

APPENDIX B

Child and Family Social Work Workforce Consultation

Following the publication of the Independent Review of Children's Social Care the Government are consulting on ways to reduce overreliance on agency social work resource in order to provide more stable relationships for children and families and reduce costs.

This consultation invites views on a set of national rules on the engagement of agency social work resource covering:

- * Price caps on what local authorities may pay for an agency worker
- * Post-qualified experience needed for an agency assignment use of project teams
- * References, notice periods, and movement between agency and substantive roles collection and sharing of pay and agency data.
- * Adherence of procurement routes with the national rules

The questions within the consultation are set out below. As an online response many of the answers are framed as agree or disagree without the opportunity for commentary.

1. Q1 Our aim is to move to a more stable and sustainable workforce model by reducing local authority spend on, and improving the quality assurance of, agency social workers. Do you agree in principle that the introduction of a set of national rules on the engagement of agency social work resource will support these aims?

Agree / Disagree

2. Q2 Do you agree that we should set out the national rules in September 2023

Agree/ Disagree

3. Q3 Do you agree that local authorities, and all procurement routes used by LAs to engage agency social work resource, should comply with the national rules from spring 2024?

Agree / Disagree

This should be as soon as possible and ideally when the national rules are applied in September 2023.

4. Q4 Which of the following measures at a national level would support LAs to comply with the national rules and reduce overreliance on agency social work resource and spend?

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

5. Q5 Do you agree with the proposal that LAs must require and provide references for all candidates, including a fully comprehensive reference that relates to the standard of practice of any agency worker for assignments that are three months or longer, using a standard template?

Agree / Disagree

6. Q6 - Do you agree with the proposal that LAs must not engage agency workers for a period of three months after they have left a substantive role within the same region?

Exemptions include staff moving to substantive roles in other authorities within the region; workers who have been made redundant by their last LA employer; or workers who may choose to take up an agency assignment in a different region.

Agree – The South East Memorandum of Understanding operates a longer time period (6 months)

7. Q7 Do you agree with the proposal that LAs must make provision for a minimum six-week notice period for agency social workers via a reciprocal arrangement between agency workers and LAs?

Agree / Disagree-

Generally, agree or should be in line with minimum period for notice by social workers in KCC which is 2 months to allow completion of work and planned transition to another social worker. There is specifically a concern where we need to end agency contract due to performance and would want to undertake this within a shorter timeframe.

If performance is poor? 6 weeks seems a reasonable compromise.in order to plan case transition appropriately.

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

Agree – If left to regional arrangements there is concern that the rule could be circumvented.

9. What would be the most effective approach to ensuring procurement routes adhere to the national rules?

Please select all that apply:

* **A new national framework agreement**

* New regional framework agreements - **No**

* **Working with existing framework operators to embed the national rules**

* **Standard clauses for local authorities to use in procurement contracts**

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

KCC agrees there should be national procurement rules. There is concern around potential lack of compliance due to no consequence for breaking the agreement as seen in the Regional Memorandum of Understanding in areas.

This standardises the expectations on potential agency workers and their agency.

11. 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?

Agree/**Disagree** - Salaries need to reflect local circumstances. Organisations left the NJC for a variety of reasons and part of that was to have control over how pay was set in its authority to reflect regional requirements.

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

Agree/ Disagree

How would this be enforced? What are the expectations to this rule. -

A national framework would be able to set out average national and regional pay variables and take into consideration the need for regional adjustments. The DFE alongside ADCS should look at ways in where continual breach of the national framework is breached by a local authority can be enforced, including financial penalty in the most extreme cases.

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

Cap on agency fees- Agree/ disagree.

Cap on framework fee – Agree/disagree.

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

Agree / Disagree - where there are very significant regional variations in price it causes problems in terms of supply where there is potential high mobility of agency workers.

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

Agree/ Disagree Generally not, however there may be reason to allow this should a local authority fall below nationally agreed guidance around safe and acceptable staffing levels. A national framework would allow openness and transparency to applying this and for peer challenge where necessary.

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

Agree/Disagree.

We agree there is a need to demonstrate a minimum of 5 years post qualifying but needs to relate to all SWs in order to both immediately feel the impact and future proof the system. If we allow the current proposal, we won't feel the benefit of the proposal for several years, with marginal gains observed each year until that time. Those allowed to work locum when they are not 5 years qualified would not have been engaged with training and development to hold integrity against the implied reference of being locum, which this proposal is seeking to address. In order to feel the full impact of the proposal, it needs to relate to all SWs with less than 5 years post qualifying experience within social care where we acknowledge there will be a skills gap for those returning to permanent employment and LAs will need to recover their development. This will both develop recruitment of SWs whilst develop resilience within the workforce.

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

Agree/Disagree.

This could be linked to the development of the new ASYE programme over 5 years with progression and attainment between years 3-5 for practitioners working towards experienced practitioner status and be over seen by Social Work England in line with registration

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

Agree / disagree.

19. 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?

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; and
- * Agency worker FTE

Please select all that you agree with.

- These are the right data to collect on agency social workers

-These are the right data to collect on substantive social workers

- These are the right data to support workforce planning

Other please specify, for example specific data items listed that should not be collected and/or additional data items that should be collected.

There should be guidance around the use of expenses such as living accommodation travel expenses for agency social workers. Whilst these may provide a helpful attraction in areas struggling with workforce challenges this should not be used to top up and circumvent any price cap levels put in place.

It may also assist to develop a measure to understand the stability of structure work force e.g., 2 years, 3 years.

Turnover rates for agency social workers to capture longevity of assignments.

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

* Yes

* **No**

* Don't know If yes, please specify what these issues are and for which groups. (250 words max)

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

The implementation of national framework and collection of data should not be overly burdensome and require significant investment in resource to provide data.

KCC is generally in agreement with the proposals for social workers not being able to work as agency social workers for up to the first 5 years after qualifying. As a flexible and progressive employer this provides KCC with an opportunity to develop different career progression opportunities alongside a development and training pathway for social workers during this period. This provides investment opportunities for both the employer and employee.

There will always be a need for local authorities to use agency social workers, however they must not be reliant upon this to function effectively, and guidance may assist around the percentage of agency staff compared to permanent staff i.e., 10-15% ratio.

The proposal to develop an 'experienced practitioner role' which defines experienced as 5 years post qualifying presents a new potential problem for Local Authorities who may lose those experienced social workers to a new threat from agencies recruiting experienced staff to 'sell back' to Local Authorities to fulfil child protection roles. Proposals must be considered alongside strategies towards manageable workloads and staff wellbeing whilst ensuring a safe to service users. KCC values all its employees and wishes to invest in their whole career and not just the first 5 years.