

## South East Region Memorandum of Cooperation for Agency Children's Social Workers 2022

### **Context**

This Memorandum (MoC) was originally set up in 2015, it has been reviewed and updated by a representative task and finish group in 2021.

It was set up in response to an increasing number of agency social workers being used both regionally and nationally. In the first 3 years of operation it helped reduce this trend, more recently this has reversed and use of agency staff is increasing. This varies across the region with some authorities using little or no agency staff whilst others are approaching 50% agency workers. Across the region the agency worker rate has increased from an average of 15% in 2018 to 17.3% in 2020, this represents an increase of 204 agency social workers (from 767 to 971).

To manage agency worker supply and demand, and the costs associated with this, there is a need for a more collaborative and strategic approach. This Memorandum of Cooperation (MoC) is designed to promote better cooperation across the South East region.

### **Scope**

The scope of the MoC covers all agency children's social workers, assistant team manager and team manager roles (and their equivalents e.g. CP Chairs/IROs).

This includes project teams and specialist roles. The local authorities will not use these descriptions or other similar terms to create roles that are deemed to fall outside the terms of the MoC.

### **Memorandum of Cooperation**

The parties ("the local authorities") to this Memorandum agree that they will abide by the terms and spirit of this Memorandum in relation to the Children's Social Work Professional Workforce for temporary/agency staff. Directors of Children's Services and Assistant Directors commit to implementing the Memorandum in their own service, and to holding their peers to account through honest and direct discussion of any issues arising.

The local authorities will include such reference to this Memorandum in the terms of contracts and other documents as support the delivery of its objectives, and as far as is possible require third party providers to comply with its terms. The local authorities agree that they will promote the Memorandum in interactions with providers of agency staff.

### **Effective Date of Implementation**

The effective date for this revised MoC is 1<sup>st</sup> April 2022.

### **Governance and Reporting**

The MoC will be overseen by a dedicated virtual governance group comprised of Directors of Children's Services, Assistant Directors of Children's Services and Senior HR representatives from across the region.

This group will deal with the oversight of the MoC and set up a mechanism for dealing with exemption

requests.

**All Local Authority signatories to the Memorandum of Cooperation (MoC) agree to adopt the following protocols as agreed in principle by the South East Regional DCS Group:**

1. Adopt a common minimum standard for referencing to help prevent 'recycling' of poor quality permanent and agency workers.
2. Use end of placement reviews with adequate information passed back to the agency workers and the agency supplier to determine any development requirements or to cease placing the worker to help to address quality issues.
3. To work towards fully implementing the terms of this MoC via all their suppliers, i.e. main contractor and any 2nd tier suppliers.
4. Ensure that permanent and agency workers are clear from the outset of the MoC and how it is being adopted by all signatory local authorities. Local Authorities will provide standardised information on the MoC during recruitment and at induction.
5. Local authorities will refrain from aggressive 'headhunting' from within those LAs that have adopted the MoC.
6. Pay rates for new agency staff (inclusive of on costs, exclusive of agency mark-up).

In order to disincentivise agency work and control costs, all new assignments are to have a pay ceiling. The rates set out below are the maximum hourly rates. These rates have been arrived at by analysis, including benchmarking rates already paid in the region.

<b>Agency Role</b>	<b>PAYE Rates</b>	<b>Paid to Employing Agency (amount in respect of Employers NI and holiday pay)</b>	<b>MoC Cap Inclusive of Employers NI and holiday pay (for Ltd company and Umbrella Rates)</b>
<b>Team Manager</b>	£38.12	£9.38	£47.50
<b>Assistant Team Manager</b>	£33.71	£8.29	£42.00
<b>Senior Social Worker</b>	£33.71	£8.29	£42.00
<b>Social Worker</b>	£30.50	£7.50	£38.00

The table shows pay caps for both agency employment options. The right hand column is for agency workers employed via umbrella companies or limited company arrangements (this is the most prevalent amongst agency staff). The left hand columns show the breakdown for employed agency workers (this is now a relatively unusual way of employing agency staff).

**The above rates exclude agency mark-up (which may be a fixed pence price, or percentage addition, dependent on local agreements). All agency workers must also take at least 4 weeks (20 working days on pro-rata basis) leave over each calendar year**

**The rates set out above should not be supplemented with significant additional allowances without an exemption being agreed. This includes additional payments for accommodation or excessive travel allowances. Exemptions can be requested on a permanent basis where circumstances require (e.g. travel costs to Isle of Wight) or time limited when operational challenges make them necessary.**

7. Any children's social worker leaving a permanent contract will not be employed on an agency contract by another authority in the region within 6 months. This would not apply to permanent staff moving to permanent roles in other authorities within the region. Social workers who are made redundant from a permanent post will be exempt from this requirement.

## List of South East Local Authorities

	Local Authority
1.	Bracknell Forest Council
2.	Brighton and Hove City Council
3.	Buckinghamshire County Council
4.	East Sussex County Council
5.	Hampshire County Council
6.	Isle of Wight Council
7.	Kent County Council
8.	Medway Council
9.	Milton Keynes Council
10.	Oxfordshire County Council
11.	Portsmouth City Council
12.	Slough Borough Council (Slough Children First)
13.	Southampton City Council
14.	Surrey County Council
15.	Reading Borough Council (Brighter Futures for Children)
16.	West Berkshire Council
17.	West Sussex County Council
18.	The Royal Borough of Windsor and Maidenhead (Achieving for Children)
19.	Wokingham Borough Council