

Urgent Key Decision by an Officer with Delegated Powers (General Exception Rule)

Dates between which the decision will be taken by the Chief Executive:

Earliest date: 2 December 2021

Latest date: 6 December 2021

Any representations should be sent to:

Andy Dempsey, Director of Partnerships and Strategy

Tel: (01452) 425019

Email: andy.dempsey@gloucestershire.gov.uk

By 5pm on Wednesday 1 December 2021

Executive Decision Making by an Officer with Delegated Powers

Decision to be taken by: Pete Bungard, Chief Executive, pursuant to delegation CE1 under the Council's scheme of delegation.

Report title: Adjustments to recruitment and retention arrangements for social work qualified practitioners in locality safeguarding teams.

The decision	To implement a number of adjustments to our recruitment and retention arrangements, as follows: <ul style="list-style-type: none">• To adjust the current retention payment of £2,000 per annum by a further one off £3,000 for permanent Social Workers, Senior Social Workers, Advanced Practitioners, Team Managers and Service Managers in our locality safeguarding teams.• To increase the agency hourly rate by £4.00 for Social Workers, Senior Social Workers, Advanced Practitioners, Team Managers and Service Managers in our locality safeguarding teams for a fixed period of six months.• To provide 8 hours per week of paid overtime up to a maximum of 32 hours over a 4-week period for Social Workers, Senior Social Workers, Advanced Practitioners, Team Managers and Service Managers across children's services.
Background documents	https://www.gov.uk/government/publications/inspecting-local-authority-childrens-services-from-2018/inspecting-local-authority-childrens-services

<p>Reasons for the decision</p>	<p>GCC's Children's Services anticipate a full ILACS (Inspection of Local Authority Children's Services) to take place imminently. The Ofsted monitoring visits and focused visit that have taken place since the 2017 inspection have highlighted the critical importance of work force stability and capacity as significant factors in enabling practice to flourish and delivering good outcomes for children and families. Ofsted's view of the effectiveness of our practice will be further informed by the views of our Social workers, Team Managers and the outputs from our Performance and Quality Assurance arrangements.</p> <p>More recently, increased demand due to the enduring effects of the Covid pandemic and the challenges in recruitment and retention, particularly within our locality safeguarding teams, have impacted on the stability and capacity of our workforce, to the extent that urgent action is required. The actions proposed in this decision aim to align our recruitment and retention offer with the best in the south west region and address the particular difficulties of recruitment and retention within our safeguarding teams, for both agency and permanent staff.</p> <p>The provision for overtime for practitioners applies to the whole service, acknowledging that the pressures, whilst most acute in safeguarding, also impact across other teams and their case recording.</p>
<p>Resource implications</p>	<p>The costs of the changes to the uplift for permanent staff in locality safeguarding teams is estimated at £304,000 and will be paid in May 2022. It is anticipated this will be met from the Directorate's MTFs allocation for 2022/23 subject to approval. Should approval not be given, costs will be met from efficiencies within the existing Agency Budget.</p> <p>The costs of the adjustment to the agency hourly rate by £4 per hour, based on current agency numbers, is estimated at £187K. Costs will be met from existing Covid Contingency Funding.</p> <p>The costs of the overtime payment for Social Work Practitioners is estimated at £50K and will be in accordance with our existing pay policy. Costs will be met from existing Covid Contingency Funding as a one-off measure in support of preparation for regulatory inspection, acknowledging the impact of Covid related demand on practice.</p>

<p>Who has been consulted?</p>	<p>Children’s Oversight Board</p> <p>Cllr Stephen Davies - Cabinet Member for Children’s Safeguarding and Early Years</p> <p>Cllr Lynden Stowe – Deputy Leader and Cabinet Member for Finance and Change</p> <p>Director of People and Digital.</p> <p>Finance</p> <p>Legal</p> <p>Corporate Procurement</p>
---------------------------------------	--

What were their comments?

Cllr Lynden Stowe has been consulted and supported the decision.

Cllr Stephen Davies has been consulted and supported the decision.

The Leader of the Council and Chief Executive have been consulted via Oversight Board, acknowledging that the proposals involve a variation on the Council’s existing pay and conditions policy and, therefore, require their approval. That approval has been given, recognising the need to take urgent action to address the situation in the locality safeguarding teams.

Director of People and Digital has been consulted and is supportive of the approach being taken, taking account of Council pay policy and equalities implications, which are set out in the main body of the report below.

Background/Context

A stable workforce, with sufficient capability and capacity, is the bedrock of effective social care practice. The development and growth of our workforce has been integral to the improvement journey underway since the 2017 inspection. This has involved a wide range of initiatives and innovative approaches to ensure Gloucestershire has a workforce capable of meeting the challenges of social work practice in the 21st Century.

Research across the country consistently demonstrates that the key factors are: caseloads; lack of control over own work; poor supervision; unclear career progression; work life balance and pay. It is therefore, important that the actions from other improvement work streams are implemented alongside any financial or non-financial incentive.

A key element within our approach has been to follow a ‘grown your own’ approach by maximising the supply pipelines for practitioners, including students, apprenticeships,

recruitment of overseas practitioners and an expanded ASYE programme. This has been supported by the development of a Social Work Academy offering a rich and diverse curriculum for professional development, in conjunction with our partners - Research in Practice, to ensure social work practitioners are able to develop their skills in response to the dynamic and complex challenges they face. Alongside these measures, we have continued to develop our recruitment and retention package which aims to ensure that our 'offer' to practitioners is competitive with the best in the south west region.

Taken together, these arrangements have served Gloucestershire well in significantly reducing agency dependency, turnover and vacancies since 2017. More recently, however, the enduring impact of Covid on both families and practitioners have challenged our improvement journey. The most recent data for Quarter two evidences a declining position in relation to turnover and vacancies, impacting disproportionately on the locality safeguarding teams. The situation requires urgent action and justifies a differential approach to recruitment and retention for both permanent and agency recruitment within our locality safeguarding teams. It is clear that pay particularly becomes an issue once a social worker is dissatisfied due to other factors. As turnover increases, there is wider deterioration in conditions for workers, for example caseloads increasing and delays in cases progressing between assessment and safeguarding teams; this adds to the justification for timely action quickly, albeit for a time limited period whilst other options are reinvigorated.

This change is not taken lightly, nor is it intended to ascribe a greater value to safeguarding activity than any of the other functions of Children's Social Care or other functions of the Council. The changes are proposed somewhat reluctantly in recognition of the difficulties of recruitment into that particular area of social care practice. It is important to note that the additional uplift will be available to current practitioners willing to transfer into locality safeguarding teams from other teams within Children's Social Care.

Alternative options considered and why they were rejected

Do nothing – During their monitoring and focused visits, Ofsted have repeatedly highlighted the adverse impact of workforce churn, delays in the allocation of cases and high caseloads on the quality of practice and outcomes for children and families. Since the 2017 inspection, good progress in addressing these concerns by reducing agency numbers, turnover and vacancies. Caseloads have also been manageable with the greater majority of practitioners at or around our target of 18 children or less. More recently our performance in these areas has climbed, requiring urgent action on the part of senior leadership. Doing nothing is not a viable option and likely to further compound an already challenging situation as we enter an inspection process.

Offer a lower rate of uplift for agency and permanent staff in locality safeguarding teams – Children's Services senior leadership has worked closely with Human Resources colleagues to review the recruitment and retention offer by other local authorities in the south west region.

The consensus is that a lower offer is unlikely to have the necessary impact on our recruitment and retention. On that basis, that option was not progressed.

Apply the changes to all social work qualified practitioners in Children's Services –

Although recruitment and retention is challenging across many areas of Children's Social Care, it is most acute within the locality safeguarding teams. We are able to recruit in other areas and do not have comparable levels of vacancies to those in our locality safeguarding teams for both permanent and agency practitioners. As a consequence, it is not considered necessary, at this stage, to extend the uplift beyond the locality safeguarding teams.

Risk Analysis

Ofsted's most recent focused visit in October noted an increase in the pace of improvement and that GCC's response to Covid has been well managed. This trajectory of improvement is further supported by our performance data and quality assurance findings. However, as noted above, more recently our improvement has been adversely affected by the increasing instability of our workforce, most acutely within our safeguarding teams. The failure to take robust and timely action to address these concerns could potentially increase the risk of a poor inspection outcome and continue to undermine our work with children and families.

It should also be noted that as local authorities introduce additional payments to recruit and retain social workers, their overall costs continue to increase. The impact of removing a payment, once it has been introduced, can also affect staff morale. However, the failure to appropriately incentivise staff can potentially lead to an increasing number of employees leaving their employment thereby jeopardising the capacity to deliver the required service improvements. Acting to implement recruitment and retention payments to support stability of the workforce is considered therefore to be an appropriate and proportionate response to that risk.

The payments, which are not available to other Council staff on comparable grades, are considered to meet the statutory defence available to employers under the equal pay provisions of the Equality Act 2010. This defence requires that the difference in pay can be shown to be due to a non-discriminatory 'material factor'.

If challenged in respect of equal pay, the Council will need to successfully articulate a material factor defence, based on the need to ensure the stability of the workforce in the light of a very real and credible concern that an increasing number of social workers are leaving safeguarding teams, which is having impact on our most vulnerable families, and that the provision of these payments constitutes a justified and proportionate response to that need. However, it is also recognised that this becomes increasingly difficult the longer these temporary arrangements continue.

Equalities considerations

The payments are available to all relevant staff in safeguarding teams on an equal basis, with the payments being made pro-rata to hours of work for part-time staff (in accordance with established equalities principles) and therefore not vulnerable to any potential challenge in respect of indirect discrimination.

It is not considered that making these payments in the manner proposed will present any issues of concern in respect of the 'protected characteristics' under the Equality Act 2010.

The position regarding equal pay under the Equality Act is as set out in the Risk Analysis section (above).

Has an Equality Impact Assessment been completed? No

Contact details for further information:

Officer: Andy Dempsey Director of Partnerships and Strategy

Tel: (01452) 425019

Email: andy.dempsey@gloucestershire.gov.uk