possible. The research team triangulated the data from both sources, and any inconsistencies were explored and explained. Where there were competing findings by evidence source, stronger evidence was considered over evidence with gaps.

## Reading this report

There are several considerations to keep in mind when reading this report:

- Responses came from individuals and organisations representing both local and national perspectives. Responses ranged from general to specialist, with some responses narrowly focused on a specific issue or area of interest.
- The consultation format did not require respondents to submit demographic details (e.g., geographic location), which limited our ability to conduct sub-group analysis. Where information was provided and sufficiently robust for analysis, this is highlighted in the report.
- Differences between sub-groups (e.g., individuals and organisations, and type of individual/organisation) are highlighted throughout the report where they are interesting and meaningful for the analysis. For example, when there is a recurring theme in the data or when figures contradict an otherwise observed pattern. Where these differences are also statistically significant, this is indicated with an asterisk (\*). It is important to note that limited sub-group differences exist amongst organisational respondents, due to small base numbers.
- The absence of an issue or sub-group difference does not mean it is not important or within scope for this consultation, but rather that it was not discussed by those that took part in the consultation. All submitted responses were considered. While report findings are not exhaustive and do not include every view shared in the consultation, this report presents a representative summary of all responses received in the consultation.
- Throughout the report, verbatim quotes and examples are used to illustrate findings. As these are taken from the consultation responses, they should be taken as indicative of the responses submitted rather than representative of the views and practices across England. Where a quote contains a spelling or grammatical error, this is indicated by [sic].

## Report structure

The remainder of this report is structured as follows:

- **Chapter two: Characteristics of the respondents:** this chapter provides a profile of the online and email/written responses sourced from Section One: Who are you?
- **Chapters three to nine: Findings from the consultation:** these chapters follow the structure of the consultation and provide key findings around each area:
  - Chapter 3: Proposed national rules
  - Chapter 4: Procurement of social workers
  - Chapter 5: Price caps
  - Chapter 6: Post-qualified experience
  - Chapter 7: Project teams
  - Chapter 8: Data and monitoring
  - Chapter 9: Equalities
- **Chapter ten** provides conclusions.

## 2. Profile of respondents

A total of 1,243 responses were received to the consultation, with 1,230 using the standard online template and 13 providing a written response via email. The below presents the characteristics of those who responded.

### Online consultation responses

Nine in ten responses (89%) were submitted by an individual (Table 2.1), while only one in ten (11%) were submitted on behalf of an organisation.

Table 2.1: Are you responding as an individual or on behalf of an organisation?

Respondent type	Number of respondents	Percent
Individual	1,089	89%
Organisation	141	11%
<b>Total</b>	<b>1,230</b>	<b>100%</b>

Base: Q24. Are you responding as an individual or on behalf of an organisation? (1230)

Of the 1,089 individual responses, just over two-fifths (42%) described themselves as substantive child and family social workers and nearly one third (28%) described themselves as agency child and family social workers (Table 2.2). For context, the latest DfE data<sup>9</sup> shows that the majority (82%) of the workforce is made up of substantive child and family social workers, while 18% is made up of agency child and family social workers. Much smaller proportions described themselves as other types of individual.

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<sup>9</sup> [Children's social work workforce, Reporting year 2022 – Explore education statistics – GOV.UK \(explore-education-statistics.service.gov.uk\)](https://explore-education-statistics.service.gov.uk)

Table 2.2: If you are responding as an individual, how would you describe yourself?

Individual type	Number of respondents	Percent
Substantive child and family social worker	453	42%
Agency child and family social worker	309	28%
Local authority employee (non-social worker)	75	7%
Independent reviewing officer	38	3%
Local authority team manager	35	3%
Substantive social worker (non-child and family)	33	3%
Head of service/service manager	28	3%
Director of Children's Services	22	2%
Independent social worker	16	1%
Agency social worker (non-child and family)	13	1%
Recruitment agency employee (non-social worker)	7	1%
Parent / carer	6	1%
Academic	5	<1%
Child in care	3	<1%
Other	42	4%
Don't know	4	<1%
<b>Total</b>	<b>1,089</b>	<b>100%</b>

Base: Q25a. If you are responding as an individual, how would you describe yourself? Respondents who described themselves as individuals (1,089). Other (42) includes a range of roles including child protection chairs, agency managers, and unspecified social worker roles.

Of the 141 responses from organisations, three-quarters (74%) described their organisation as a local authority / children's services trust and one in ten (9%) as a recruitment agency (Table 2.3). Very small proportions described their organisation as a managed service provider (2%), a recruitment agency representative body (1%), a social worker representative body (1%) a charity (1%), and a trade union (1%).

Table 2.3: If you are responding on behalf of an organisation, what type of organisation is this?

Organisation type	Number of respondents	Percent
Local authority / children's services trust	104	74%
Recruitment agency	13	9%
Managed service provider	3	2%
Recruitment agency representative body	2	1%
Social worker representative body	2	1%
Charity	2	1%
Trade union	2	1%
Central purchasing organisation/public buying organisation	2	1%
Other	7	5%
Don't know	4	3%
<b>Total</b>	<b>141</b>	<b>100%</b>

Base: Q26a. If you are responding on behalf of an organisation, what type of organisation is this?  
 Respondents who answered on behalf of an organisation (141).

## Email consultation responses

Thirteen consultation responses were submitted via email. The majority of these were from organisations, including:

- Four responses on behalf of a local authority
- One representative bodies (e.g., local government sector organisations)
- Three agency sector organisations (e.g., recruitment agencies)

The remaining five responses came from individuals who also provided their comments via email.

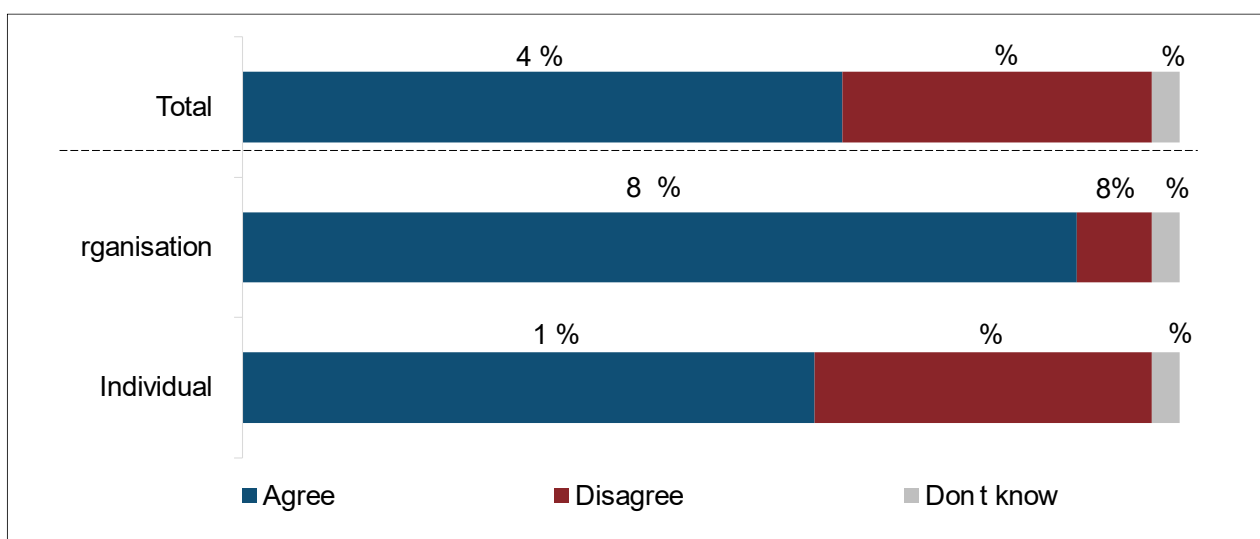
None of these responses provided answers to all the questions in the consultation, with many focussing on specific questions or topics. Information provided was all qualitative, meaning the base size for the quantitative analysis excludes these responses (i.e., it is 1,230). The key messages for these responses are summarised alongside online consultation responses in each chapter.

### 3. Proposed national rules

#### Overall views on proposed national rules

Nearly two-thirds (64%) of respondents agreed with the general principle of the national rules as set out in Figure 3.1 below. Whilst a third (33%) disagreed and 3% did not know. Responses from organisations were more likely to agree with the national rules in principle than individuals (89%\*<sup>10</sup> compared to 61%).

Figure 3.1 Whether organisations or individuals agree with the national rules in principle

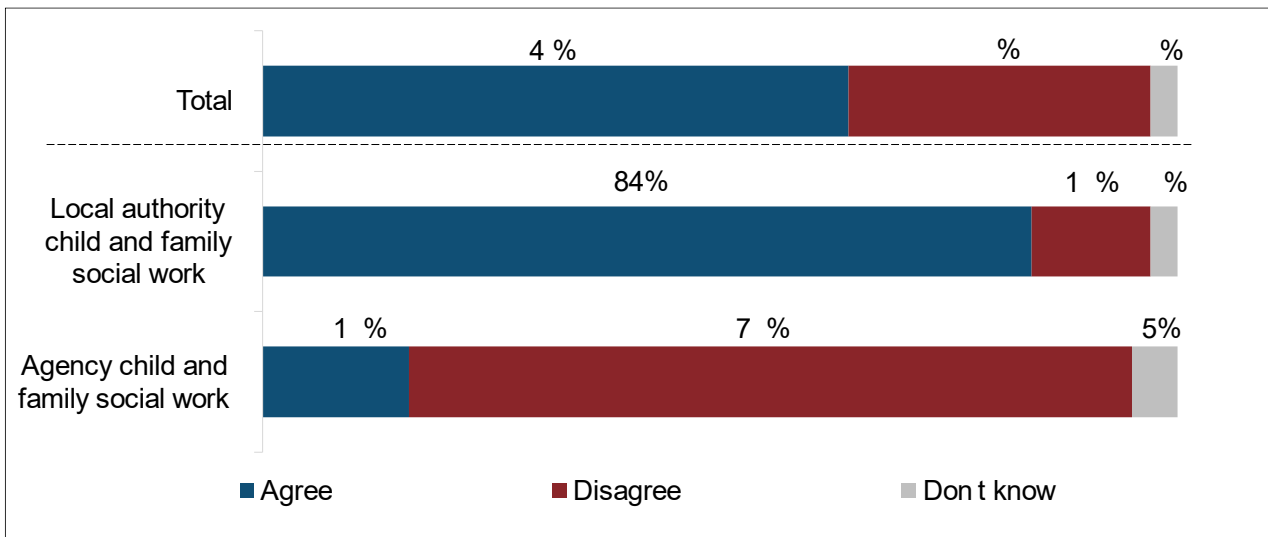


Base: Q1. Do you agree in principle that the introduction of a set of national rules on the engagement of agency social work resource will support these aims? All respondents (1,230): Organisations (141), Individuals (1,089). \* Denotes a statistically significant difference between groups.

The majority of substantive local authority employed child and family social workers (84%\*) agreed with the proposed national rules in principle, while only 16% of agency child and family social workers agreed with the changes (Figure 3.2).

<sup>10</sup> \* Denotes a statistically significant difference between groups.

**Figure 3. 2 Whether different types of child and family social workers agree with the national rules in principle**



Base: Q1. 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? All respondents (1,230): Substantive local authority employed child and family social workers (453), Agency child and family social workers (309). \* Denotes a significant difference between groups.

Social worker representative bodies and local authorities generally supported the proposals and believed they would reduce the reliance on agency social workers. Agency sector organisations were more hesitant to agree and noted that the proposals do not address, and may exacerbate, the issues relating to recruitment and retention challenges.

Our biggest concern is that the current proposals are likely to worsen the social worker shortages even further. In the midst of severe shortages, any measures to make the profession less attractive will have a huge, negative impact. And the current proposals are taking away many benefits of being a locum and for many workers, that is the only type of employment arrangement to stay working.  
*(Organisation, Recruitment and Employment Confederation (REC))*

Those who agreed with the proposals thought that they would:

- Lead to **greater competency in the workforce**, in that the new rules would raise the quality of practice amongst agency workers, which was felt to be currently substantially lower than amongst the substantive workforce.

I am not opposed to the use of agency staff; however, the main issue is in the quality of practice from agency social workers. They get a higher rate of pay whilst often providing a poorer level of practice. Anything that will ensure that agency staff are the best of the best who can 'hit the ground running' and have the resiliency [sic] to come into a new place and quickly adapt will be very welcome.  
*(Local authority employed child and family social worker)*

- **Make social work ‘fairer’** in the longer-term by improving pay for substantive social workers and bringing it in line with agency workers.

These are sensible proposals which will make an enormous difference to the qualified social worker jobs market, but they must be rigidly enforced to ensure success. [...] Permanent social workers are often working for less money, with greater responsibility and higher caseloads. This is unjust and not conducive to values-led, relationship-based social work that we know makes the most positive difference to families’ lives. *(Local authority employee (non-social worker))*

- Create **greater consistency** for children and families by reducing the movement of agency social workers and improving the retention of substantive social workers.

I would entirely advocate for these changes and believe that they will enhance the quality of intervention for children and their families. *(Local authority employed child and family social worker)*

Those who disagreed with the proposals felt that:

- The proposals would **exacerbate the current workforce recruitment and retention crisis** by reducing the number of agency social workers. Agency workers in particular suggested that they would consider leaving the workforce if the proposals were introduced.

Children’s services are extremely short of social workers. By bringing in restrictions on agency staff you face depleting the service further. A lot of social workers will leave the profession for jobs that pay the same but are less stressful. This is not the time to bring in the changes when local authorities are struggling greatly. *(Agency employed child and family social worker)*

- The reason why agency workers are paid more is because they **do not have the same benefits as permanent workers** (including paid leave and sick pay) and have more demanding workloads. Therefore, these proposals were felt to discriminate against agency social workers.

Agency workers also don’t have the benefits of pay for leave, sickness, and bereavement etc. They take bigger risks, do harder work, and therefore are entitled to the pay they receive. The focus needs to move away from blaming agency workers and instead focus on building better working environments, manageable caseloads, good management support and opportunity for growth and development. *(Agency employed child and family social worker)*



- **Greater focus should be placed on improving conditions** for all social workers rather than worsening the conditions for agency social workers.

I feel individual agency workers are being scapegoated for systemic issues in which we play no part. We work in busy teams under difficult conditions created by inadequate permanent staffing, and support local authorities to meet their statutory duties. I don't think it is fair that the focus of this review has been on agency workers and pay rather than the bigger systemic issues at play. If this continues, we are likely to lose even more of our already dwindling workforce which will only make the situation worse.  
*(Agency employed child and family social worker)*

- The proposals represented **too much interference in local authority** practice by central Government and avoid the 'real' issues such as local authority social worker pay.

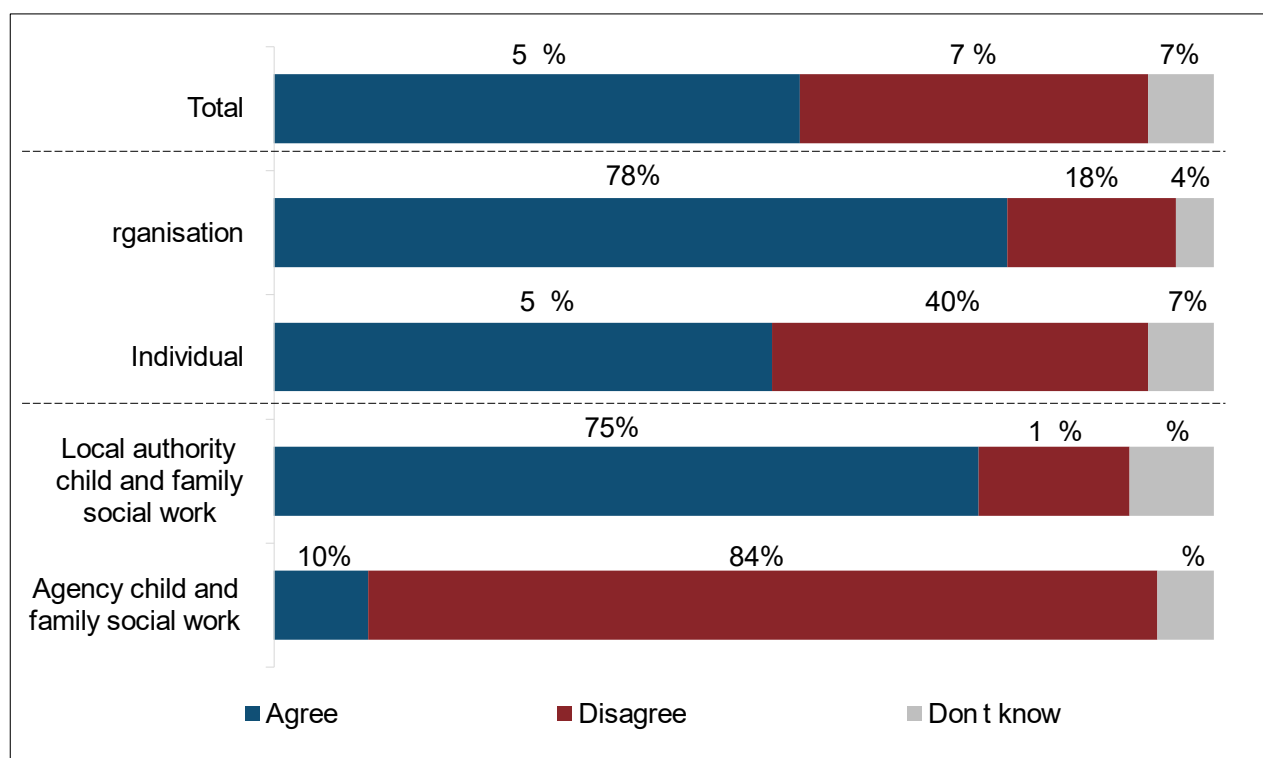
In my view this [the proposed new rules] is just a smokescreen to avoid the real issue. What is being proposed seems fundamentally unfair – it is suggested in the proposals is [sic] that agency worker rates are falsely inflated – in any other situation it would just be called market forces – why shouldn't we be paid an adequate wage for a job other people don't want to do?  
*(Agency employed child and family social worker)*

## Timing of implementing national rules

The consultation suggests setting out the proposed national rules alongside the government response to the consultation in September 2023. Furthermore, it is suggested that from spring 2024 local authorities and all procurement routes used by local authorities to engage agency social workers should comply to the national rules. Respondents were asked about the most effective approaches to ensure procurement routes adhere to the national rules.

Just over half of respondents (56%) agreed that the rules should be set out (i.e., published) by September 2023, whilst just over a third (37%) disagreed (Figure 3. 3). Organisations were more likely to agree with this proposed timing (78%\* compared to 53% for individual responses).

**Figure 3. 3 Whether organisations or individuals agree with setting out the national rules in September 2023**



Base: Q2. Do you agree that we should set out the national rules in September 2023? All respondents (1,230): Organisations (141), Individuals (1,089), Local authority child and family social workers (453), Agency child and family social workers (309). \* Denotes a significant difference between groups.

There were some substantial differences in level of agreement with the timing of implementation amongst key sub-groups:

- Three-quarters (75%\*) of substantive local authority employed child and family social workers agreed with the timing of the proposed changes, while only one in ten (10%) agency child and family social workers agreed with the timing of the changes.
- Respondents who agreed with the national rules in principle were significantly more likely to agree with them being set out in September 2023 (83%\* of those who agreed with the rules in principle agreed with the proposed timing, with 10%\* disagreeing). Meanwhile, the vast majority (92%\*) of those who disagreed with the rules in principle, also disagreed with the proposed timing.

Those who agreed with setting out the proposed rules by September 2023 felt that it was important to do so soon to provide support quickly to help with the ongoing workforce crisis. Respondents also felt setting out by September 2023 sent the message that the Government was prioritising the challenge of social worker retention.

A small number of comments related to a need to setting out the national rules sooner. The reasons for this varied, but a common theme was due to the urgency of the workforce crisis and the need to act quickly.

The current situation in regards to the children's social care workforce is not sustainable, and we need a solution as a matter of urgency. I have been a social worker for over 19 years and have never seen the challenges with the recruitment and retention of social workers like we are experiencing currently. I agree that a national approach is needed now in order for the statutory duties to continue to be met. *(Local authority employed child and family social worker)*

Those who disagreed with the proposed timing typically raised concerns about whether or not it was practical and feasible to implement such substantial changes in such a short period of time. Responses requested more time be allowed to support local authorities to make the transition. There were also concerns that setting out the proposed changes too quickly could worsen the current staff shortage and exacerbate the workforce crisis.

This will only affect families we work with as there is already a national shortage of social workers, implementing these rules will worsen the staff shortage. *(Agency employed child and family social worker)*

To implement [the reforms] so soon would create mayhem – there are insufficient social workers hence the use of agency staff. You need a longer lead in time to allow time for in house training and promotion of social workers to meet demand. *(Local authority employee (non-social worker))*

## **National level measures to support local authorities to comply with national rules**

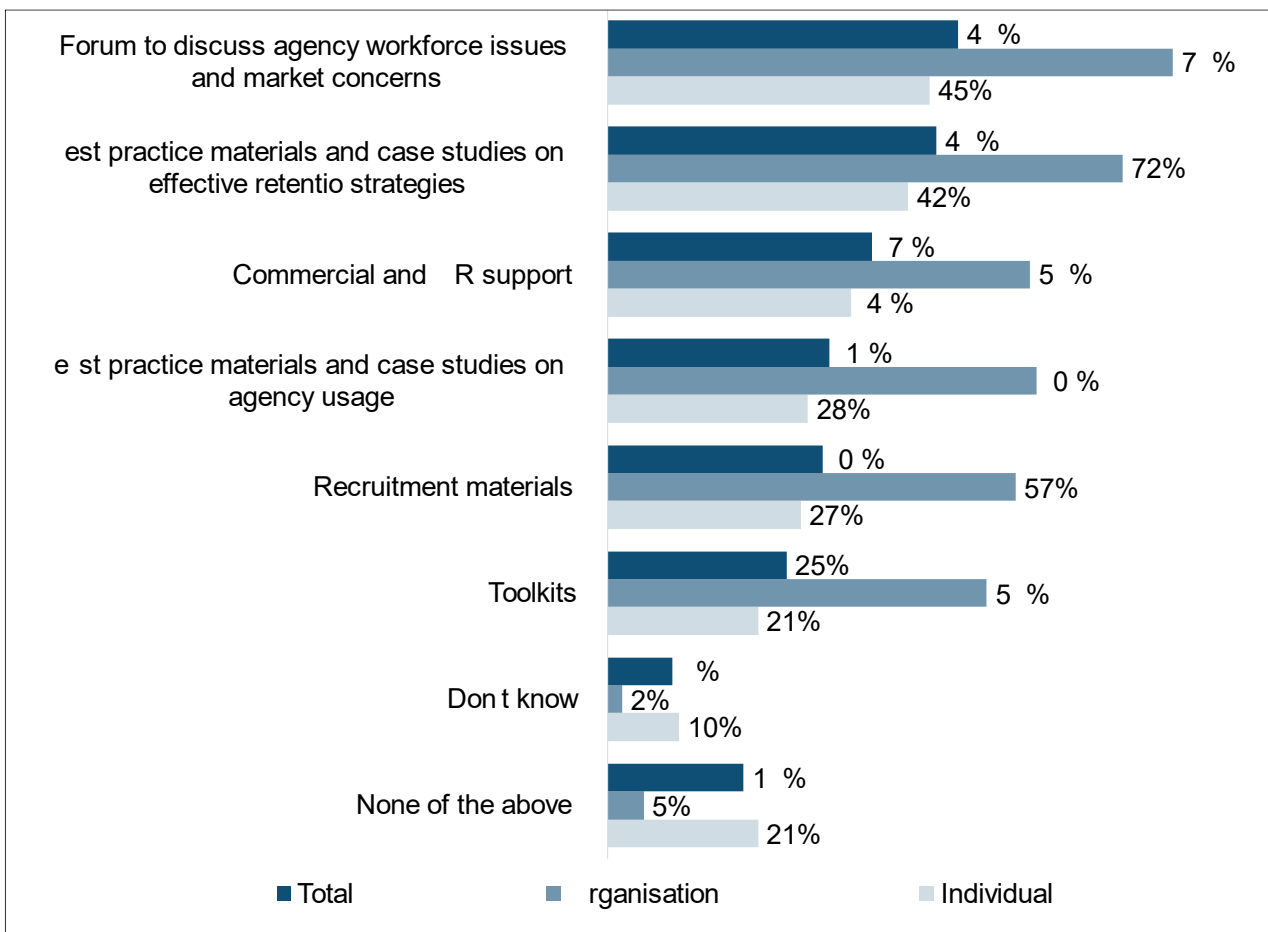
Respondents felt the best measures to support local authorities to comply with the national rules and reduce overreliance on agency social work resource and spend would be:

- A forum to discuss agency workforce issues and market concerns (49%)
- Best practice materials and case studies on effective retention strategies (46%)
- Commercial and HR support (37%)
- Best practice materials and case studies on agency usage (31%)
- Recruitment materials (30%)
- Toolkits (25%)

Nearly a fifth (19%) of respondents said that none of the above options would be effective and 9% did not know.

Organisations were more likely to suggest that the above measures would help, whilst individuals were more likely to report that none of the listed options would support local authority compliance and reduce overreliance on agency social work resource (21%\* compared to 5% for organisations) (Figure 3.4).

**Figure 3. 4 Whether organisations or individuals agree that the measures would support local authorities to comply with the national rules and reduce overreliance on agency social work**

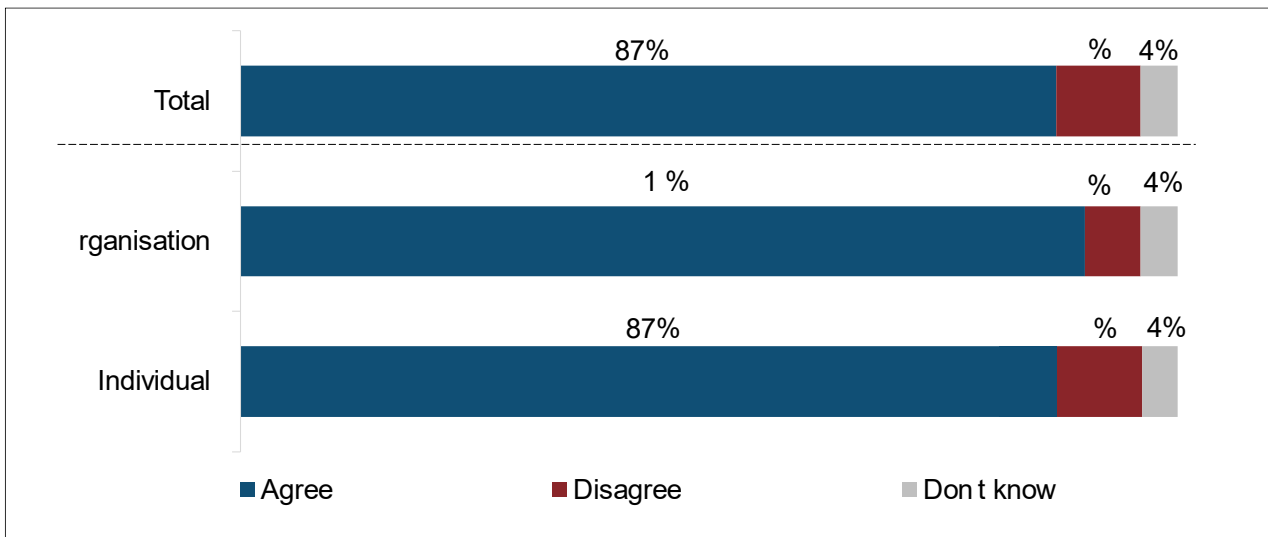


Base: Q4. Which of the following measures at a national level would support local authorities to comply with the national rules and reduce overreliance on agency social work resource and spend? All respondents (1,230): Organisations (141), Individuals (1,089). \* Denotes a significant difference between groups.

## References for all candidates

The majority (87%) of respondents agreed that local authorities should be required to provide references for all candidates, whilst only 9% disagreed. There were no significant differences between the views of organisations and individuals (Figure 3. 5 below).

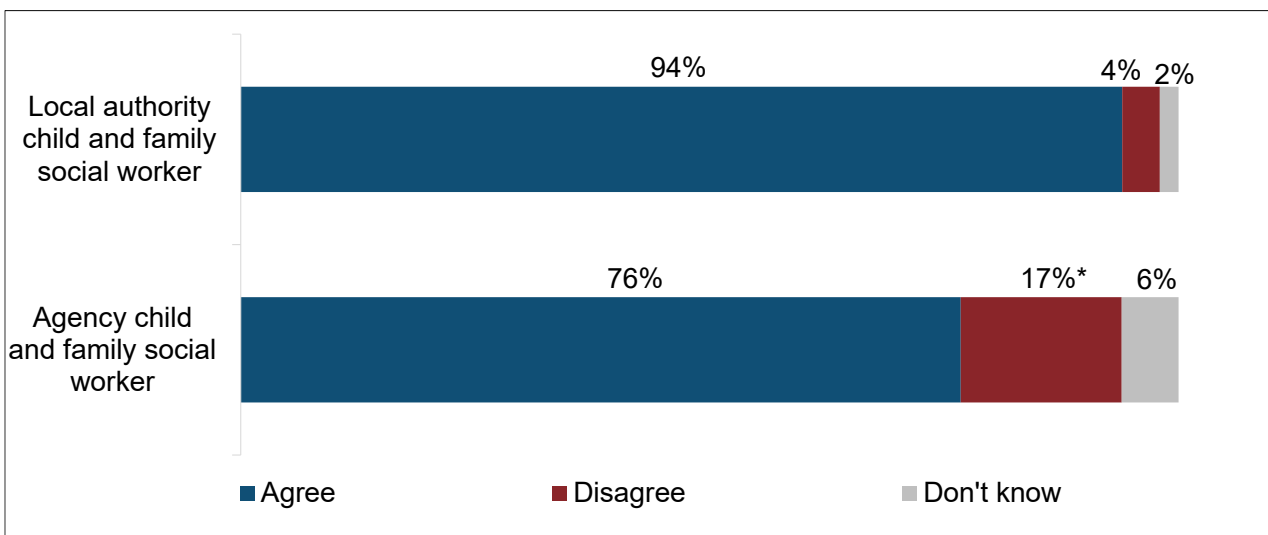
**Figure 3. 5 Whether organisations or individuals agree that local authorities should be required to provide references for all candidates**



Base: Q5. Do you agree with the proposal that local authorities must require and provide references for all candidates, including a fully comprehensive reference that relates to 14 the standard of practice of any agency worker for assignments that are three months or longer, using a standard template? All respondents (1230): Organisations (141), Individuals (1,089). \* Denotes a significant difference between groups.

Substantive local authority employed child and family social workers were more likely to agree that local authorities should be required to provide references for all candidates compared to agency child and family social workers (94%\* compared to 76%).

**Figure 3. 6 Whether local authority child and family social workers or agency child and family social workers agree that local authorities should be required to provide references for all candidates**



Base: Q5. Do you agree with the proposal that local authorities must require and provide references for all candidates, including a fully comprehensive reference that relates to 14 the standard of practice of any agency worker for assignments that are three months or longer, using a standard template? All respondents (1230): Local authority child and family social workers (453), Agency child and family social workers (309). \* Denotes a significant difference between groups.

Those who agreed with this proposal felt that it would lead to greater accountability and provide transparency on a social worker's skills and experience. It was felt this would raise standards and improve outcomes for children and families.

This will ensure the agency workers [sic] practice is quality assured and prevent those with bed [sic] practice just moving from one position to another without checks to ensure they are complying with best practice and keeping children and families safe. *(Local authority employed child and family social worker)*

Recruitment agencies agreed with the proposal and frequently outlined the importance of requiring references for quality assurance. They also mentioned that although the requirement for references has been written into some regional Memoranda of Understanding (MoUs), these are not always adhered to and inconsistent.

Although this has been written in to the regional Memorandums and has been rarely enforced so far. This would directly improve our knowledge of the quality of Social Work [sic] candidates which can be passed on to future employers which would improve the quality of Social Work [sic] for the children. *(Organisation, recruitment agency)*

It is imperative that Social Workers [sic] receive a competency-based reference to ensure that vulnerable children and families are safeguarded. This is currently agreed in the regional MoU's [sic] across the country, however seldom adhered to. This can allow poor Social Workers [sic] with practice issues to go undetected and carry on working with vulnerable people, without getting the further training/development they really need. *(Organisation, recruitment agency)*

Those who disagreed most commonly said they thought references should be provided regardless of length of employment. Agency workers in particular felt that there should be no difference in reference requirements between agency and permanent staff.

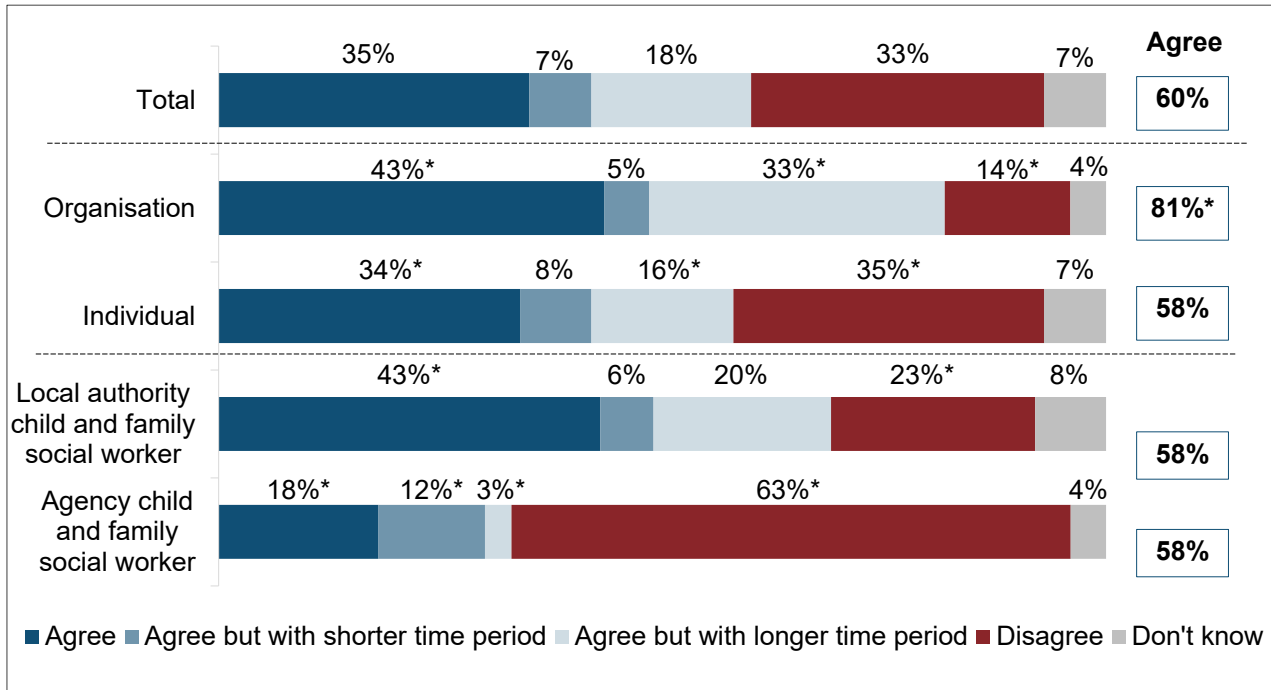
There should be no difference for reference requirements for agency or permanent staff – all employed staff (permanent or agency) should be treated equally. All staff in any position should have satisfactory references which demonstrate they have the skills and personal abilities to do the job. *(Agency employed, 'other' staff member)*

## Cooling-off period

Three-fifths (60%) of respondents agreed with the proposal that local authorities must not engage agency workers for a period of time after they had left a substantive role (Figure 3.6). Within this, 7% agreed but with a shorter period of time and 18% agreed but with a longer time period.

A third (33%) disagreed. Disagreement was higher amongst individuals (35%\* compared to 14% from organisations) and especially agency social workers (63%\*) than organisations (14%).

**Figure 3. 7 Whether organisations or individuals agree that local authorities must not engage agency workers for a period of three months after leaving a substantive role**



Base: Q6. Do you agree with the proposal that local authorities must not engage agency workers for a period of three months after they have left a substantive role within the same region? All respondents (1230). Organisations (141), Individuals (1,089), Substantive local authority employed child and family social workers (453), Agency child and family social workers (309). \* Denotes a significant difference between groups.

Of those who thought there should be a longer time period, most said it should be of 3-6 months or 9-12 months. Organisations were more likely to agree with the need for a longer time period (33%\* compared to 16% from individuals). Local authorities and social worker representative bodies in particular felt that the cool-off period should be longer.

We feel strongly that there should be a 'cool off' period but that this should be at least 6 months, if not 12 months. This should also apply to any agency team recruitment. When workers return quickly after leaving a [local authority] this significantly affects retention of staff, with agency workers coming back to the same role but for significant [sic] more money. It can cause tension in teams, as well as ripple affect [sic] in workers deciding to leave permanent work and turn to agency contracts. We would also welcome consideration to 'cool off periods' for [local authorities] who are neighbouring. This is particularly important for us as a [local authority] due to the number of areas bordering ours. *(Organisation, local authority / children's services trust)*

We think that this would be a positive development but would wish to see the period of time extended to at least six months, and preferably longer (12 months is the standard in our region). *(Organisation, local authority / children's services trust)*

Only a very small number of respondents suggested a shorter time period, with 1-2 months being the most common suggestion. Local authorities were typically positive about having a cool-off period.

We agree, this is essential in delivering the objective of the proposal to stop the churn & encourage more Social Workers [sic] to take up permanent positions. *(Organisation, local authority / children's services trust)*

We think 6 months is reasonable and reflects practice in some regions already. An alternative would be a minimum of 3 months, with an allowance for local regions to set the bar at 6 months. *(Organisation, local authority / children's services trust)*

However, there were concerns about how this rule would be enforced to stop 'border hopping' (where workers move to a neighbouring region).

Agency workers will easily be able get around this in London and the Southeast due to the high number of local authorities geographically close by but in different regions. *(Organisation, local authority / children's services trust)*

Those who disagreed with this proposal felt it represented too much interference in local authority practice by central Government, and that local authorities should be able to make their own decisions.

I don't think the government should be dictating to people where they can work and who for - this wouldn't be acceptable in any other workforce. *(Agency employed child and family social worker)*

Respondents also felt that it may worsen the shortage of social workers and exacerbate the workforce crisis.

I totally disagree with this and don't understand the rationale behind it. My understanding is that since the pandemic, people are leaving the profession in thousands per year. People are leaving faster than those that are coming in the other end. Preventing people from moving on will not resolve this problem but make people make the decision to leave the profession come to their decision faster. *(Agency employed child and family social worker)*

Agency sector organisations had limited support for this proposal and argued that it should not be introduced nationally but should be written into contracts so the worker can decide whether they agree prior to taking the role.

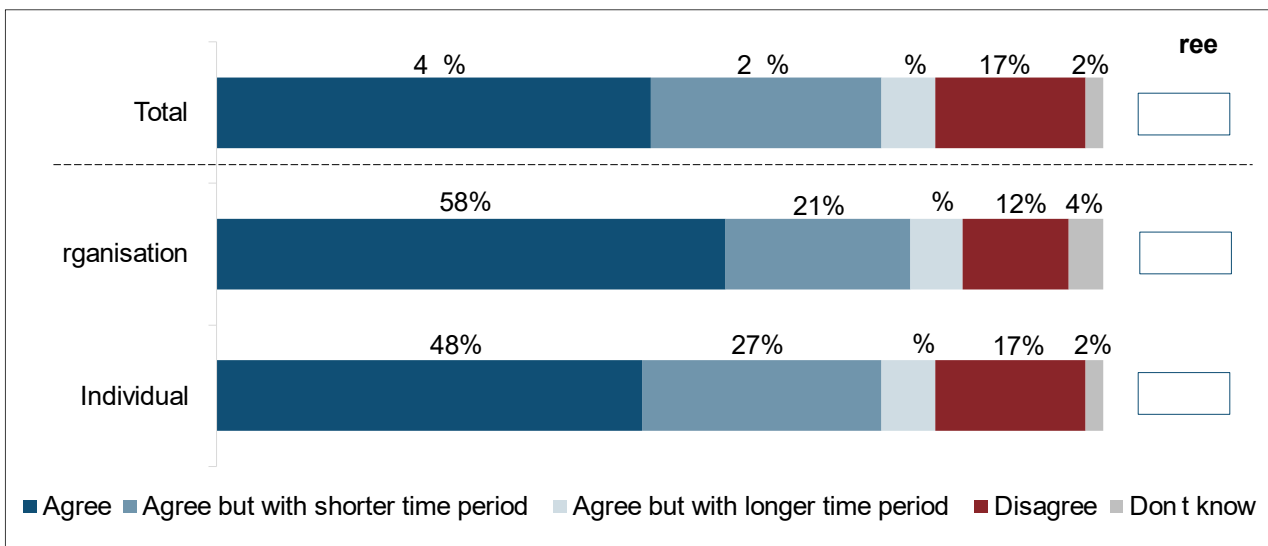


This will be very damaging to agency social workers committed to public service. We know that flexibility is the biggest reason for people choosing to work via an agency, particular [sic] in health and social care. We need to do more to recruit and retain as many staff as possible - but all of these measures will make it less attractive to work as an agency social worker at a time when labour and skills shortages are already so high. *(Organisation, recruitment agency)*

## Minimum six-week notice period

The majority of respondents (81%) felt there should be some sort of notice period, with around a quarter (26%) saying it should be a shorter notice period of time and under one in ten (6%) wanting a longer notice period (Figure 3. 8). Agreement with the six-week notice period was higher amongst organisation responses (58%\* compared to 48% of individual responses).

**Figure 3. 8 Whether organisations or individuals agree that local authorities must make provision for a six-week notice period for agency social workers**

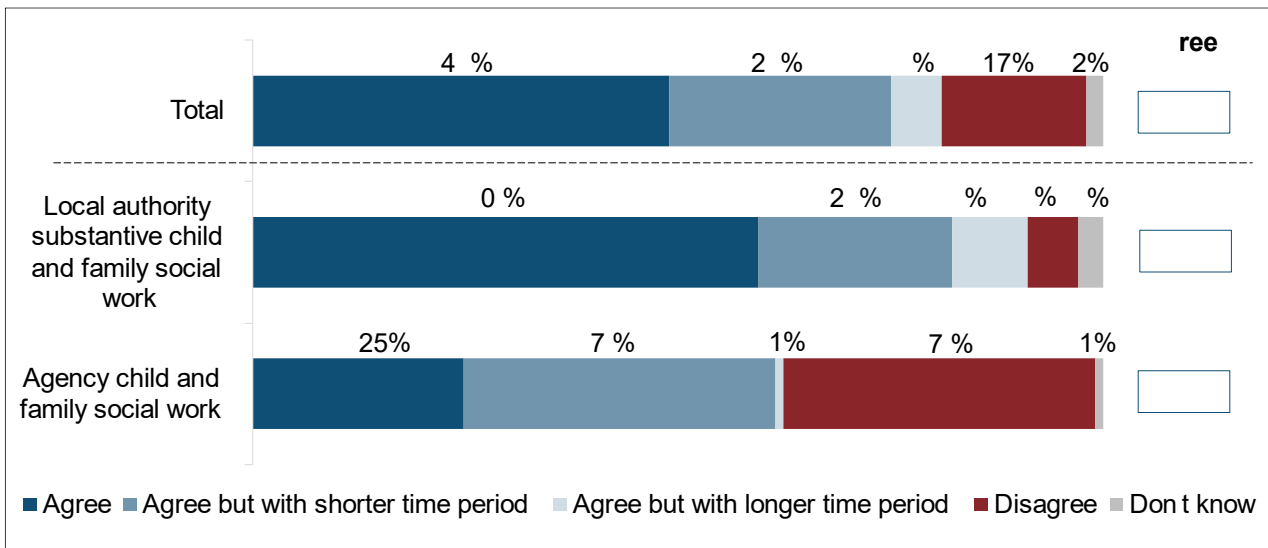


Base: Q7. Do you agree with the proposal that local authorities must make provision for a minimum six-week notice period for agency social workers via a reciprocal arrangement between agency workers and local authorities? All respondents (1,230). All respondents (1,230): Organisations (141), Individuals (1,089). \* Denotes a significant difference between groups.

As shown in

Figure 3. 9 below, substantive local authority employed child and family social workers were more likely to agree with this proposal (60%\* in comparison to 25% for agency child and family social workers). While agency child and family social workers were more likely to disagree (37%\* in comparison to 6%). Agency child and family social workers were more likely to agree but with a shorter time period (37%\* in comparison to 23%).

**Figure 3. 9 Whether different types of child and family social workers agree that local authorities must make provision for a six-week notice period for agency social workers**



Base: Q7. Do you agree with the proposal that local authorities must make provision for a minimum six-week notice period for agency social workers via a reciprocal arrangement between agency workers and local authorities? All respondents (1230). All respondents (1,230): Substantive local authority employed child and family social workers (453), Agency child and family social workers (309). \* Denotes a significant difference between groups.

Those who agreed with the proposal felt it was important to ensure adequate handover of work and to provide stability for staff and families. This was felt to be the case given that agency social workers currently leave at very short notice, which can have negative consequences for colleagues and the families they are working with.

Too often agency social workers seem to be able to leave with very little notice, leaving families and their colleagues confused as to what happened and with no plan in terms of how to pick up the work that they have left behind. *(Local authority employed child and family social worker)*

Local authorities in particular emphasised the potential benefits of this on improving quality of care for children and families.

This ensures that work is completed or handed over appropriately prior to the [agency] worker leaving which makes them accountable for the quality of the work and provides service users with appropriate endings and being informed that a worker is leaving. *(Local authority employed child and family social worker)*

Around a quarter (26%) of respondents agreed with the proposal but with a shorter time period, and most commonly felt it should be of four weeks. Reasons for this included that that agency workers are employed on a flexible and short-term basis, and three-months would limit that flexibility. It was also noted that four-week notice period is in line with other sectors.

I think for agency staff it must be recognised that it is not a long-term position and as such a longer notice would be impactful [sic] to the worker if seeking alternative employment or who may have changing circumstances, which in itself could have motivated them for [sic] agency working. In other sectors a month [sic] notice period is common, and I would suggest something in line with this around agency staff. *(Local authority employed child and family social worker)*

Responses also noted that notice periods should not be longer than those required of substantive staff.

Currently social workers give one week [sic] notice, some do give 2 weeks' notice. Minimum of 4 weeks [notice] - this is usually the timeframe of notice required by permanent social workers and it should not exceed the minimum that is requested by permanent staff. *(Local authority employed child and family social worker)*

Agency sector organisations (in the email responses) typically felt that a 2-4 weeks' notice period would be sufficient. They also emphasised that local authorities should also be required to give agency employees sufficient notice before ending their employment.

Our suggestion is to set the notice period to a minimum of 2 weeks in September 2023, with another gentle increase in spring 2024 to 4 weeks' notice. This allows time for both social workers and hiring managers to adjust and is more likely to be successful in execution. *(Organisation, recruitment agency)*

If this was also a requirement of the authority to give the same notice back to the worker, this would ensure it is adhered to more so. With 6-week notice period, I fear this will negatively impact the agency worker as the new role may not be willing to wait that long due to urgency of their requirement. *(Organisation, recruitment agency)*

Cafcass has recently introduced a notice period for agency workers of up to 4 weeks after 6 months of employment and a 2-week notice period from day one of employment up to 6 months. Our view is that this arrangement builds in sufficient consistency for families and the time required to enable an effective case transfer. This timescale also provides flexibility to terminate the assignments of agency social workers where there is poor performance. *(Organisation, Children and Family Court Advisory and Support Service (Cafcass))*

Those who disagreed with the proposal felt that flexibility is a driving factor for agency work and that this rule limits the ability to agency workers to have flexibility.

The reason for becoming an agency worker is greater freedom. Why become an agency worker if you have to provide the same amount of notice as substantive social workers? *(Agency employed child and family social worker)*

The main suggested exemption to this proposal was in cases of dismissal due to a poor standard of work or disciplinary issues.

## 4. Procurement of social workers

The proposal suggests that by spring 2024 all procurement routes used by local authorities to engage agency social workers should comply with the national rules. There are plans to work with local authorities, recruitment agencies, central purchasing bodies and other to embed compliance across the procurement routes, and to ensure that all arrangements use agreed social worker categories. Compliance measures would include:

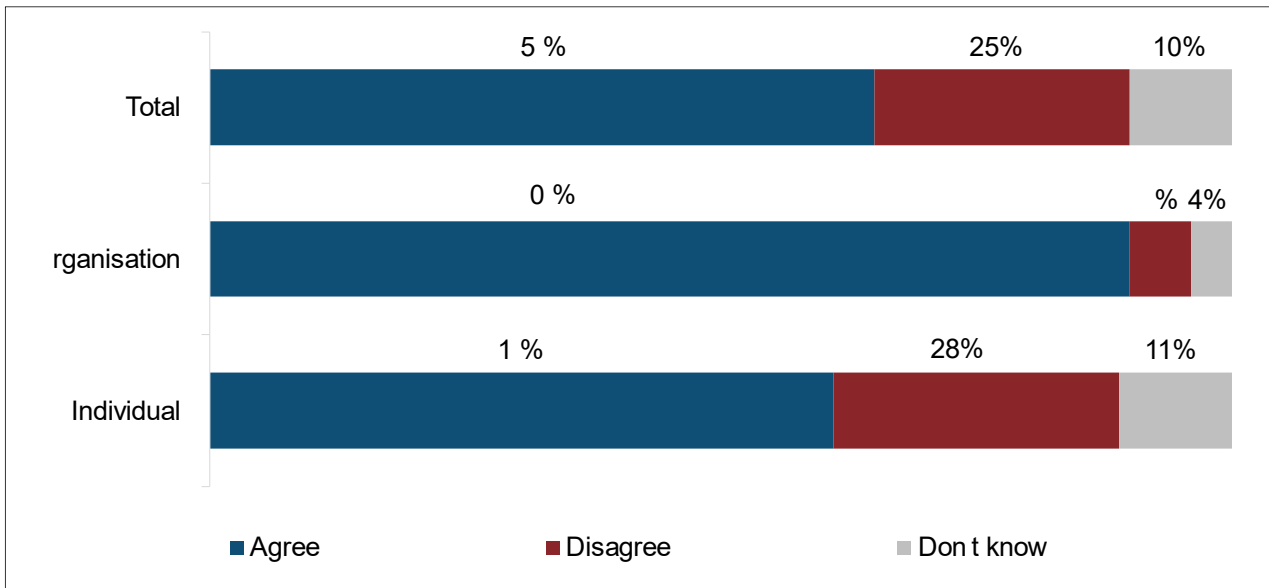
- Those who circumvent the national rules would be restricted by local authorities from accessing new vacancies and excluded from local authorities preferred supplier lists.
- DfE to work with central purchasing bodies and others to support embedding compliance within the framework agreements.

### Overall views on proposed changes to procurement

Just under two-thirds (65%) of all respondents agreed that all procurement routes used by local authorities to engage agency social work resource should adhere to the proposed rules, whilst a quarter disagreed (25%) (Figure 4.1).

Responses from organisations were much more likely to agree than individuals (90%\* compared to 61%). Individuals were also more likely than organisations to respond, 'don't know' (11%\* compared to 4%).

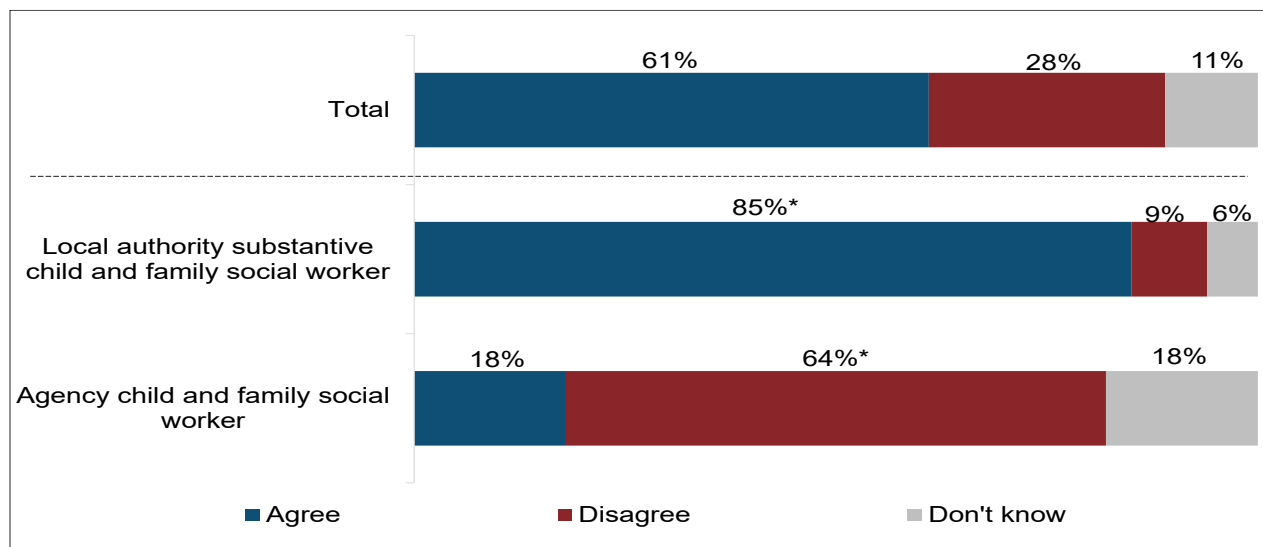
**Figure 4. 1 Whether organisations or individuals agree that all procurement routes used by local authorities to engage agency social work resources should adhere to proposed rules**



Base: Q8. Do you agree that all procurement routes used by local authorities to engage agency social work resources should adhere to proposed rules? All respondents (1,230): Organisation (141), Individuals (1,089). \* Denotes a significant difference between groups.

The majority of substantive local authority employed child and family social workers (85%\*) agreed with the proposed procurement changes, whilst less than a fifth of agency child and family social workers did (18%) (Figure 4.2). Local authority employees who were not social workers were also much more likely to agree (91%\*) with the proposed procurement changes.

**Figure 4. 2 Breakdown of type of individuals and whether they agree or disagree that all procurement routes used by local authorities to engage social workers should adhere to the proposed rules**



Base: Q8. Do you agree that all procurement routes used by local authorities to engage agency social work resources should adhere to proposed rules? All respondents (1,230), Substantive child and family social worker (453), Agency child and family social worker (309). \* Denotes a significant difference between groups.

## Anticipated opportunities on proposed changes to procurement

When reading this section, it should be noted that there was some confusion from respondents about the questions asked, with many responding about the general introduction of national rules on local authority usage of agency resource, rather than specifically about the rule that local authorities should ensure agency procurement routes comply with wider national rules.

Within the responses, the most common opportunities highlighted were that it would create greater consistency across local authorities by aligning and simplifying procurement routes and practices that are currently used.

Those responding on behalf of local authorities noted the importance of using commercial frameworks approved by DfE to recruit agency social workers and the benefits this could have on consistency and regulation.

Both individual and organisational responses in agreement were also positive that the changes would help eliminate some current practices that negatively impact the market. Examples were raised around reducing bidding wars, poaching, and agencies taking advantage of local authorities.

[A] unified approach nationally can only help with recruitment and retention and avoid the issues we face at present with locum social workers being able to

bargain and go elsewhere because other local authorities pay more etc. (*Local authority employed child and family social worker*)

It was also hoped that the changes would reduce social workers' movement between local authorities and lower use of agency staff, which ultimately would result in lower costs for local authorities, as well as creating better relationships between agency and substantive social workers. Respondents also highlighted that this would hopefully lead to better outcomes for children and families.

It will improve the standard/quality of agency social workers, improving the 'safe recruitment' of agency staff, reducing the opportunities for people to 'slip through the net' and strength our hand with contract management and tackling issues with the provider. It will hopefully encourage agency workers to return to permanent posts, improving retention and strengthening recruitment. It could also help to restore some of the power balance between the local authority and Agency [sic], where there is currently a power-imbalance between the agency and local authority in the agencies favour. (*Local authority employed child and family social worker*)

## **Anticipated challenges on proposed changes to procurement**

Respondents who disagreed with the proposals raised challenges around negative impacts on local authorities' ability to develop their own procurement process, which may be more in line with their local context. Comments were also made about this unnecessarily increasing the level of Government control and interference in local authority procurement practices.

I do have some concerns over the level of government controls in the recruitment process. It really depends on what this looks like in practice. (*Student social worker*)

We do not need any further bureaucracy or bottleneck [sic] attempt to fix the recruitment problem we have in children [sic] social work. Putting a nation [sic] rule in place will impact on an already difficult market where dispute [sic] the monetary incentive being offered by agency working, we still don't have enough social workers to work in this area of social work. (*Local authority employed child and family social worker*)

Other challenges respondents raised typically reiterated points they had made earlier in their consultation responses about the implementation of national rules, rather than focusing specifically on ensuring compliance with procurement routes. For instance, the challenge around retention and recruitment of social workers was frequently raised. Respondents noted that it may result in social workers leaving the profession, as additional bureaucracy and rules could make them frustrated. Respondents also highlighted that those who turn to agency social work because of their personal

circumstances (for instance, when they have caring responsibilities or are nearing retirement) would leave social work as a profession overall, further diminishing the workforce.

This will reduce the workforce and again increase workload to others. I don't agree with all the proposed rules, so no, you will end up losing valuable and experienced social workers as we have just had enough. *(Agency employed child and family social worker)*

It was also noted that social workers leaving the profession would create issues for local authorities trying to fill vacancies, and the potential impact on this of the service provided to children and families.

If you put too many hurdles in the way you will have vacancies for longer periods of time whilst hoops are jumped through to employ someone. This would mean families would be without services for longer periods of time and so will continue to be neglected. This plan does not address or resolve the significant national shortage of social workers which is the real issue. *(Agency employed child and family social worker)*

There is the risk that local authorities may not be able to recruit permanent [sic] social workers due to the current work conditions and demands of the role. If they cannot use agency workers or comply with the procurement routes - there will be further pressures on the current workforce and serious risks to the children most at risk. *(Local authority employed child and family social worker)*

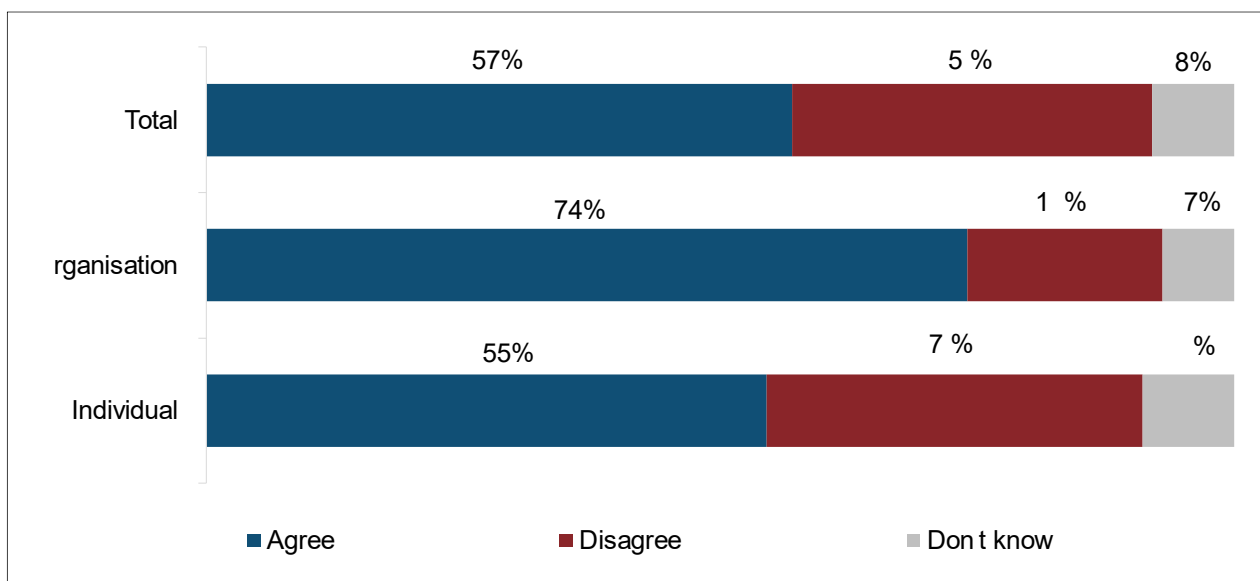
## **Timing of implementing proposed changes to procurement**

Respondents were also asked whether all procurement routes used by local authorities should comply with the rules by spring 2024. Over half (57%) agreed with this, whilst 35% disagreed (Figure 4. 3).

Responses from organisations were more likely to agree with this than individual responses (74%\* compared to 55% of individuals). Those who felt positively about the introduction of the rules overall were more likely to think that the rules should be implemented by September 2023 (92%\* compared to 7% of those who were against the proposed changes).



**Figure 4. 3 Whether organisations or individuals agree that local authorities should comply with the national rules from spring 2024**



Base: Q3. Do you agree that local authorities, and all procurement routes used by local authorities to engage agency social work resource, should comply with the national rules from spring 2024? All respondents (1,230): Organisations (141), Individuals (1,089). \* Denotes a significant difference between groups.

Responses from organisations were broadly positive of the reforms and requiring local authorities to comply by spring 2024, though agency aligned organisations typically raised more concerns about the proposed timing. Recruitment agencies raised concerns about possible time pressure issues that the spring 2024 deadline could cause for local authorities and social workers. There were concerns that implementing these rules during a period when recruiting social workers is already difficult would further exacerbate these challenges.

This time frame seems too short to implement at a time of a national shortage of social workers. *(Agency employed child and family social worker)*

This will only affect families we work with as there is already a national shortage of social workers, implementing these rules will worsen the staff shortage. *(Agency employed child and family social worker)*

## Most effective approaches to ensuring procurement route adherence

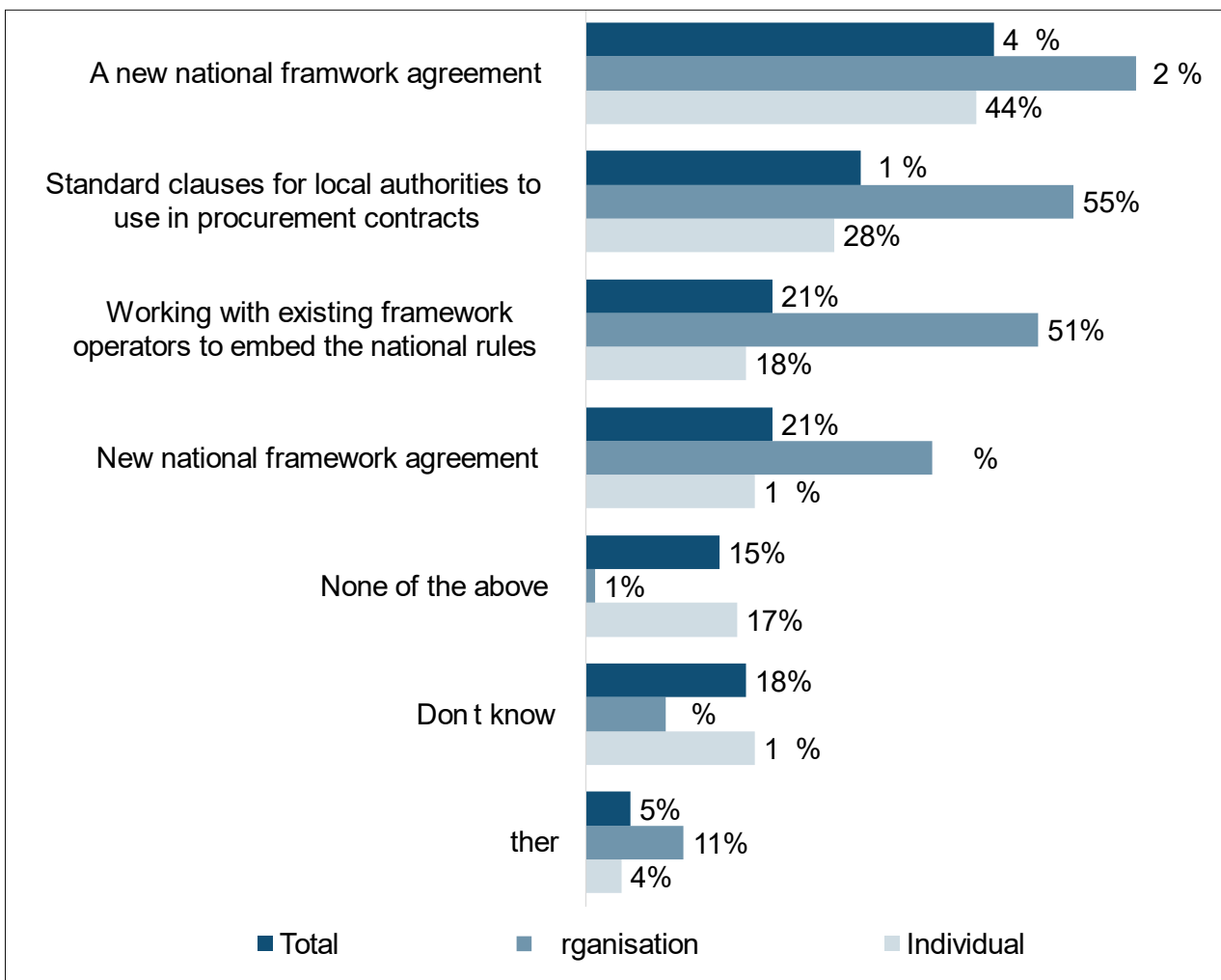
Respondents felt the most effective approaches to ensuring procurement route adherence was a new national framework (46%). There was less support for the other suggested approaches:

- Standard clauses for local authorities to use in procurement contracts (31%)
- Working with the existing framework operators to embed the national rules (21%)
- New regional framework agreements (21%)

Less than a fifth of respondents thought that none of the listed approaches would ensure procurement adherence (15%).

Generally, organisations responded more positively for the options, whilst individuals were more likely to report that none of the listed options would ensure procurement routes were adhered to (17%\* of individuals compared to 1% of organisations) (Figure 4.4). Individuals also reported higher levels of ‘don’t know’ (11%\* compared to 9%), which suggests more uncertainty.

**Figure 4. 4 Respondents’ thoughts on what the most effective approaches are to ensure procurement routes adhere to national rules**



Base: Q9. What is the most effective approach to ensure procurement routes adhere to national rules? All respondents (1,230): Organisation (141), Individuals (1,089). \* Denotes a significant difference between groups.

Local authority employed substantive child and family social workers were more likely than agency child and family social workers to agree that the proposed approaches would ensure adherence to the national rules. Nearly two-thirds of local authority employed social workers agreed that the most effective approach was a new national framework agreement, whilst the second most common response was standard clauses for local authorities to use in procurement contracts (61% and 38% respectively). One-in-ten agency child and family social workers felt that the proposals for a new national framework and standard clauses for local authorities in contracts would be effective to ensure procurement routes were adhered to (10% for both statements).

Responses from social worker representative bodies and local authorities were generally positive about the proposed changes to procurement rules and felt that the changes would ensure consistency in social worker recruitment. They suggested that embedding the rules in the existing framework would be the most practical method.

There was feeling among managed service providers and central purchasing organisations that an additional framework would not work as it would require amendments to current contracts and would complicate commercial arrangements with limited benefit:

As an MSP [managed service provider]... [redacted for privacy]..., we are keen that local authorities retain discretion and choice about their routes to market, but with national rules being enforced through all arrangements, whether they be managed service provider arrangements or local/regional or national frameworks. We are keen that the national rules do not undermine the arrangement we have with local government shareholders. (*Organisation, managed service provider*)

[Redacted for privacy] do not recommend the implementation of new national or regional framework agreements. The majority of LAs [local authorities] incorporate their spend on agency social workers into their overarching MSP [managed service provider] contract for temporary labour requirements. These contracts are well established and often in their third or fourth iterations. Removing agency social worker spend from these contracts has the potential to have large impacts upon LAs [local authorities] and MSPs [managed service providers] alike. [...] (*Organisation, public buying organisation*<sup>11</sup>)

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<sup>11</sup> In the consultation document, public buying organisations were referred to central purchasing bodies. Through further engagement with the sector, DfE has established that public buying organisation is more appropriate terminology.

Due to the broad variety of the ways Local Authorities establish their contingent supply, [redacted for privacy] do not believe restricting flexibility to national, or regional Framework Agreements would be appropriate. There are a range of supply models and individual requirements across Local Authorities and a 'one size fits all' approach is likely to conflict with established ways of working. Additionally, mandated Framework Agreements would limit innovation in the future, with Local Authorities having little say in how their services are delivered. Separate Framework Agreements would risk disaggregating demand, removing a high area of spend from the full demand portfolio, reducing buying power and exposing Local Authorities to potentially higher prices from suppliers and the supply chain, as well as limiting leverage. Additional costs may also be accrued by the need to duplicate procurement activity for separate Agency Social Care and General Agency requirements. (*Organisation, public buying organisation*)

## 5. Price caps

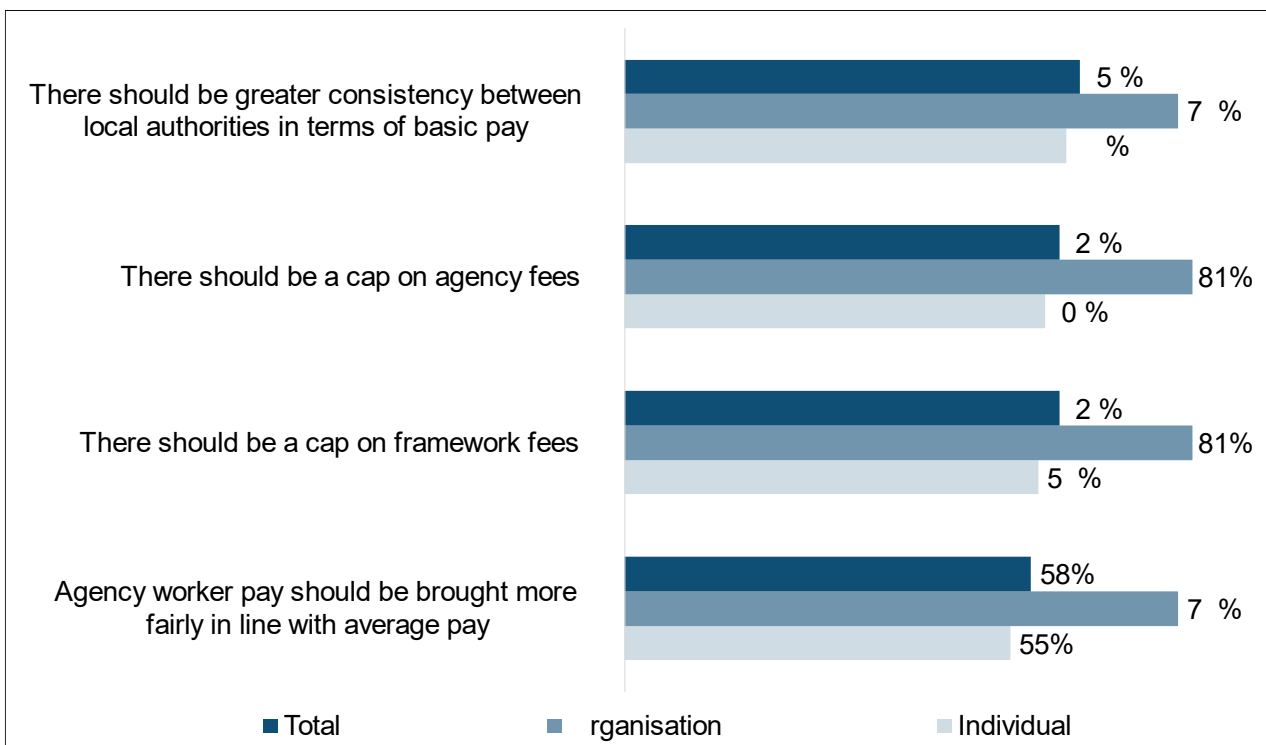
The proposal includes a cap on the rate that local authorities can pay for an agency social worker. This would aim to reduce costs and improve workforce stability. The objectives are to bring agency workers' pay more in line with substantive pay and create greater national consistency and fairness around pay for social workers.

### Overall views on proposed price caps

Around three-fifths of respondents agreed that (Figure 5.1):

- There should be **greater consistency between local authorities in terms of basic pay** to substantive employees for the same role profile type (65%)
- There should be a **cap on agency fees** (62%)
- There should be a **cap on framework fees** (62%)
- **Agency worker pay should be brought more fairly in line with average pay** (58%)

Figure 5. 1 Total, organisation and individuals' agreement with statements about pay and price caps



Base: Q11. 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? Q13a. Do you agree with the proposal to introduce caps on agency fees? Q13b. Do you agree with the proposal to introduce caps on framework fees? Q12. Do you agree that agency workers should be brought more fairly in line with average pay? All respondents (1230): Organisations (141), Individuals (1089). \* Denotes a significant difference between groups.

Agreement was higher amongst organisations compared to individuals in terms of more consistent pay between local authorities (79%\* compared to 63%). It was considerably higher amongst local authority employed substantive child and family social workers compared to agency child and family social workers (81%\* compared to 27%).

## Reasons for views on introduction of price caps

For those who agreed with introducing more consistency of pay between local authorities for substantive employees for the same role, the main reasons were that they felt the introduction of price caps would improve substantive social worker pay and would allow for standardisation across substantive and agency social workers.

This is vital. Currently agency workers enjoy both favourable rates of pay and caseloads / working hours. This is unjust to the substantive permanent workforce and drives further attrition of permanent social workers into agency roles. (*Local authority employed child and family social worker*)

Local authorities and local government sector organisations were broadly in support of the proposed price caps and thought it would improve consistency and fairness amongst social workers. These organisations also noted that it would be important to include the *full* package in terms of salary to avoid rules being circumvented and loopholes being exploited.

Those who disagreed with the introduction of price caps felt local authorities should be able to set their own rates and that individual employees should be able to negotiate their pay. Respondents also highlighted that agency staff have less security in other ways (sick pay, holidays, pensions etc.), therefore higher salaries compensate for that. Recruitment agencies were typically less supportive of the proposed price caps, though noted that there was some need for more price consistency.

Greater consistency between local authorities in terms of basic pay to substantive employees is of course desirable but is not necessarily possible in this market where some regions will be more desirable than others due to transport links, cost of living, accessibility to leisure facilities etc. When caps are in place, members see some local authorities labelling more junior staff as senior or specialist to facilitate higher pay. (*Organisation, Association of Professional Staffing Companies (APSCo)*)

Fundamentally agency worker pay rates are subject to macroeconomic supply and demand market forces. Further, agency workers although receiving [Agency Workers Regulations<sup>12</sup>] AWR rights do not have access to the same pension, sickness, and other benefits as substantive employees, do not have access to the same training and career development opportunities and importantly, do not have the right to claim wrongful or unfair dismissal. This could push committed frontline agency social workers to other organisations without pay restrictions.

*(Organisation, APSCo)*

## **Greater consistency of pay between local authorities for basic pay for substantive employees in same job role**

There were mixed views around introducing greater consistency for substantive employees in the same role across local authorities. In principle, respondents felt that this would create greater standardisation and simplify the management of the capped rate by creating an effective baseline. However, substantial challenges in creating greater consistency were also identified. These predominately related to existing regional and local variation in pay, which was felt to be needed for local authorities to be competitive in the wider market and against other local authorities/employers. Other responses noted the potential destabilising effect on existing local authorities pay grading structures.

Each Local Authority has their own pay and grading structure which are [sic] unique to them. While individual approaches to pay will be informed by the wider market, and a need to be competitive against other employers, they are still set by the Local Authority and against an established grading structure. Any substantial changes to social care pay could risk destabilising a Local Authorities [sic] existing grading structure. National, and regional variations also exist in pay which may create an additional barrier to standardisation. *(Organisation, public buying organisation)*

Each council is an employer in its own right and sets its own pay policy, which includes deciding salary levels for all roles within the council. Every council will be mindful of the need for its salaries to be competitive with those offered in neighbouring councils and for the need for its pay framework to comply with relevant equalities and employment legislation. Within the context of the nationally bargained local government workforce there is no mechanism by which the National Employers (who are responsible for reaching agreement with the unions each year on a figure by which local salaries are increased) could provide for greater consistency of pay levels for any particular group or groups of staff. Such matters are entirely for local determination. *(Organisation, Local Government Association)*

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<sup>12</sup> Agency Working Rights 2010: A statutory framework to overcome discrimination for agency workers, which was introduced in 2010.

Another potential issue highlighted by respondents is the fact that changes to bring about more consistency would require changes to contracts and terms and conditions, which would require involvement with trade unions.

Bringing consistency in pay may result in changing the terms and conditions for substantive employees and local authorities' terms and conditions require negotiations with trade unions. Also, if [local authorities] were to implement the change based on the start date of the contract, there is an equality point to consider for people who were on a contract before the implementation and newly joined people. (*Organisation, REC*)

## Agency and framework fees caps

Organisations, including public buying organisations, highlighted agency and framework fees were generally already low but caps on agency fees (so long as they are not too low) would allow for better supply chain management and greater consistency. There were concerns though that framework fee caps could result in adverse consequences, such as increased administrative costs.

Framework fees - charges for utilising frameworks (or at least for those delivered by PBOs such as [redacted for privacy]) are already charged at a very low rate, typically £0.01 per hour worked. This is generally charged across all roles at the same rate, changing this would result in administrative costs to PBOs, MSPs<sup>13</sup> and would make understanding of spend more complex. The establishment of framework fees is also a commercial decision per each PBO, and blanket caps of reductions could have adverse consequences. Agency fees - these are already low in a lot of MSP contracts, but having these capped could help in supply chain management and bringing consistency. Capping too low will simply drive agency focus elsewhere. (*Organisation, public buying organisation*)

Comments from an agency aligned organisation also highlighted that the issue of agency fees was only associated with agencies offering project teams that are seeing increased profits from agency fees, and that this is not an issue for agencies who are working to fill standard social work contracts.

On the matter of profiteering, it is genuinely only those agencies offering Project Teams that are seeing this huge increase in profits. Agencies that work through officially procured frameworks such as Matrix, Comensura and Commercial Services, such as ourselves, are working to help the [local authorities] fill vacancies for normal, standard contracts that will be between 35-37 hours per week (*Organisation, recruitment agency*)

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<sup>13</sup> A managed service provider (MSP) manages recruitment of the temporary workforce for an organisation. This can be delivered via a neutral vendor model (where there is separation between the MSP and supply chains) or a master vendor model (where the MSP has its own supply chain). MSPs will typically manage temporary worker recruitment across a whole local authority.



## Price cap variation across local authorities

Just under half of respondents felt there should be different price caps between local authorities for the same social worker agency role (48%). This was higher amongst organisation responses compared to individuals (61%\* compared to 46%). However, both local authority employed substantive and agency child and family social workers reported similar levels of agreement (45% and 49%).

The most common reason for agreement was that there were different costs associated with different local authorities and regions, such as living and other associated costs, with those in the Southeast and London facing a higher cost of living.

Some local authorities also face greater recruitment challenges, for example rural location or they have more challenging and complex caseloads. Therefore, different pay may act as encouragement for social workers to work in those areas.

Some areas are more expensive to live than others, local authorities and regions have a variability of demand and workload; some role profiles are more difficult and busier than others. Regional variations can be difficult for local authorities bordering other regions so this would need to have some flexibility to prevent a drain of workers. *(Local authority employed child and family social worker)*

Most of those who disagreed with price cap variation felt that location adjustments were already accounted for in pay spine<sup>14</sup>, which agency price cap would be linked to. There were also issues raised that price cap variation could add complexity and make rules difficult to enforce.

Having a price cap limit set at a relatively local level completely undermines the proposals, social workers will simply hop from one place to another to achieve greater income and thus the problem will continue. *(Organisation, Interim CEO local authority/children's service trust)*

The price cap must include the entire package that an individual can earn, including market supplements. This should leave no grey areas that an agency can exploit and ensure that agency social worker pay does not exceed that of an equivalent permanently employed social worker. *(Organisation, Association of Directors of Children's services (ADCS))*

In addition, there were concerns that this proposed variation could result in market distortions which could be unfair and lead to unequal situations. Social workers moving between different local authorities to get a higher wage was also cited as a potential problem.

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<sup>14</sup> Pay spine refers to the scale which shows the rates of pay for employees working at different levels.

This would continue to lead to market distortions with some local authorities and Trusts being in an advantageous/disadvantageous position. (*Local authority employed child and family social worker*)

## Exceeding the national price cap

Respondents were asked whether there were reasons why local authorities should be allowed to exceed the proposed national price cap when engaging with agency social workers, similar numbers agreed and disagreed with this proposal (46% and 43% respectively).

Organisations were less likely than individuals to think that price caps should be allowed to be exceeded (33% of organisations agreed, compared to 48%\* of individuals). Whilst agency social workers were more likely to think that price caps should be allowed to be exceeded (86%\* compared to 27% of substantive social workers).

Those who agreed that price caps could be exceeded felt that there were instances it would be needed, for instance, times when there are high numbers of vacancies to fill, poor Ofsted reviews, or if there is a generally large or complex caseload. Agency organisations echoed this sentiment.

If local authorities are experiencing significant, chronic issues with recruitment and retention that is impacting the quality and safety of the service provision, a short-term exception should be granted whilst wider issues are addressed. However, this should be managed and increased support should be given to the local authority to address these issues. (*Local authority employed child and family social worker*)

They have to have the option of “break glass”. This could be for a number of reasons – work following an Ofsted report, a larger volume of work or to incentivise agency workers to accept roles. Margins should be set within MSP agreements. Access should not be restricted to an overly small pool of suppliers otherwise covering supply at short notice will drive clients and agencies off framework. (*Organisation, APSCo*)

Whilst it undermines the rules to allow this we have seen in the NHS that there will be instances where it is required. We would suggest a process as in the NHS where only someone at the highest level can authorise it and there would be 'break glass' reporting to the DFE [sic] to monitor. (*Organisation, managed service provider*)

Those who disagreed mostly gave general comments of disagreement, as opposed to highlighting any particular issues. Organisations, including large national social worker representative bodies, generally highlighted that there should be hard rules, with exceptions making it too complicated to enforce.

ADCS believes that the price cap should not be broken in any circumstances in order to avoid undermining the national rules and to ensure that staff pay cannot exceed the maximum amount a substantive social work employee can earn.  
*(Organisation, ADCS)*

## 6. Post-qualified experience

The proposal suggests 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 their AYSE. The proposal would include international recruits having to undergo a similar form of post-qualification period.

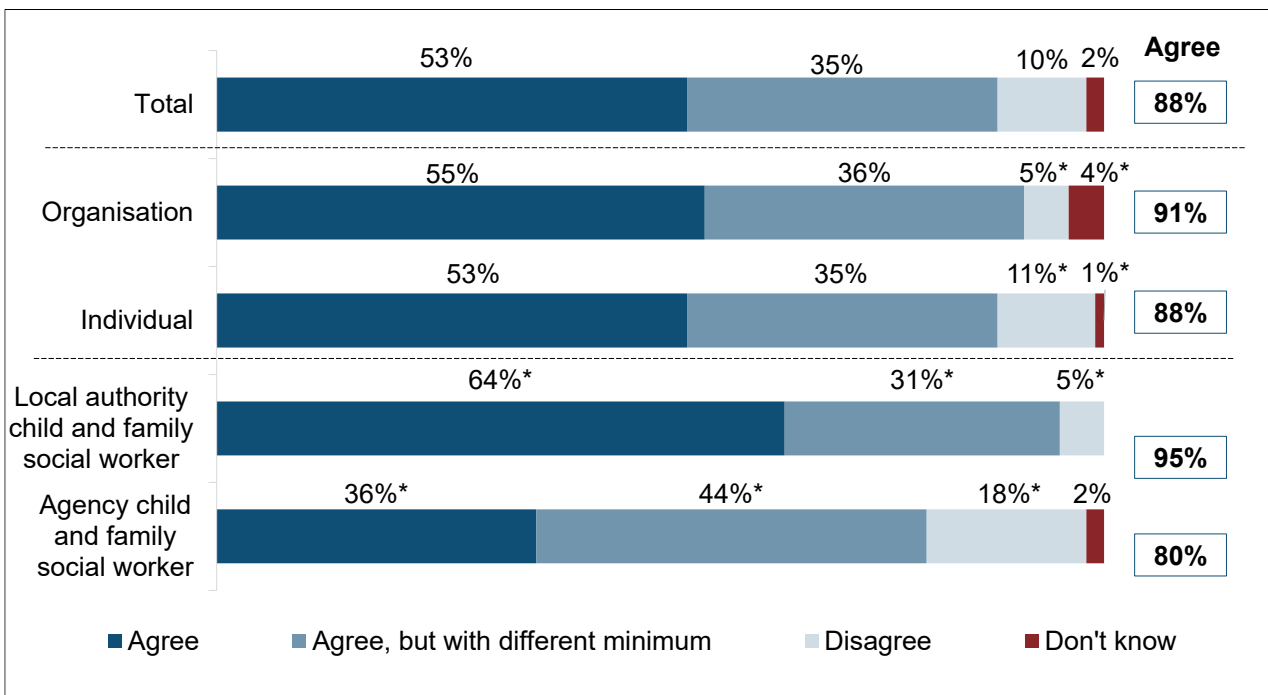
### Overall views on proposed rules on post-qualified experience

The majority (88%) of respondents agreed that there should be a minimum post-qualified period in local authority children's social care before moving into agency work.

Just over half agreed with the proposed five year minimum (53%), whilst over a third agreed with the principle but with a different timeframe (35%). This was broadly similar amongst individuals and organisations (53% of individuals and 55% of organisations agreed, whilst 35% of individuals and 36% of organisations disagreed).

Substantive child and family social workers were more likely to agree with the proposed post-qualification experience (64% compared to 36%\* of agency child and family social workers) (Figure 6.1).

**Figure 6. 1 Breakdown of type of individuals and whether they agree or disagree that agency social workers should demonstrate a minimum of five years post-qualification in children’s social care**



Base: Q16. Do you agree that agency social workers who graduated in or after April 2024 should show minimum 5 years post-qualified experience within local authority children’s social care and completed ASYE? All respondents (1230). Organisations (141), Individuals (1,089), Substantive local authority employed child and family social workers (453), Agency child and family social workers (309). \* Denotes a significant difference between groups.

Those who felt there should be a different timeframe nearly always said it should be shorter and noted that five years was too long. The most common alternative was three years (this was the majority view of recruitment agencies), followed by two years. Respondents felt that within three years social workers would have developed the skills and experience needed for an agency social worker role. Respondents also raised the fact that five years is a considerable portion of the average social workers time in the profession, so five years would limit the number of people who could move into agency work. The Children and Family Court Advisory and Support Service (Cafcass)<sup>15</sup> also raised concerns that the five-year post-qualification period could restrict the available pool of agency social workers.

<sup>15</sup> Children and Family Court Advisory and Support Service is an organisation that supports children throughout court cases and advises the family court.

Cafcass agrees that social work agency staff should be sufficiently experienced but also competent to carry out statutory child and family social work. However, time served does not guarantee competency to carry out the role to the standards required and the proposal to introduce a minimum of 5-year post-qualified experience will severely limit the pool of available agency social workers. *(Organisation, Cafcass)*

I think three years is long enough to have developed and embed practice. Most social workers have progressed to senior social worker at this stage. *(Local authority employed child and family social worker)*

We suggest a 2-year minimum advisory standard. It is standard practice to ensure that agency social workers have now completed their ASYE. We generally work to a minimum of 2 years of experience for agency, unless the recruiting [local authorities] specifies a higher level is required. Even with a 2-year minimum, shortages are still high and [local authorities] who have high numbers of urgent vacancies, struggle to attract agency social workers. If the standard was changed to 5 years from April 2024, the numbers of available social workers will dramatically decrease further from April 2026. *(Organisation, recruitment agency)*

Organisations with direct experience of the London Pledge highlighted positive examples of post-qualification periods and noted that the three years currently works well, which supports the proposal. Note the original London Pledge timeframe was five years.

In London, local authorities have introduced a 3-year post-qualified experience threshold as part of the London Pledge. In the current market, an increase to 5 years post-qualification experience for agency workers would only serve to heighten the candidate shortage and add additional pressure to the existing workforce. *(Organisation, local authority / children's services trust)*

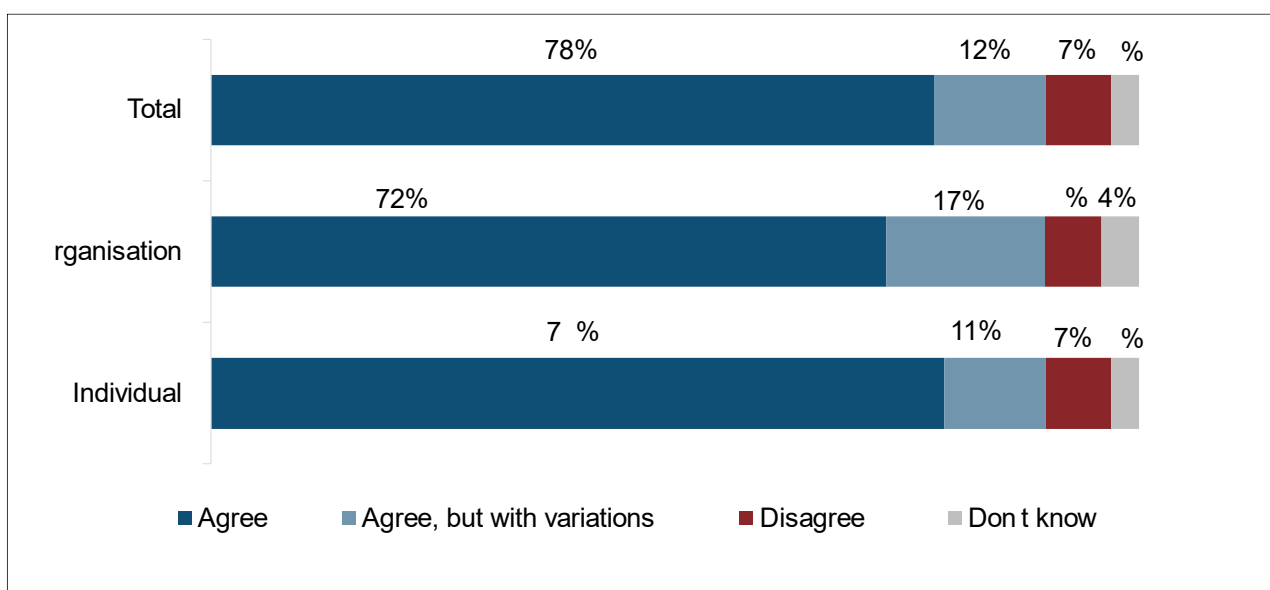
Experienced agency social workers are important and valuable members of the workforce and whilst London are supportive of providing a consistent level of experience and quality of service for children and their families, it is also important that proposals are pragmatic in the current market. London have [sic] 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 [local authorities] to explore further alternatives and creating a greater divide in the workforce. *(Organisation, local authority / children's services trust)*

One organisation suggested an incremental increased approach to the post-qualification period, introducing a three-year period from April 2024, which would increase to four years from 2025 and finally to five years in 2026.

## International recruits

Nine-in-ten (90%) respondents agreed that international recruits should demonstrate a minimum level of post-qualified experience. Just over three-quarters (78%) agreed with the proposal as outlined, whilst a tenth agreed but with some variations (12%). Similar figures were reported across organisations and individuals (Figure 6.2).

**Figure 6. 2 Respondents thoughts on whether international recruits should have similar post-qualification rules as those in the proposal**



Base: Q17. Do you agree that international recruits must demonstrate minimum level of post-qualified experience within local authority children's social care? All respondents (1230): Organisation (141), Individuals (1089). \* Denotes a significant difference between groups.

Those who agreed with the proposal felt that having a post-qualification period would ensure competence and allow parity between international and UK social workers.

I am an international social worker. I needed at least two years [experience] in the UK before I understood the policy and process. Social worker [sic] is different here and you need time to adapt and develop. International [social workers] would be better support [sic] in a permanent role until they have some UK experience.  
*(Local authority employed child and family social worker)*

Those who agreed also highlighted that international recruits often require additional support and development needs, similarly to newly qualified social workers, and that this should be considered.

Based on experience of appointment of international social workers to permanent roles, there is a growing evidence base that support requirements and development needs of this cohort are significant. This includes accommodation and support with transitioning to a new country. Parity with other proposed requirements for a minimum of five years post-qualifying experience could be augmented with an additional demand that this should include or be followed by a minimum period within a permanent local authority children's social care role for international social workers. *(Organisation, local authority / children's services trust)*

Those who agreed but with variations felt that existing levels of practice should be taken into account when considering length of time, and that levels of practice need to be demonstrated but may not necessarily require a period of post-qualification experience.

It depends on their experience base. If they're social workers, we shouldn't discriminate against them because they're not from the UK. If they have the qualifications to practice let them practice. *(Agency employed child and family social worker)*



## 7. Project teams

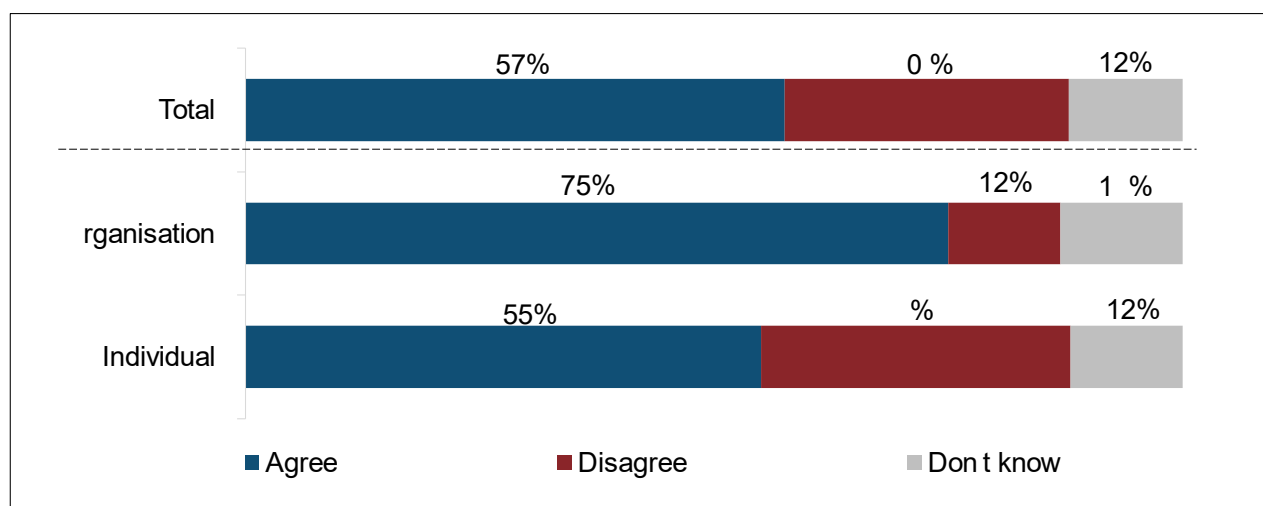
The proposal includes a ban on using ‘managed service’ or ‘project teams’ for local authority child and family social work. Project teams typically comprise six or seven social workers alongside an assistant and team manager, contracted to deliver specific project outcomes.

This proposal would aim to ensure greater access to individual social workers, particularly for covering temporary vacancies and maintaining relationship-based practice. The objectives are to avoid the potential challenges of accountability issues, reduced quality assurance, increased costs, and limited resource allocation for children and families that may arise from fragmenting or outsourcing aspects of the social worker role.

### Overall views on proposed rules on project teams

Over half (57%) of respondents agreed that project teams should no longer be used, whilst nearly a third (30%) disagreed (Figure 7. 1). Responses from organisations were more likely to agree with the proposal to not use project teams (75%\* compared to 55% from individual responses), while individuals were more likely to disagree with this proposal (33%\* compared to 12%).

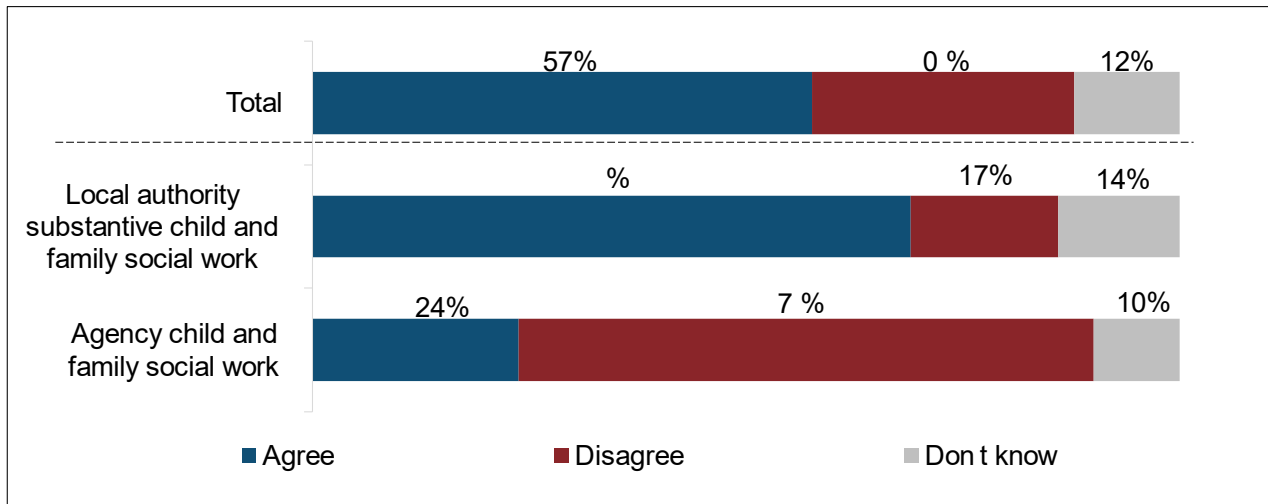
**Figure 7. 1 Whether organisations or individuals agree with proposal that local authorities should no longer use project teams**



Base: Q18. Do you agree with the proposal that local authorities must not use project teams for child and family social work? All respondents (1230): Organisations (141), Individuals (1089). \* Denotes a significant difference between groups.

As set out in Figure 7. 2 below, substantive local authority employed child and family social workers were more likely to agree with the proposal in comparison to agency social workers (69%\* compared to 24%), while agency social workers were more likely to disagree (67%\* compared to 17%).

**Figure 7. 2 Whether different types of child and family social workers agree with the proposal that local authorities should no longer use project teams**



Base: Q18. Do you agree with the proposal that local authorities must not use project teams for child and family social work? All respondents (1230): Substantive local authority employed child and family social workers (453), Agency child and family social workers (309). \* Denotes a significant difference between groups.

Social worker representative bodies and local authorities typically agreed with the proposal that project teams should not be used. This was because they believe that project teams reduce consistency and effective support for children and families:

Project teams are a development that has further undermined consistent social work relationships for children and should not be permitted. Quality is identified as poor, morale of permanent staff is undermined, and the existence of an apparent ‘solution’ undermines effective corporate workforce planning for Children’s Services departments. (*Organisation, local authority / children’s services trust*)

Social work is not a short-term project, yet local authorities are reporting using more project teams that do not engage with the kind of long-term, relationship-based practice that children and families benefit from. (*Organisation, ADCS*)

We have heard of whole managed teams leaving a local authority at short notice to work elsewhere and also of them delivering poorer quality social work to children and their families than the permanent local authority staff. (*Organisation, Ofsted*)

However, these views were nuanced. Some local authorities and social worker representative bodies recognised that project teams are sometimes needed due to the current recruitment and retention crisis, and to boost social worker capacity.

We agree that project teams do not provide the most effective means of support to children and their families; however, we recognise that in the current market where there is a significant shortage of permanent and agency social workers that in order to safeguard children it may be necessary to use case-holding project teams. We hope the proposals in this consultation will help to address this making use of project teams unnecessary. (*Organisation, local authority / children's services trust*)

Recruitment agencies and recruitment agency representative bodies were less likely to agree with this proposal, though there was some nuance in responses. Some responses cited that there are some cases in which project teams are necessary such as to 'plug' staffing gaps or at critical times (for example, after failing an Ofsted inspection or when providers have a backlog of cases). Whilst others highlighted that ideally project would not be needed but that they are often essential for local authorities to meet responsibilities.

Project teams are helpful in maintaining staff retention and filling in a large number of vacancies promptly. (*Organisation, REC*)

Project teams can provide an essential service to local authorities in crisis and have produced some high-quality work for local authorities. (*Organisation, recruitment agency*)

In an ideal world there would be no demand for project teams from local authority clients. However, in a tight labour market with permanent retention issues local authorities choose project teams as a way of meeting responsibilities. [...] Project teams are useful at critical times e.g., a failed Ofsted inspection, a substantial backlog of cases, a mass exodus of permanent staff but could be used within the framework model, thereby ensuring compliance. Our members struggle with how the DfE could police an outright ban on project work on the local authorities, so recommend exercising more control over their use, thereby ensuring they can be within compliance and cost frameworks. (*Organisation, APSCo*)

In their current form project teams are disruptive and have often delivered poor quality results, due to being unregulated and managed outside of frameworks and recruitment contracts. However, completely removing 'projects' would take away a valuable contingency to enable [local authorities] to complete assessments in a safe and timely manner. (*Organisation, recruitment agency*)

## Views on when it is appropriate to use project teams

Those who felt that project teams should be used were asked when they felt it was appropriate to use such teams for child and family social work. Most commonly respondents felt this was when caseloads were high or when a local authority has a high number of vacancies or staff absences.

Project teams can make a significant difference and relieve the local authority when there is a significant shortage of social workers. *(Agency employed child and family social worker)*

Some respondents also thought that using project teams would be appropriate for targeted or complex work with families and children. Examples were given of when local authorities were developing or implementing new ways of working with children and families and the benefits project teams can add around innovation and creativity. It was also felt that project teams can be helpful when local authorities have particularly complex cases that require specialist skillsets.

In a creative [local] authority, teams may want to try out different courses of intervention and work [which] is not always appropriate for existing teams. Allowing [the] creation of a project team for a set time to innovate and test something that is then passed on or absorbed into business as usual or not renewed due to failure is a cost-effective exercise for the local authority and less disruptive activity for families. *(Local authority employed child and family social worker)*

Project teams deal with complex cases that will require experience and higher skill set. *(Local authority employed child and family social worker)*

Respondents also noted that project teams can be an opportunity for struggling local authorities to gain an outside perspective on how to improve their practices.

If a local authority has consistently failed an Ofsted Inspection, then Project Teams can provide the local authority with an opportunity to gain an insight into how bad practice can become accepted practice. The perspectives from outsiders can sometimes prove useful in understanding why local authorities fail families. *(Agency employed child and family social worker)*

## 8. Data and monitoring

This proposal suggests that the following data is collected and shared quarterly, with the core data list reviewed annually to check it is still relevant and appropriate. Row per worker for the following data:

- Agency worker job type and pay rate;
- Substantive worker job type and pay rate;
- Vacancies by job type;
- Use of market and other supplements;
- Substantive worker full time equivalent (FTE);
- Leavers FTE;
- Agency worker FTE

Data sharing would not include personal data. The aim of this would be to support workforce planning, identify opportunities to reduce overreliance on temporary workers, support collaborative working at a system and regional level, enable monitoring and compliance with price caps and other national rules as laid out in the consultation, and encourage greater transparency.

### Overall views on suggested data to monitor the impacts of national rules

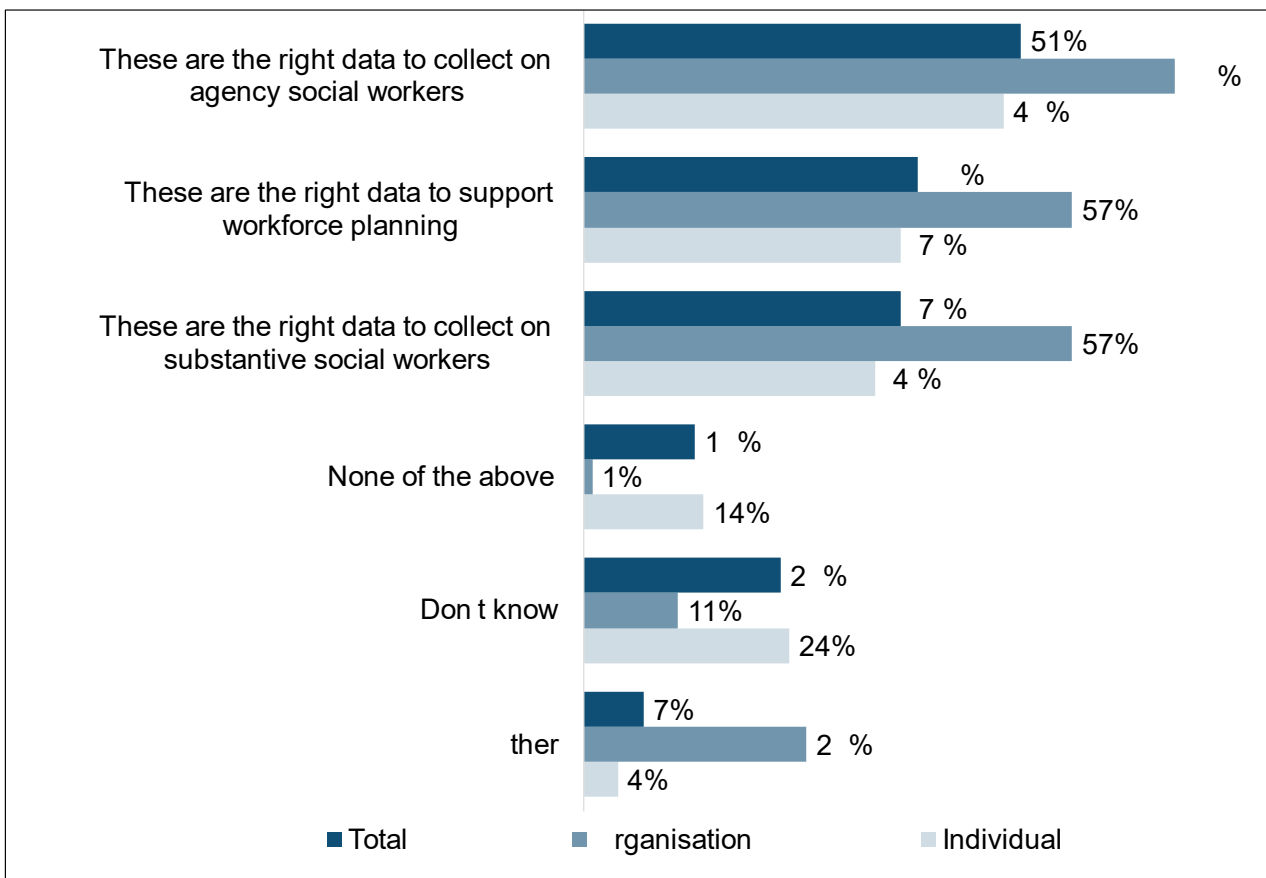
When asked whether the proposed data collection was the right data to monitor the impacts of the national rules:

- Over half (51%) felt it was the right data to collect on agency social workers
- Nearly two-fifths (39%) felt it was the right data to support workforce planning
- Just over a third (37%) felt it was the right data to collect on substantive social workers

Just over one-in-ten (13%) reported that they did not think any of the data collected was correct to monitor impacts of national rules on child and family social workers and support workforce planning. Just under a quarter (23%) of respondents were not sure whether the data collected was correct. This was higher among individuals (24%\* in comparison to 11% from organisations).

Responses from organisations were more likely than individual respondents to report that this was the right data to collect across all three categories (Figure 8.1), whilst individuals were more likely to report that none of the above data was the right data to collect (14%\* compared to 1% from organisations).

**Figure 8. 1 Whether organisations and individuals agree that these are the right data to monitor the impacts of the national rules**



Base: Q19. 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? All respondents (1230): Organisations (141), Individuals (1089). \* Denotes a significant difference between groups.

Local authorities and social worker representative bodies noted a number of challenges and issues that could limit data collection and monitoring. This included the time and resource burden that additional data collection could place on local authorities. Challenges were also noted in relation to some of the suggested data variables being held on different systems, making it hard (and even more time/resource consuming) for local authorities to collate. It was noted that DfE will need to work closely with local authorities to support them to overcome these challenges.

If this is to become a statutory requirement, DfE need to liaise with both CSC [Children’s Social Care] and HR [Human Resources] software providers to ensure compliance with the return. [...] R systems do not necessarily enable LAs to easily fulfil the return requirements without a lot of manual intervention. LAs are structured in a multitude of ways, meaning running the workforce return requires manual work from a lot of LAs just to get the correct cohort. The proposal to collect quarterly will place huge burdens on LAs with the current systems in place. (Organisation, local authority / children’s services trust)

There are significant resource implications for councils in providing data. As well as consulting with us on the detail please also consult on the scale and frequency of the data collection. [...] 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. *(Organisation, local authority / children's services trust)*

Some comments suggested towards the need to take a phased approach to data collection to ensure that the data collected is consistent across local authorities.

The proposed core data collection appears appropriate, [although] the monitoring and enforcement process must be linked [...] DfE must be transparent about how this data is used [...] Different authorities will have further to go here, and they must be afforded the time and resource where necessary [...] collecting pay rates is a particular challenge due to how much variation there is across different local authorities in worker terms and conditions and pay supplements. [Local authorities] may have funding implications, particularly where the HR service is shared or outsourced. These data must be clearly defined [...] An incremental or phased approach may be required. *(Organisation, ADCS)*

## Suggested additional data items

A small proportion of respondents (7%) provided suggestions for additional items. The most common suggestion was that agency data should be included, including what kind of work agency workers are covering (such as sick leave, maternity, and short-term cover).

I think the focus should be on data around agency social workers. I believe this should be broken down to agency workers covering vacancies, those covering maternity leave, covering sick leave, and what position level is being covered. *(Local authority employed child and family social worker)*

It was also recommended that leaving data (including rate and reasons for leaving), performance data for local authorities (including Ofsted reports, management reports, and profile of caseloads in terms of complexity and quantity) and pay scale data for all social workers (both substantive and agency) should be collected.

Some responses questioned why data collection relating to compliance with the national rules was not included. Respondents mentioned that data should therefore be collected relating to the enforcement of, and compliance with, the national rules. It was suggested that this would also be a way to better understand the labour market and would help support the enforcement of the procurement route and price cap proposals.

This data does not ask for information on how agency workers have been engaged, nor does it seek any kind of self-declaration as to compliance with the national rules. Coming back to our earlier points of enforcement and consequence, it would likely be beneficial to ask for information regarding routes of engagement, to track whether spend is being diverted away from MSP routes which may be managed more effectively in line with the proposed rules. Additionally, insight of this nature would give DfE insight as to perhaps where spot checks would be most effective e.g., if an LA reports lots of engagement directly with an agency, spot checks could be required. (*Organisation, public buying organisation*)



## 9. Equalities

Respondents were asked whether they were aware of any equality issues or of any groups for whom the proposals could have a differential impact.

### Overall views on equality issues of the proposals

Half of respondents (51%) were not aware of any equality issues. Just over a quarter said they were aware of some (26%) and a just under a quarter (23%) said they did not know.

Agency child and family social workers were more likely to feel that there were equality issues (40%\* compared to 15% for substantive local authority employed child and family social workers). Those who disagreed with the national rules in principle were also more likely to report being aware of equality issues (45%\* compared to 15% who agreed with the national rules).

When asked for further comment about who might be affected by the proposals, there were three key groups that were mentioned. The impact of workplace culture was a common theme that ran through all categories and was an important factor in workers deciding to leave local authority social work to move to agency work.

**Social workers who have a need for increased flexibility.** This was particularly raised in relation to those with caring responsibilities or those with disabilities or health conditions.

Some social workers have caring responsibilities that fluctuate. Agency work allows them to be flexible around the needs of those they support and by being paid higher, it ensures they can cover times they don't work. (*Independent reviewing officer*)

I am a [sic] experienced disabled social worker and I would not be able to work in my profession without the level of flexibility and ability to negotiate workload that agency work provides, as [local authorities] are dreadful at providing flexible working for permanent social workers. I would also not be able to survive financially without the higher agency rates, given that I do not work a full working week due to my disability. (*Agency employed child and family social worker*)

**Social workers from ethnic minority groups.** This was mostly positioned around workers who had left local authority social work due to structural discrimination and/or a 'glass ceiling effect'<sup>16</sup>. As a result of these issues, workers within these demographics have moved to agency work. Respondents felt the proposals would represent a further barrier as they are specifically aimed at agency workers, and thus these groups were raised as facing a double effect of being discriminated against.

Social workers from the global majority [i.e., those who are from ethnic minority groups] are often overlooked in promotions which means they stay on the same pay scale for several years. The only way they can earn the same as less experienced colleagues who get into management faster is through agency work. The agency route also allows for global majority workers to leave toxic workplace environments when their mental health and emotional wellbeing is threatened by unrealistic expectations from management. *(Agency employed child and family social worker)*

From an Equality, Diversity, and Inclusion perspective, as a network we are very concerned about the experience of some of our black and global majority staff and why they feel unable to work in permanent positions due to experiences of racism and discrimination. If the agency measures proposed are achieved, it is essential that all authorities address these issues and actively implement and support anti-racist practice with working conditions that prioritise safe spaces for staff. *(Organisation, Principal Social Worker Network)*

**Social workers who have legitimate reasons for leaving a post** in local authority social work, such as due to poor working culture. Though not strictly an equalities concern, examples were raised around disagreements with senior leadership, and allegations of bullying and discrimination.

I have been discriminated against in the past because I have had cancer, and in my experience the local authority does not want to appoint me as a permanent member of staff in case I become ill again. *(Agency employed child and family social worker)*

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<sup>16</sup> The 'glass ceiling effect' is a metaphor used to represent an invisible barrier that prevents a given demographic, in this case ethnic minority groups, from achieving promotions and success in the workplace.

## 10. Conclusions

In total, 1,230 responses were received to the online consultation. Most responses were from individuals (89%), with a much smaller proportion submitted on behalf of an organisation (11%). In addition, 13 responses were submitted via email. Most of these were responses from organisations, including social worker representative bodies and recruitment agencies.

### Implementation of national rules

There were relatively high levels of support for the general principle of implementing the national rules. Support was particularly high amongst those responding on behalf of local authorities and local authority employed staff. Agency social workers and those responding on behalf of recruitment agencies had more reservations about the proposals. This trend was observed across the range of specific proposals.

Reasons for agreement focussed on the view that the rules would lead to reduced reliance on agency social workers, greater competency in the workforce and creating a more level playing field between substantive and agency social workers. Many respondents also focussed on the ultimate beneficiaries of these changes, citing improved outcomes for children and families.

Those who disagreed reported general concerns about the practicalities of implementation and potential short-term impacts of the changes, including agency social workers leaving the profession and local authorities struggling with staff resourcing if use of agency social workers reduced. Some concerns were also raised around the proposals being particularly problematic for certain equalities groups, notably those with an increased need for flexibility (e.g., those with caring responsibilities and with disabilities), and those from ethnic minority groups.

Broader negative points related to the proposals representing too much interference in local authority practice by central Government and the need for local authorities to be able to act flexibly and in line with their own contexts. Respondents (and especially agency workers and those responding on behalf of agencies) also repeated across a number of questions that agency workers should not be focussed on as causing challenges and more needs to be done to address the underlying issues facing the social worker workforce.

There was a mixed view about the proposed timing of implementation (i.e., by spring 2024), with concerns raised from both those who agreed and disagreed with the proposals in principle. Respondents identified some challenges to implementing the new rules so soon, and that doing so too quickly could diminish the workforce and exacerbate the current recruitment and retention crisis.

## Procurement routes, price caps and data collection

There was relatively strong support for the proposals around procurement routes, and price caps.

Respondents felt that the proposals around procurement would create greater consistency across local authorities, by eliminating the use of different procurement routes and practices that are currently used. Respondents were also positive that the changes would help eliminate some current agency practices that are perceived to negatively impact the market. Though it should be noted that many respondents focussed generally on procurement rules, rather than specifically about the proposed new rule itself.

In terms of those who disagreed, similar points were raised around the procurement proposals as about the general principle of the new rules. In that, they would mean local authorities do not have the ability to develop their own procurement process, which may be more in line with their local context.

Similar points were made around the price cap proposals. Those in agreement cited a move to greater consistency across different types of social worker and local authorities as a benefit and opportunity of the proposals. Respondents generally agreed though that there was a need for local variation owing to varying costs of living associated with different local authorities and regions, with those in the Southeast and London facing a higher cost of living. There was a mixed view on whether local authorities should be allowed to exceed the price cap in certain circumstances. Again, the need for local variation and need for local authorities flexibility was raised. The responses clearly showed some tension between the desire for national consistency across local authorities and the need for some local variation and flexibility.

Across both the procurement and price cap proposals, respondents felt that if new rules were implemented it would be important to have measures in place to enforce these and ensure they were adhered to by everyone.

The view on data collection was mixed, though the relatively high level of don't know responses suggests respondents (and especially individuals) were unsure.

## **Project teams, cool-off period, notice period**

There were high levels of agreement with the proposals for notice periods, with respondents highlighting that this would ensure adequate handovers and provide stability for other staff and families. Having said that, there were some suggestions that the timing of this and which staff were provided references should be reviewed.

There was also relatively strong support for the cool-off period. Though again respondents raised a note of caution around the timing and speed of implementation, including the potentially destabilising effects on the workforce through exacerbating the current recruitment and retention crisis.

There were particularly mixed views on the use of project teams. Those who felt that project teams should be used were asked when they felt it was appropriate to use such teams for child and family social work. Most commonly this was when caseloads were high or when the local authority has a high number of vacancies or staff absences.

## **Post-qualified experience, references**

These were the areas of the strongest agreement within the consultation. Most respondents agreed with the proposals around references and the introduction of a minimum period of post-qualification experience for UK and international social workers. Both were felt to provide greater accountability and provide transparency on a social worker's skills and experience.

Suggestions were made to shorten the length of time that was required for post-qualified experience. Some respondents also suggested that references should be provided regardless of length of employment. Agency workers in particular felt that there should be no difference in reference requirements between agency and permanent staff.

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