

# DERBYSHIRE COUNTY COUNCIL

## APPOINTMENTS AND CONDITIONS OF SERVICE COMMITTEE

10 March 2021

### Report of the Executive Director for Children's Services

and

### Director of Organisation Development and Policy

#### APPLICATION FOR THE PAYMENT OF A MARKET SUPPLEMENT TO CHILDREN'S SERVICES CHILD PROTECTION SOCIAL WORKERS

##### 1. Purpose of the Report

For the committee to consider the application to extend the current child protection social worker market supplement payment for a further two years, until June 2023.

##### 2. Background

Children's child protection social workers (including Starting Point) are critical posts within the Council providing core statutory functions in relation to child protection and children in care.

In 2018 the Council agreed a 'growth bid' which enabled children's services to increase the number of social workers in frontline children's teams. The aim of this was to strengthen our ability to achieve best outcomes for children by introducing a new structure for social work teams and reduced caseloads for staff. Subsequently in July 2019, to support with recruitment and retention, a market supplement was agreed for frontline child protection social workers. The agreed payments are;

- Child Protection Social Worker Grade 9 - £4,000
- Child Protection Social Worker Grade 10 - £3,000
- Child Protection Social Worker Grade 11 - £2,000
- Pay all Grade 12 practice supervisors at minimum of point 29 (£37,344pa) to ensure that there is a small differential between social workers at the top of Grade 11 with market supplement (£37,187pa) and practice supervisors at point 29.

The implication of this was that the budget for staff in these teams would be exceeded by £0.983m. To ensure that expenditure was contained within the allocated budget, a vacancy level of 10% was agreed on the basis that it was unlikely that the trajectory of recruitment and retention performance over the two years would exceed this level. This also required all agency staff to be replaced by DCC employed social workers.

Since the implementation of the growth bid and the introduction of the market supplement, the number of established social workers in post has increased and the vacancy rate has reduced from 27% in October 2019 to 17% (45 FTE) in October 2020. As a result of the progress made over the last 12 months the reliance on agency social workers has also reduced from 62 in October 2019 to 34 in October 2020. Whilst there is an ongoing commitment to recruitment, which is demonstrated in the reduced number of vacancies, specific decisions to maintain good quality agency workers have been taken. This enables the council to support the inexperienced levels of social workers joining us during this period of accelerated growth, with

most new social workers being newly qualified and unable to cope with the complexity of the work.

In addition to the market supplement, to support with recruitment and retention, Derbyshire continues to offer several various routes into social work:

- Frontline (partnership arrangement with Government commissioned organisation);
- Grow Your Own (a route for existing staff to become social workers delivered in partnership with Nottingham City Council and Manchester Metropolitan University);
- Step up to Social Work (Government Scheme, which is a full-time study programme, existing staff can be supported by providing extended unpaid leave to train to become a social worker, scheme is also open to external applicants);
- Return to Social Work Practice (National initiative to encourage professionals to return to practice);
- Social Work Apprenticeships

The social work recruitment and retention working group also consider issues and strategies relating to the social work workforce. For example, to recognise the personal and professional challenges of working in a child protection social work role on a long-term basis, it recently introduced a pilot transfer scheme. The scheme is aimed to retain social workers by offering them the opportunity to express an interest, and be considered, for transfer into a different element of the service, supporting their wellbeing and continued employment with the Council.

Whilst the introduction of the market supplement in 2019 and other recruitment and retention strategies have effectively started to reduce the number of vacancies and strengthen Derbyshire's position in the region, there remains a risk that should salaries fall behind neighbouring authorities, individuals who have been supported to train will leave to work outside of Derbyshire County Council.

### **3. Summary of proposals**

Section 8 of the attached Application for the Payment of a Market Supplement proposes to continue the current Market Supplement to Children's Services Child Protection Social Workers at the following rates:

- Grade 9 - £4,000pa
- Grade 10 - £3,000pa
- Grade 11 – £2,000pa
- To pay Grade 12 Practice Supervisors a minimum of point 29 (£37,344) of the Grade 12 (points 28 – 31 pay scale) in order to ensure that all Practice Supervisors are paid more than a Grade 11 Social Worker.

If approved, the proposals would be actioned with effect from 1 July 2021 for a period of two years, with a further review of market conditions taking place towards the end of the two-year period.

The proposals are based on the differential between the mean average of Derbyshire's pay line and the pay line, plus recruitment retention payments, of bordering local authorities. Additionally, there remains a vacancy rate of 17% (45 FTE) and whilst a lot of progress has been made, the staff establishment remains precarious with other local authorities and agencies generally paying higher levels than Derbyshire.

Further details of the recruitment and retention rates across localities and the pay rates across the region are contained in the market supplement application attached (appendix 1).

An Equality Impact Assessment (appendix 2) has been undertaken to determine the impact of the market supplement payment to child protection social workers on employees within the nine protected groups, identified under the Equality Act.

The findings demonstrate that the proposed market supplement payment would not disadvantage any of the protected groups. The proposals will benefit both female and BAME employees at grade's 9, 10 and 11. Derbyshire offers a number of entry schemes into the social work profession which generates opportunities for individuals to start on a salary of over £30k (when including the market supplement). This is a particular benefit to individuals under the age of 24 who are likely to apply for roles with us following successful completion of their social work qualification. The feeder schemes also allow progression from lower graded roles through grow your own and apprenticeship routes further benefitting the workforce.

#### **4. Legal Considerations**

The Council needs to ensure that the payment of a market supplement to this group of workers does not expose it to potential equal pay claims under the Equality Act 2010. The payment of a market supplement to this group of workers could result in a difference in the pay of men and women who are carrying out work which has been rated as equal value under the Hay job evaluation scheme.

The Council may have a defence against an equal pay claim if it can be shown that the difference in pay can be explained by a 'material factor' that does not involve direct or unjustified indirect sex discrimination. The Council would need to demonstrate that (1) the reason for the payments was genuinely due to the difficulty in recruiting to the CPS social worker posts; (2) there is a real need and impact upon the services provided by CPS social workers caused by the difficulty in recruiting and (3) that the payments outlined above are reasonably necessary to improve the recruitment and retention, and likely to achieve positive results.

In this case the payment is necessary to enable the Council to carry out its statutory duties in relation to child protection and children in care. The market supplement is reasonably necessary to improve recruitment and retention and is likely to achieve positive results based on the evidence available.

Market supplements should be time limited and subject to review to ensure that, at all times, it can be shown the market forces relied on remain the reason for any pay differential. Typically, in local government, the standard period for a review is up to 2 years, subject to a review after 12 months. An advantage of reviewing payments periodically is that they are easier to justify by way of a link with current market conditions. Time limiting the payments in this manner would assist in guarding against an equal pay challenge made on the basis that the payment was no longer justified. If challenged the Council would need to satisfy a tribunal that any market supplement reflected a genuine need to pay an increased rate to solve a temporary recruitment problem and that problem was continuing thereby justifying the continuing enhanced rate of pay.

Therefore, on balance, it would be justifiable for the supplement to be paid. However, the payment of a market supplement should only be a temporary solution to facilitate a wider strategy to support recruitment and retention in this area.

#### **5. Financial Considerations**

Given the progress made in recruitment the trajectory has moved consistently towards a full establishment and this begins to challenge the decision to formally hold 10% vacancies to

fund the market supplement, particularly when agency workers are also factored in to support the intense recruitment of new staff.

Cabinet agreed the growth bid for social work in 2018 based on a clear analysis of social work services across localities and confirmed the team structures required: an increased number of smaller teams headed by a practice supervisor. Should we intentionally continue to hold vacancies for a longer period, it will challenge the integrity of the agreed model and compromise some locality / team structures. It would also bring into question whether we required the additional staff long term together with the funding provided. A further challenge is that the current vacancies are not equally spread across the county thus several localities are close to being fully staffed whilst others have greater challenges.

As we now have a significantly reduced reliance on agency workers, it is proposed that the market supplement is funded by continuing to reduce the reliance on agency workers and using the natural vacancy rate created by leavers and new starters.

With over 260 staff the turnover rate is expected to consistently exceed the 7% required to fund the establishment with market supplement applied. The downward trajectory of agency workers must be maintained and reduce to 0 as the vacancy rate also reduces for the budget target to be reached. If the staffing level as at 31st October 2020 were to be maintained the locality social work budget would be projected to overspend by just under £1M over 12mths, the cause of which can be directly attributed to the cost of agency staff in 2020/21 (projected annual spend on agency social workers based on October 2020 numbers would be £2,290,000)

Whilst the vacancy rate remains higher than 7% there is opportunity for a small number of agency social workers to support new starters and inexperienced staff. This will need to be carefully monitored and tracked with a monthly report demonstrating the following in relation to the target.

- the number of established social workers in post
- the vacancy rate to date
- agency social workers in post
- budget projection.

The following table illustrates the budget and cost of frontline child protection social workers based on the assumption of an equal split of grade 9, 10 and 11 social workers in post.

	<b>SW target</b>	<b>Total cost of market supplement including on costs</b>	<b>Total cost of salaries including market supplement &amp; agency staff</b>
<b>Current budget for locality CP SW</b>	265		£11,036,982
<b>7% vacancy rate with no agency SW</b>	246	£965,599	£11,051,819
		£874,011	

<b>10% vacancy rate with 14 agency social workers in post</b>	<b>237</b>  <b><i>14 of which are agency SW</i></b>		<b>£11,024,080</b>
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**6. Executive Director and Director Recommendations**

That the committee approve the payment of market supplement for a period of two years.

**Jane Parfremment**

**Executive Director for Children's Services**

**Emma Crapper**

**Director of Organisation Development and Policy**

**APPLICATION FOR THE PAYMENT OF A MARKET SUPPLEMENT**

POST TITLE: Children's Social Workers

GRADE: 9-11

SALARY: £27,629 - £36,155 per annum (2020-21 pay rates)

AREA/DIVISION: Children's Services Child Protection Social Workers  
Grades 9, 10, 11. (Plus resultant consequential point uplift for Grade 12 Practice Supervisors)

DEPARTMENT: Children's Services

This application is to extend the current market supplement payments for a further two years in order to assist with recruitment and retention of child protection social workers.

**1. Outline why this post is essential to the Council**

Children's child protection social workers (including Starting Point) are critical posts within the Council providing core statutory functions in relation to child protection and children in care.

In 2018 the Council agreed a 'growth bid' which enabled children's services to increase the number of social workers in frontline children's teams. The aim of this was to strengthen our ability to achieve best outcomes for children by introducing a new structure for social work teams and reduced caseloads for staff. Subsequently in July 2019 a market supplement was agreed for front line child protection social workers in order to support the recruitment and retention of frontline child protection social workers. Evidence presented in the market supplement application highlighted that that the pay scale for these posts in Derbyshire fell short of regional comparators.

Since the implementation of the growth bid and the introduction of the market supplement, the number of established social workers in post has increased and the vacancy rate has reduced as illustrated in the following table.

	<b>Target number</b>	<b>October 2019</b>	<b>April 2020</b>	<b>Oct 2020</b>
Number of established social workers in post	265	194	195	220
Vacancy rate		27%	26%	17%

As a result of the progress made over the last 12 months the reliance on agency social workers has also reduced accordingly.

	<b>April 2019</b>	<b>Oct 2019</b>	<b>April 2020</b>	<b>Oct 2020</b>
Number of agency social workers in post	51	62	46	34

It is business imperative to maintain the progress made to date and build on this further thus not allowing recruitment and retention difficulties to resurface. This is due to the statutory duty

to protect children and the high level of regulation through Ofsted inspection of children's services. The inspection regime provides a clear rationale to ensure that strong outcomes are achieved for children and that child protection services are supported to do so by the Council.

Leadership and management in the Council is an area Ofsted consider in 'grading' a Local Authority.

**2. Please provide evidence that consideration has been given to the use of agency workers, contractors, private sector or other providers to undertake the work. This should include advantages and disadvantages.**

Children's Services currently has 34fte agency staff in place (October 2020), a figure which has reduced significantly over the last 12 months as part of the plan to increase permanent staff and reduce reliance on temporary agency staff.

On average a 1fte agency social worker is approximately £30,000 pa more expensive than an employed social worker. Additionally, the use of Agency staff can have an impact on the quality of work and the experience of children. Agency staff are able to leave the authority at short notice causing disruption to the support for children and their families. In addition, managers have duplication of effort in recruitment, reallocation and risk management, liaising with agencies and managing the lack of continuity in casework.

The market supplement was initially established in order to boost recruitment and retention and increase stability of staff and locality child protection teams. To a large extent it has delivered on this target increasing permanent staff numbers.

**3. Please provide evidence that consideration has been given to redesigning the job/structure to undertake the work in a different way**

As previously stated in this paper, analysis of the changes in social work practice in 2018 resulted in the Council agreeing a 'growth bid' to enable the remodelling of Children's social work services in order to create smaller teams supported by new practice supervisor posts and additional social workers to sustain reduced, manageable caseloads.

Managing complex child protection casework takes time and reflective considered practice. Social workers need manageable caseloads to be able to provide a good standard of safe practice which leads to better outcomes for children.

In order to 'grow' the number of social workers various routes into social work are supported in Derbyshire:

- Frontline (partnership arrangement with Government commissioned organisation);
- Grow Your Own (a route for existing staff to become social workers delivered in partnership with Nottingham City Council and Manchester Metropolitan University);
- Step up to Social Work (Government Scheme, which is a full-time study programme, existing staff can be supported by providing extended unpaid leave to train to become a social worker, scheme is also open to external applicants);
- Return to Social Work Practice (National initiative to encourage professionals to return to practice);
- Social Work Apprenticeships

The culmination of these schemes has provided additional qualified social workers in Derbyshire, but there is a time lag before workers qualify from the different schemes. Current projections demonstrate the following number of students engaged in the various schemes:

<b>Scheme</b>	<b>Number of Students</b>	<b>Completion Date</b>
Frontline	14	September 2021
Step Up to Social Work	7	March/April 2021
Grow Your Own	6	March/April 2021
Social Worker Apprenticeships	12	January 2022

A Social Work Recruitment and Retention working group was established in 2017 to consider the issues in relation to growing the social work workforce. The differential between Derbyshire pay rates for social workers and those of other Local Authorities became increasingly apparent. The introduction of the market supplement in 2019 effectively reduced this gap and strengthened Derbyshire's position in the region.

However, there remains a risk to Derbyshire that should salaries for social workers fall behind neighbouring authorities, individuals who have been supported to train will leave to work outside of Derbyshire County Council.

The vacancy rate is still 17% with 45 posts to fill. The market supplement has proved effective at improving retention rates, but this is an extremely precarious position with many opportunities to move to other local authority employers and agency employment.

Roles within the Council are evaluated using the Korn Ferry (Hay) job evaluation scheme which ensures a rank order that provides protection against equal pay claims. Job evaluation roles restricts the Council's ability to be able to adjust grades based on market need, thus the current application to extend the Children's Services child protection social worker market supplement.

#### **4 & 5. Turnover rates and evidence from exit interview**

The tables below illustrate how recruitment and retention rates have improved over the last year supported by the market supplement. Derbyshire children's services increased the number of permanent workers in post from 194 to 220 over the last year. At the same time the vacancy rate reduced from 27% to 17% and the number of agency social workers employed reduced from 62 to 32. The vacancy rate remains 17% with almost 45 posts still to fill.

#### ***Children's Services child protection social workers in post (grade 9-11)***

	Target establishment	October 2019 SW in post	April 2020 SW in post	October 2020 SW in post
Amber Valley	34.8	17	18	27
Bolsover / NE	49	29	32	36
Chesterfield	41.4	36	33	38
Erewash	35.8	30	31	29
High Peak	38	30	29	32
South Derbyshire	33.5	27	24	30
Disability Team	22.5	15	18	19
Starting Point	10	10	10	9
DCC	265	194	195	220



**Children's Services child protection social work vacancy % rate (grade 9-11)**

	October 2019	April 2020	October 2020
DCC	27%	26%	17%

**Children's services child protection social work agency staff**

	October 2019	April 2020	October 2020
Amber Valley	10	13	5
Bolsover / NE	19	15	10
Chesterfield	2	1	1
Erewash	12	2	4
High Peak	5	7	5
South Derbyshire	8	6	3
Disability Team	6	2	4
DCC	62	46	32

**Annual turnover rate – permanent workforce**

Locality/Service	Annual Turnover Rate – Permanent Workforce								
	April 18-March 19			April 19-March 20			April-September 20		
	Turnover %	Number of leavers	New Starters	Turnover %	Number of leavers	New starters	Turnover %	Number of leavers	New starters
Amber Valley	15.38%	3	7	30.77%	6	10	4.35%	1	9
Chesterfield	7.32%	3	9	29.27%	12	7	9.52%	4	9
Disability	0.00%	0	3.5	22.86%	4	7	15.79%	3	3
Erewash	24.39%	5	4.1	9.38%	3	17	16.87%	7	6
High Peak	3.13%	1	8.7	11.59%	4	4	5.97%	2	3
NE Derbyshire	28.95%	11	12	20.29%	7	8	5.41%	2	6
South Derbyshire	36.36%	6	5	31.25%	5	13	15.00%	3	7
Starting Point	12.90%	2	0	11.43%	2	5	10.00%	2	1
<b>Total</b>	<b>15.42%</b>	<b>31</b>	<b>49.3</b>	<b>19.95%</b>	<b>43</b>	<b>71</b>	<b>10.04%</b>	<b>24</b>	<b>44</b>
<b>ASCH Comparison</b>	<b>7.8%</b>		<b>N/A</b>	<b>12.7%</b>	<b>28</b>	<b>N/A</b>	<b>6.90%</b>	<b>15</b>	<b>N/A</b>

\*Turnover is calculated by dividing the number of leavers by the average headcount for the set period. The previous market supplement application details an increase in the turnover rate from 30 April 2017 - 11.5% to 30 April 2019 - 18.6% (please note the above table shows a smaller turnover rate for 2018/19 as this is calculated up to the 30<sup>th</sup> March 2019 only, to allow for a full analysis of 2019/20 financial year).

The number of leavers increased from 31 in 2018/19 to 43 in 2019/20; however there doesn't appear to be a spike in the number of leavers for 2020/21 with 24 leaving between April and September – exit data has been captured for these leavers and an analysis can be found below.

Reason for leaving	Number of Leavers
Pay	1
Job/Team Dissatisfaction	4
Personal/family Reasons	5
Location/wanted to work for another LA	5
Issues with Practice	2
Resigned to work for an agency/undertake short term work	4
Retired	2
Dismissed	2

Prior to the implementation of the market supplement, feedback from exit interviews, and new social workers, demonstrated that the lower pay line in Derbyshire was the biggest barrier to retention and recruitment with many social workers leaving the authority after completing less than 4 years' service. There has been significant investment in newly qualified social workers which often results in progression from grade 9 through to grade 11 following each year of practice, however retaining more experienced social workers is difficult. In order to support with this and recognise the challenges that may be associated with working in a child protection role on a long-term basis, the Council is piloting a social worker transfer scheme. This will allow social workers to express an interest, and be considered, for transfer into a different element of the service, supporting their wellbeing and continued employment with the Council.

As at 30/09/20 35.69% of the social work workforce had less than 1 years' service, 63.72% have less than 2 years' service, and 77.58% of the workforce have less than 4 years' service. It should also be noted that the length of time social workers spend in frontline child protection work is known to be short nationally.

The number of new starters has increased year on year with 49.3 in 2018/19, 71 in 2019/20 and 52 in the first six months of 2020/21. This, along with a slowdown in the turnover rates, can be attributed to the work undertaken in Children's Services to support with recruitment and retention of social workers.

Period of Employment as SW at DCC	Child Protection Social Workers as at 30/09/20		Child Protection Social Workers as at 30/03/2020		Child Protection Social Workers as at 30/03/2019	
	Percentage of workforce	Cumulative Percentage of the workforce	Percentage of workforce	Cumulative Percentage of the workforce	Percentage of workforce	Cumulative Percentage of the workforce
Up to 1 year	35.69%	35.69%	45.00%	45.00%	30.9%	30.9%
1 to 2 years	28.02%	63.72%	16.88%	61.88%	21.4%	52.3%
2 to 4 years	13.86%	77.58%	15.63%	77.50%	21.3%	73.6%
4 to 6 years	8.85%	86.43%	8.75%	86.25%	9.1%	82.7%
6 to 10 years	5.01%	91.45%	4.69%	90.94%	5.0%	87.7%
10 to 15 years	4.42%	95.87%	6.88%	97.81%	9.6%	97.3%
15 to 20 years	3.83%	99.71%	1.88%	99.69%	2.1%	99.4%
20 to 25 years	0.29%	100.00%	0.31%	100.00%	0.6%	100.0%
25 years+	0.00%	100.00%	0.00%	100.00%	0.0%	0.0%
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.0%</b>	<b>100.0%</b>

The number of vacancies and leavers in children's services remains higher than those in ASCH. ASCH had a turnover rate of 12.7% in 2019/20 compared to Children's Services who had a turnover rate in the same year of 18.8%. ASCH had 37 vacancies as at the 30/03/20 in comparison to Children's Services who had 71 vacancies on the same date. The table below provides this detail.

#### ASCH Turnover Rates

##### **March 2020**

<b>Group</b>	<b>Current Establishment (FTE)</b>	<b>Vacancies (FTE)</b>	<b>Turnover% (in past 12 months)</b>	<b>Leavers (in past 12 months)</b>
<b>Social Worker G11</b>	128.55	1.00	9.14	18
<b>Social Worker G10</b>	66.55	2.50	8.86	7
<b>Social Worker G9</b>	25.49	33.44	9.68	3
<b>Total</b>	<b>220.59</b>	<b>36.94</b>	<b>12.69</b>	<b>28</b>

##### **August 2020**

<b>Group</b>	<b>Current Establishment (FTE)</b>	<b>Vacancies (FTE)</b>	<b>Turnover% (in past 12 months)</b>	<b>Leavers (in past 12 months)</b>
<b>Social Worker G11</b>	130.10	1.00	2.94	6
<b>Social Worker G10</b>	64.25	1.00	6.25	5
<b>Social Worker G9</b>	23.29	39.10	13.79	4
<b>Total</b>	<b>217.65</b>	<b>41.10</b>	<b>6.89</b>	<b>15</b>

#### **6. Number and quality of responses to job advertisements**

Between October 2019 and April 2020, 16 child protection social worker adverts have been placed, resulting in 121 applications. The total number of appointments from the 121 applications was 42- 33.8%. The number of withdrawals was 6.7% however the data does not allow us to breakdown the withdrawals to pre and post appointment and the reasons for the withdrawal.

Between April 2020 and October 2020, 9 child protection social worker adverts were placed, resulting in 90 applications. The total number of appointments from the 90 applications was 22- 24.5%. The number of withdrawals was also 24.5% however the data does not allow us to breakdown the withdrawals to pre and post appointment and the reasons for the withdrawal.

*It should be noted that the data has been pulled from the recruit system and due to the complexities with org units this can lead to some inaccuracies.*

<b>Date Ranges</b>	<b>Job role advertised</b>	<b>Number of adverts released</b>	<b>Total Number of applications</b>	<b>Total Number of appointments</b>	<b>Total Number of withdrawals</b>
October 2019- April 2020	Child Protection Social Worker	16	121	42	18
April 2020- October 2020	Child Protection Social Worker	9	90	22	22

#### **7. Verification of pay or terms and conditions differential between the Council and the market**

Without a continuation of the market supplement the pay scales for social workers in Derbyshire children’s services will remain at the lower end of neighbouring authorities. As these employers surround Derbyshire and are within an easy commute the impact of these salary levels means that potential social work candidates and existing staff are migrating to these employers.

Authority	Grade 9 (Level 1)	Grade 10 (Level 2)	Grade 11 (Level 3)	Retention or other Pay Schemes (if applicable)	Non-pay initiatives
Derbyshire County Council	£ 27,629.00	£ 31,832.00	£ 36,155.00	Grade 9- £4,000, Grade 10- £3,000, Grade 11- £2,000, Grade 12- pay point 29	Paid SWE registration fees
<b>Derbyshire CC + R&amp;R payment</b>	<b>£ 31,629.00</b>	<b>£ 34,832.00</b>	<b>£ 38,155.00</b>		
<b>Derby City Council</b>	<b>£ 37,890.00</b>	<b>£ 41,881.00</b>	<b>£ 41,881.00</b>		
Nottinghamshire County Council	£ 27,741.00	£ 32,234.00	£ 36,922.00	3-year retention payment programme for SWs in "hard to retain" teams only which is paid as follows:  After 6 months £1000 After 1 year £1000 After 2 years £3000 After 3 years £4000	
<b>Nottinghamshire + R&amp;R payment</b>	<b>£ 29,741.00</b>	<b>£ 35,234.00</b>	<b>£ 40,922.00</b>		
Nottingham City Council	£ 27,741.00	£ 31,346.00	£ 35,745.00	ASYE social workers (Grade 9 DCC equivalent) progress to a minimum of £29,577 after successfully completing a 6-month review and assessment to move to level 2.	
<b>Nottingham City + R&amp;R payment</b>	<b>£ 29,577.00</b>	<b>£ 31,346.00</b>	<b>£ 35,745.00</b>		
Leicestershire County Council	£ 27,707.00	£ 32,241.00	£ 35,607.00	Following ASYE (Grade 9 DCC equivalent) all social workers receive £3,135	
<b>Leicestershire County + R&amp;R payment</b>	<b>£ 27,707.00</b>	<b>£ 35,376.00</b>	<b>£ 38,742.00</b>		
<b>Leicester City Council</b>	<b>£ 27,741.00</b>	<b>£ 31,346.00</b>	<b>£ 38,890.00</b>		
Rutland County Council	£ 28,672.00	£ 32,234.00	£ 35,745.00	£3,000 to all social workers.	Paid SWE registration fees and access to pool cars.
<b>Rutland + R&amp;R payment</b>	<b>£ 31,672.00</b>	<b>£ 35,234.00</b>	<b>£ 38,745.00</b>		
<b>Sheffield City Council</b>	<b>£ 34,728.00</b>	<b>£ 34,728.00</b>	<b>£ 38,890.00</b>		
Northamptonshire County Council	£ 31,826.00	£ 36,597.00	£ 40,419.00	Recruitment bonus for social workers (exc ASYE) £3,000-£4,000 dependent upon team, £3,000 to senior social worker	
<b>Northamptonshire CC + R&amp;R payment</b>	<b>£ 31,826.00</b>	<b>£ 40,097.00</b>	<b>£ 43,919.00</b>		
<b>Rotherham Borough Council</b>	<b>£ 31,346.00</b>	<b>£ 34,728.00</b>	<b>£ 38,890.00</b>		
<b>Comparators top of the scale + R&amp;R payment mean</b>	<b>£ 31,358.67</b>	<b>£ 35,552.22</b>	<b>£ 39,624.89</b>		
<b>Difference DCC top of salary and comparator mean</b>	<b>£ 3,729.67</b>	<b>£ 3,720.22</b>	<b>£ 3,469.89</b>		

## 8. Amount of market supplement to be paid

**Please note that all supplements are quoted as gross payments and that tax, and national insurance deductions would be made. The supplements are pensionable.**

Market supplements paid to Child Protection & Starting Point Grade 9, 10 and 11 Social Workers (and consequential point uplift for Grade 12 Practice Supervisors)

It is proposed to continue making the following market supplement payments (and consequential point uplift for Grade 12 Practice Supervisors) for a period of two years with effect from 1 July 2021:

- Child Protection Grade 9 - £4,000
- Child Protection Grade 10 - £3,000
- Child Protection Grade 11 - £2,000

and to

- Pay all grade 12 Practice Supervisors at minimum of point 29 (£38,371pa) to ensure that there is a small differential between Social Workers at the top of grade 11 with market supplement (£38,155pa) and Practice Supervisors at point 29.

The proposal to continue to pay above the average mean difference at Grade 9 is due to the impact that other LA's particularly Rotherham and Sheffield have had on turnover in North East and Bolsover, and Derby has had on South Derbyshire and Erewash. Paying above the mean rate at the introductory level will continue to support the Councils recruitment strategy in encouraging engagement in the profession. The additional first year costs are offset by the below mean market rates at Grade 10 and 11.

Current recruitment and retention trends within Derbyshire suggest that the Council is better placed to retain Social Workers, at grade 10 and grade 11, through the measures put in place to address recruitment and retention issues. Although the mean average demonstrates a higher differential in pay, the proposal is to retain the current market supplement payments at grade 10 and grade 11. It is felt that maintaining the payment for another two years will continue to further reduce recruitment and retention issues without significantly impacting on increased budget pressures.

These payments would be per 1fte and paid pro-rata for any part-time (and relief staff).

Table showing impact at each salary pay point:

Pay Scale Group	Pay Scale Level	Existing Rates	Market Supplement	Total with Market Supplement
Grade 9	16	£25,753	No longer used for frontline child protection Social Workers	
	17	£26,379		
	18	£27,005		
	19	£27,629	£4000	£31,629
Grade 10	20	£28,682	Propose to not use these bands	
	21	£29,731		
	22	£30,781	£3000	£33,781
	23	£31,832	£3000	£34,832
	24	£32,913	Propose to not use these bands	

Grade 11	25	£33,994	£2000	£35,994
	26	£35,074	£2000	£37,074
	27	£36,155	£2000	£38,155
Grade 12	28	£37,263	Propose to not use these bands	
	29	£38,371	N/A	£38,371
	30	£39,481	N/A	£39,481
	31	£40,589	N/A	£40,589

\*Market Supplements are all pro-rated for part-time staff

### Estimated costs of Market Supplement on full establishment (265fte)

	Estimated FTE's	£m
Grade 9	89	0.356
Grade 10	88	0.264
Grade 11	88	0.176
Total	265	0.796
On Cost (30.84%)		0.245
<b>Total Cost of Market Supplement</b>		<b>1.041</b>

The current budget allocation for Child Protection Social Workers & Starting Point Social workers including full on costs at 30.84% is **£11.037m**.

Between June 2019 and October 2020, the level of agency staffing has reduced from 64 fte's to just 32fte's, however on average an agency worker costs £0.030m more than a Derbyshire County Council Grade 10 Social Worker. Based on the number of agency workers in post at 31<sup>st</sup> Oct 2020 this would be an additional £0.960m over a year.

The establishment as set out above along with the estimated cost of the proposed market supplement would take the total estimated spend to **£11.902m, £0.865m over the current budget**.

In order to fund the cost of the market supplement it is proposed to maintain the reduced reliance on agency social workers and use the natural turnover rate of this large group of staff. We know from existing data that across any year there is always a 'natural' vacancy rate above 7% created by turnover of staff, the movement of new starters and leavers.

Whilst the vacancy rate remains higher than 7% there is opportunity for a small number of agency social workers to support new starters and inexperienced staff. This will need to be carefully monitored and tracked with a monthly report demonstrating the following in relation to the target.

- the number of established social workers in post
- the vacancy rate to date
- agency social workers in post
- budget projection.

The following table illustrates the budget and cost on frontline child protection social workers based on the assumption of an equal split of grade 9, 10 and 11 social workers in post.

	SW target	Agency SW	Total cost of market supplement including on costs	Total cost of salaries including market supplement & agency staff
<b>Current budget for locality CP SW</b>	265	0		£11,036,982
<b>7% vacancy rate with no agency SW</b>	246	0	£965,599	£11,051,819
<b>10% vacancy rate with 14 agency social workers in post</b>	223	14	£874,011	£11,024,080

### 9. Likely effectiveness of market supplement

The market supplement will ensure social worker pay is closer to the local comparators mean average as illustrated in previous tables.

The Council currently has 45fte social worker vacancies in Child Protection and Starting Point combined. The vacancy level has reduced since the implementation of the market supplement in 2019 supporting the remodelling of social work teams. The comparison with other local authority social work salary levels shows that Derbyshire County Council has relatively lower pay with the market supplement helping to significantly close this gap. Having made such good progress, but with still some way to go, the market supplement is a key component to supporting the children's child protection staff structure at this time.

### 10. Analysis of the likely impact of market supplement

The purpose of this market supplement is to increase the level of pay of child protection social workers at Grade 9, 10 and 11 in order to maintain the significant progress made with social work recruitment. There are currently 45fte vacancies to fill and the challenge of retaining existing staff. This will enable children's services to move closer to the social work establishment and reduce the current agency spend and ensuring better outcomes for the children of Derbyshire.

In terms of impact on other employees:

**Social Workers not working in Child Protection in Childrens Services** – Childrens' Services has other social workers not working in child protection, e.g. working in Fostering and Adoption. Generally, fostering and adoption work is seen as less demanding than Child Protection work. This means that several social workers prefer working in Adoption and Fostering over Child Protection work. The introduction of the supplement to child protection roles in 2019 has not led to the recruitment of non-child protection social workers into child protection roles and is unlikely to do so should the supplement be extended.

**Social Workers at Grade 9, 10 and 11 in Adult Care** – these employees work to the same Job Profile as Children's Services social workers and have the same job grades. i.e. Grade 9, 10 and 11. Adult Care have categories of social workers who are likely to respond to changes to remuneration such as this and therefore need to be included in any considerations.

**Practice Supervisors at Grade 12 in Children's Services** – This market supplement is an interim measure to meet the market challenges of social worker recruitment and retention. A payment of £2,000 means that a social worker at the top of Grade 11 receives total payments of £37,187pa which would be the equivalent of between point 28 (the lowest point) and point 29 in the Grade 12 salary scale. In order to address this issue, Grade 12 social workers have



been increased to the next point on the scale to ensure a differential. This will result in only a marginal difference in salary between social workers on the top of grade 11 and practice supervisors, this has been the case since the inception of the market supplement and has not caused any undue concern.

This market supplement does not address the underlying low pay line issue but does seek to increase their pay in line with the employment market conditions for child protection social workers to increase the capability of DCC to recruit and retain them which is considered a legitimate business need.

**Other roles at Grade 9, 10 and 11 across the Council** – All jobs at these grades have been rated through job evaluation as equivalent and therefore any additional payments to one group could lead to challenge. The Council has a low pay line and increasing the whole pay line is not affordable and would impact the whole pay structure and not just be isolated to these grades. Any risk is reduced if the Council can clearly evidence the rationale for introducing a market supplement.

### **Employees with protected characteristics**

An Equality Impact Assessment (appendix 2) has been undertaken to determine the impact of the market supplement payment to child protection social workers on employees within the nine protected groups, identified under the Equality Act.

The findings demonstrate that the proposed market supplement payment would not disadvantage any of the protected groups. The proposals will benefit both female and BAME employees at grade's 9, 10 and 11. Derbyshire offers a number of entry schemes into the social work profession which generates opportunities for individuals to start on a salary of over £30k (when including the market supplement). This is a particular benefit to individuals under the age of 24 who are likely to apply for roles with us following successful completion of their social work qualification. The feeder schemes also allow progression from lower graded roles through grow your own and apprenticeship routes further benefitting the workforce.

Whilst there is no data available in respect of marriage and civil partnership, pregnancy and maternity or gender reassignment, it is not envisaged that there will be any adverse impact to employees in these groups. It is noted that employees on maternity/ paternity leave should have any changes communicated to them appropriately.

## **11. Legal Considerations**

The Council needs to ensure that the payment of a market supplement to this group of workers does not expose it to potential equal pay claims under the Equality Act 2010. The payment of a market supplement to this group of workers could result in a difference in the pay of men and women who are carrying out work which has been rated as equal value under the Hay job evaluation scheme.

The Council may have a defence against an equal pay claim if it can be shown that the difference in pay can be explained by a 'material factor' that does not involve direct or unjustified indirect sex discrimination. The Council would need to demonstrate that (1) the reason for the payments was genuinely due to the difficulty in recruiting to the CPS social worker posts; (2) there is a real need and impact upon the services provided by CPS social workers caused by the difficulty in recruiting and (3) that the payments outlined above are reasonably necessary to improve the recruitment and retention, and likely to achieve positive results.

In this case the payment is necessary to enable the Council to carry out its statutory duties in relation to child protection and children in care. The market supplement is reasonably necessary to improve recruitment and retention and is likely to achieve positive results based on the evidence available.

Market supplements should be time limited and subject to review to ensure that, at all times, it can be shown the market forces relied on remain the reason for any pay differential. Typically, in local government, the standard period for a review is up to 2 years, subject to a review after 12 months. An advantage of reviewing payments periodically is that they are easier to justify by way of a link with current market conditions. Time limiting the payments in this manner would assist in guarding against an equal pay challenge made on the basis that the payment was no longer justified. If challenged the Council would need to satisfy a tribunal that any market supplement reflected a genuine need to pay an increased rate to solve a temporary recruitment problem and that problem was continuing thereby justifying the continuing enhanced rate of pay.

Therefore, on balance, it would be justifiable for the supplement to be paid. However, the payment of a market supplement should only be a temporary solution to facilitate a wider strategy to support recruitment and retention in this area.

**Derbyshire County Council**  
**Equality Impact Analysis Record**

Service Area	Early Help and Safeguarding
Service or function	Social Worker Market Supplement

**Stage 1. Prioritising the analysis**

Why has the policy, practice, service or function been chosen?

The Equality Impact Assessment (EIA) was undertaken to establish what impact the market supplement payment to child protection social workers would have on the workforce. It will also identify if the proposals have a direct or indirect negative impact on employees within the nine protected groups, identified under the Equality Act.

What if any proposals have been made to alter the policy, service or function?

It is proposed to continue making the following market supplement payments (and consequential point uplift for Grade 12 Practice Supervisors) for a period of two years with effect from 1 July 2021 to 30 June 2023:

- Child Protection Grade 9 - £4,000 (pro rata for part time employees)
- Child Protection Grade 10 - £3,000 (pro rata for part time employees)
- Child Protection Grade 11 - £2,000 (pro rata for part time employees)

and to

- Pay all grade 12 Practice Supervisors at minimum of point 29 (£38,371pa) to ensure that there is a small differential between Social Workers at the top of grade 11 with market supplement (£38,155pa) and Practice Supervisors at point 29.

What is the purpose of the policy, practice, service or function?

The proposal to continue paying the current market supplement payments, until 30 June 2023, is based on assessment of the annual turnover data, vacancy rate, benchmarking with neighbouring authorities and recruitment and retention challenges. The aim of the market supplement is to support with recruitment and retention difficulties, increase the established workforce and reduce the reliance on agency workers.

The proposal for grade 9 social workers, is £300 above the average mean difference of the Council's comparators. This is due to the impact that other LA's particularly Rotherham and Sheffield have had on turnover in North East and Bolsover, and Derby has had on South Derbyshire and Erewash. Paying above the mean rate at the introductory level will continue to support the Councils recruitment strategy in encouraging engagement in the profession. The additional first year costs are offset by the below mean market rates at Grade 10 and 11.

Current recruitment and retention trends within Derbyshire suggest that the Council is better placed to retain Social Workers through the measures put in place to address recruitment and retention issues. Therefore, the proposal is to retain the current market supplement payments

at grade 10 and grade 11. It is felt that maintaining the payment for another two years will continue to further reduce recruitment and retention issues without significantly impacting on increased budget pressures.

These payments would be per 1fte and paid pro-rata for any part-time (and relief staff).

### Stage 2. The scope of the analysis — what it covers

The proposed market supplement payments will apply to all child protection social workers. The EIA will assess the impact to the following nine protected characteristics in the Equality Act as well as any impact to part-time employees:

- Age
- Disability
- Sex
- Sexual Orientation
- Race
- Religion or belief
- Marriage and civil partnership
- Pregnancy and maternity
- Gender Reassignment

### Stage 3. Sources of data

Source	Reason for using
SAP Workforce and Equality Data at January 2021	Identify % of protected groups at each pay grade to establish if the market supplement proposals have any positive and/or negative impact.

### Stage 4. Analysing the impact or effects

There are 2769 employees at grade 9, 10 and 11. The data for these employees was compared against the 246 child protection social workers at grade 9,10 and 11. The percentages below are calculated by dividing the total number in each protected group by the total number of employees i.e 2769 for all appointments and 246 for child protection social workers. The same calculation is applied to 'all appointments' and child protection social workers to enable an accurate comparison.

Protected Group			
Age: 50+	Grade	All appointments	CP Social Workers
	9	522	3
	10	312	5
	11	434	35
	Total	1268 (46%)	43 (17%)

#### Findings:

The percentage of child protection social workers over the age of 50 is significantly less than the percentage of employees within the council, who are over the age of 50. Positively, this supports the Council to address issues arising from an ageing working and increases representation amongst younger workers.

<b>Protected Group</b>			
<b>Age: 16-24</b>	<b>Grade</b>	<b>All appointments</b>	<b>CP Social Workers</b>
	9	56	20
	10	10	2
	11	6	4
	Total	72 (3%)	26 (11%)

Findings: The percentage of child protection social workers aged between 16-24 is higher than the percentage of the workforce aged between 16-24 at grades 9, 10 and 11. The starting salary for a social worker is grade 9 and, due to the number of entry routes the council has in to the profession, there are a higher number of employees aged between 16-24. Therefore, the market supplement payment benefits individuals who fall within this age range.

<b>Protected Group</b>			
<b>Disability</b>	<b>Grade</b>	<b>All appointments</b>	<b>CP Social Workers</b>
	9	49	2
	10	34	4
	11	71	9
	Total	154 (6%)	15 (6%)

Findings:  
The percentage of disabled child protection social workers is the same as the percentage of disabled workers within the workforce, at that grade. Therefore, there is no positive or negative impact on this group and the proposals will not help to increase the proportion of disabled employees within the workforce.

<b>Protected Group</b>			
<b>Gender (Sex)</b>	<b>Grade</b>	<b>All Female appointments</b>	<b>Female CP Social Workers</b>
	9	821	79
	10	502	41
	11	623	90
	Total	1946 (70%)	210 (85%)

Findings:  
The council's workforce is predominately female and, whilst it is anticipated these proposals could further increase the number of females within the workforce, this is reflective of the gender of individuals seeking to enter social work as an occupation.

Protected Group			
Race	Grade	All appointments BME	CP Social Workers BME
	9	88	18
	10	49	7
	11	70	12
	Total	207 (7%)	37 (15%)

**Findings:**

There is a larger percentage of BME employees in a child protection social worker role, at grade 9, 10 and 11, than the remainder of BME employees, at those grades, within the workforce. Therefore, the BME child protection social workers could be positively impacted by the market supplement.

Protected Group							
Sexual Orientation	Grade	All appointments			CP Social Workers		
		Heterosexual	LGBT	Not declared	Heterosexual	LGBT	Not declared
	9	765	24	377	69	2	17
	10	487	13	218	30	3	16
	11	620	20	245	68	5	36
Total	1872 (67%)	57 (3%)	840 (30%)	167 (68%)	10 (4%)	69 (28%)	

**Findings:**

The sexual orientation percentages across the workforce and the child protection social worker workforce are very similar. Therefore, there is no adverse or positive impact on this protected group. It should be noted that, historically, it is understood that declaration rates amongst children's social workers is lower, reflecting concerns amongst LGBT social workers that this will work against them gaining employment.

Protected Group									
Religion or Belief	Grade	All appointments				CP Social Workers			
		Christian	Minority Religion	No religion	Not declared	Christian	Minority Religion	No religion	Not declared
	9	463	15	364	324	26	5	38	19
	10	263	13	223	219	11	3	22	13
	11	380	26	259	220	47	3	36	23
Total	1106 (40%)	54 (2%)	846 (31%)	763 (27%)	84 (34%)	11 (5%)	96 (39%)	55 (22%)	

**Findings:**

The percentages for each category are similar across each grade bracket, and both groups of employees. Whilst there is no adverse or positive impact on this group, it may prove useful if successful applicants come from non-Christian cultures as this can support the knowledge of the service and its cultural competency.

**Stage 6. Main conclusions**

Analysis of the above findings demonstrates that the proposed market supplement payment would not disadvantage any of the protected groups. The proposals will benefit both female and BAME employees at grade's 9, 10 and 11. The number of entry schemes into the social work profession, that Derbyshire offers, will also create opportunities for individuals to start on

a salary of over £30k (when including the market supplement). This is a particular benefit to individuals under the age of 24 who are likely to apply for roles with us following successful completion of their social work qualification. The feeder schemes also allow progression from lower graded roles through grow your own and apprenticeship routes further benefitting the workforce.

Whilst there is no data available in respect of marriage and civil partnership, pregnancy and maternity or gender reassignment, it is not envisaged that there will be any adverse impact to employees in these groups. It is noted that employees on maternity/ paternity leave should have any changes communicated to them appropriately.

**Stage 7. Ways of mitigating unlawful prohibited conduct or unwanted adverse impact, or to promote improved equality of opportunity and/or good relations.**

Continued maintenance of a robust job evaluation process which is the basis for ensuring the pay structure is fit for purpose and can provide a defence to discrimination and equal pay claims.

A full review of the social worker market supplement will begin approximately six months before it's end date (December 2022), which includes an analysis of the social worker market and recruitment and retention data.

Continued monitoring of recruitment to research whether a diverse range of candidates are being successful will be useful in measuring the impact on diversity within the workforce but also in terms of service delivery.

The Equality Impact assessment will be shared with trade union colleagues and officers to ensure that all views are considered and reflected in the final document.