

# Social Work England

Performance Review  
Periodic review 2022/23

# Social Work England

## Performance review report 2022/23

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## About our performance reviews

We have a statutory duty to report annually to Parliament on the performance of the 10 regulators we oversee. We do this by reviewing each regulator's performance against our Standards of Good Regulation and reporting what we find. Our performance reviews are carried out on a three-year cycle; every three years, we carry out a more intensive 'periodic review' and in the other two years we monitor performance and produce shorter monitoring reports. Find out more about our performance review process on our [website](#). This is a periodic review report on Social Work England and covers 1 January 2023 to 31 December 2023.

## About Social Work England

Social Work England regulates the practice of social workers in England. It has **101,779 professionals** on its register (as at 31 December 2023).

## About Social Work England's performance for 2022/23

For this review, Social Work England met 17 out of 18 of our Standards of Good Regulation. These Standards provide the benchmark against which we review performance. Meeting or not meeting a Standard is not the full story about how a regulator is performing. Our report provides more detail about Social Work England's performance this year.

Standards of Good Regulation met 2022/23		
	General Standards	5 out of 5
	Guidance and Standards	2 out of 2
	Education and Training	2 out of 2
	Registration	4 out of 4
	Fitness to Practise	4 out of 5
	<b>Total met</b>	<b>17 out of 18</b>
	<b>Standards met 2019-22</b>	
	2021/22	16 out of 18
	2020/21	16 out of 18
	2019/20	15 out of 18

## Key findings

### Interim orders

Social Work England met Standard 17 for the first time this year. Whilst we saw an increase in the second half of the review period in the time taken from the receipt of a referral to an interim order decision being made, we were assured by the explanations Social Work England gave us about the specific circumstances in each case. It also provided further information about the challenges it faces and context of social work regulation, to explain this increase. Given these explanations, the assurance from our audit of Social Work England's cases, and continuing good performance for the time taken to make interim order decisions once it is identified that an order might be necessary, we were satisfied that this Standard is met. We will continue to closely monitor Social Work England's performance in this area.

### Fitness to practise timeliness

Social Work England did not meet Standard 15 last year, for the first time, due to continuing challenges in processing fitness to practise cases in a timely manner. Whilst Social Work England is taking steps to address this, it continues to face challenges as a result of the cases inherited from the previous regulator and in hearing capacity. Measures for timeliness and the age of caseloads have not improved in this review period, and Standard 15 continues not to be met.

### Registration of overseas-trained applicants

Social Work England has seen a significant increase in the number of applications from overseas-trained applicants. Consequently, the time taken to deal with these applications has also increased. Social Work England has taken a range of appropriate measures to deal with the increase in applications, including liaising with overseas regulators and employers and agencies in England. We had no concerns about Social Work England's performance in other areas of registration, such as UK applications and renewal. Standard 11 is met. However, we acknowledge the challenges that a lengthy application process can present for both applicants and other stakeholders. Accordingly, we will expect Social Work England to continue to take appropriate steps to improve performance in this area.

### Assuring the quality of education and training

Social Work England is on track to meet its target for reapproving social worker training courses. Most courses are reapproved with conditions, which indicates that Social Work England continues to require providers to take action to ensure its standards are met. We received positive feedback from stakeholders about its approach to inspections.

## General Standards

### 1

**The regulator provides accurate, fully accessible information about its registrants, regulatory requirements, guidance, processes and decisions.**

- 1.1 Social Work England published its 'Social Work in England' report this year, which provided a wealth of information about the state of social work in England, including: diversity data on its registrants; fitness to practise data; details of social work courses and the experiences of students; and the volume and types of Continuing Professional Development (CPD) produced by social workers. It is a comprehensive report on the social work profession in England.
- 1.2 Social Work England continues to publish information about its role, regulatory requirements, guidance, process and decisions.
- 1.3 Last year, we identified that Social Work England was not publishing decisions taken by the previous regulator of social work in England, the Health and Care Professions Council (HCPC), to remove social workers from the register. This year, Social Work England informed us that it does not consider that it has the power to do so. However, it told us that it will share this information with an enquirer where it is in line with its powers, and data protection legislation, to do so.

### Conclusion

Social Work England continues to publish accurate and accessible information, and we have no concerns in relation to this Standard, so we are satisfied that it is met.

### 2

**The regulator is clear about its purpose and ensures that its policies are applied appropriately across all its functions and that relevant learning from one area is applied to others.**

- 2.1 Social Work England published its strategy for 2023-26 in March 2023. This strategy clearly sets out Social Work England's purpose, which is 'to protect the public and raise standards across social work in England, so that people receive the best possible support whenever they might need it in life.'
- 2.2 Its strategy has three strategic themes, which are:
  - Prevention and impact – this is focused on preventing harm and working to get ahead of the curve.
  - Regulation and protection – this is focused on ensuring that its regulatory activity strikes the right balance between protection and proportionality.

- Delivery and improvement – this is about Social Work England moving from being a new organisation, creating systems and processes, to being a mature organisation.

- 2.3 Each of the strategic themes has strategic objectives sitting underneath them, resulting in a total of 10 strategic objectives. The strategy also includes sections on resources and covers how Social Work England will evaluate its success. Overall, the strategy appears to be a positive plan for the next three years and we will monitor Social Work England's progress in future performance reviews.
- 2.4 Social Work England published its business plan for 2023-24 in April 2023. This was organised under the three strategic themes from the strategy and outlines success criteria which apply to each of the 10 strategic objectives, all of which appear reasonable and aligned to their respective objectives.
- 2.5 We also saw evidence of learning being shared across the organisation. Social Work England used input from its legal team and single point of contact (SPOC) network to promote efficiency with case progression. Its National Advisory Forum (NAF) feeds into work across the organisation. Learning from Social Work England's regulatory activities, engagement and research all fed into the Social Work in England report.

## Conclusion

Social Work England published its new strategy, which clearly sets out its purpose and what it aims to achieve in the next three years. It also published its business plan, which is clear about its goals for the first year of the new strategic period, and we have seen evidence of learning being shared across the organisation. We have no concerns in relation to this Standard and we are satisfied that it is met.

## 3

**The regulator understands the diversity of its registrants and their patients and service users and of others who interact with the regulator and ensures that its processes do not impose inappropriate barriers or otherwise disadvantage people with protected characteristics.**

- 3.1 In June 2023, Social Work England published its updated Equality, Diversity and Inclusion (EDI) action plan. The EDI action plan is clearly linked to Social Work England's new strategy, noting that the strategy states EDI should be integral to all that it does. The action plan explains that Social Work England's Board leads its commitment to EDI and holds the executive leadership team accountable for delivery. Each action on the plan is owned by an executive director and the action plan notes the various mechanisms for oversight of progress on the plan.

- 3.2 The action plan itself contains 25 different actions, each of which sits under one of the strategic objectives and relates to business plan objectives. The actions include:
- Developing analysis of the demographics of the social work profession, and using this to better support its regulatory activities and (where appropriate), national policy development and workforce planning.
  - Identifying opportunities to improve the fairness of its registration and advice process, by reviewing learning and data from the last three years.
  - Continuing to publish gender pay gap reports. It will also introduce ethnicity and disability pay gap reporting to identify improvements.
- 3.3 We have also seen evidence of progress against actions in the action plan, including an analysis of EDI data and the completion of an accessibility audit.
- 3.4 Social Work England has data on at least one characteristic for 94% of its registrants. It published much of this data in its Social Work in England report, and in September 2023, published an initial analysis of this data with respect to its fitness to practise process. This analysis stated that:
- People who identify as male, people over the age of 40, and people whose ethnicity is Black/African/Caribbean/Black British are overrepresented in referrals received by Social Work England and in cases which go to hearings.
  - The analysis is limited by the fact that Social Work England holds a significantly lower percentage of diversity data for social workers who have been through a hearing, compared to the register overall. It also noted that it is not possible to speculate on the causes of any identified relationships in the data.
  - The next steps are to conduct further analysis of the types of concern, factors that influence case progression rates, and aspects of intersectionality, followed by further research to support Social Work England's understanding of the identified disparities. Further research will include looking at any differences in the interim order process, the effect of a social worker being represented at a hearing, and any regional variation, amongst other areas.
- 3.5 Social Work England's NAF continues to play a prominent role in its work, being involved in co-producing over 50 pieces of work, across fitness to practise, engagement, EDI and people and development, including major pieces of work like Social Work England's strategy and the Social Work in England report.
- 3.6 We received feedback from stakeholders who felt it was positive to see some of the work Social Work England was doing in relation to EDI. Stakeholders wanted a continued focus on EDI and looked forward to seeing more data being shared about the profession to deepen the sector's understanding of it.

- 3.7 It is encouraging that Social Work England is now able to start using the EDI data it has collected, and is planning further action based on its analysis. We will continue to monitor Social Work England's progress against its EDI action plan. We have reviewed our approach to Standard 3, and in May 2023 we published an updated evidence matrix and accompanying guidance. We will be working through our new approach to Standard 3 and our evidence matrix beginning in our next performance review, for 2023/24.<sup>1</sup>

## Conclusion

Social Work England has produced an updated action plan, with evidence of actions being completed. It has also published a lot of data as well as an analysis of this data against FTP outcomes. We do not have any concerns about Social Work England's performance in relation to this Standard and therefore it is met.

## 4 The regulator reports on its performance and addresses concerns identified about it and considers the implications for it of findings of public inquiries and other relevant reports about healthcare regulatory issues.

- 4.1 Social Work England continues to produce detailed performance reports for its Board meetings. The reports collate performance against all KPIs, discuss its performance against all of its objectives from its business plan, and provide detailed data concerning Social Work England's performance across all areas of its work.
- 4.2 Social Work England responded to the publication of the Children's Social Care Implementation Strategy, with its Chief Executive sitting on a group established to support and oversee the government's implementation of the Children's Social Care National Framework and Dashboard. Social Work England is also working with the Department for Education (DfE) on the development of the Early Career Framework for social workers.
- 4.3 Social Work England experienced a 93% increase in the volume of corporate complaints in this review period, compared to the last review period. This has been caused by complaints about the renewals process and about registration applications from overseas applicants. However, the time taken to respond has significantly improved. Social Work England responded to 97% of corporate complaints within 20 working days in Q2 2023/24 and 92% in Q3 2023/24, compared to 80% for previous quarters, after implementing new processes for

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<sup>1</sup> You can find more information about our review of Standard 3 on our [website](#).



dealing with complaints. It also has a dedicated role for capturing learning from corporate complaints.

## Conclusion

Social Work England publishes a great deal of information about its performance. It is involved in work in response to the Children's Social Care Implementation Strategy. It processes corporate complaints efficiently with a specific focus on capturing any learning. This Standard is met.

## 5 | The regulator consults and works with all relevant stakeholders across all its functions to identify and manage risks to the public in respect of its registrants.

- 5.1 Social Work England only had one consultation in this review period, on education and training approval standards for Best Interests Assessors (BIAs). BIAs were due to be replaced by the Approved Mental Capacity Professional (AMCP) role, but this has been delayed and it was confirmed in April 2023 that the role would not come in during this Parliament. At that point, Social Work England decided to produce these new standards.
- 5.2 Unlike with other consultations, Social Work England did not undertake pre-consultation engagement for these standards. This was due to the work done in creating the AMCP standards and the similarities between the roles. We received positive feedback about Social Work England's approach to this consultation. A stakeholder described Social Work England as being keen to make its timeline work for those affected, and working effectively to ensure the standards were able to go out for consultation in an appropriate way.
- 5.3 Social Work England established an education and training advisory forum, which is working on finalising, enhancing and supporting the implementation of its guidance on readiness for professional practice. It also convened a workforce roundtable including leaders from across the profession. This roundtable's goals are: information sharing to help set a national direction for the social work workforce; strengthening partnership working and deepening relationships between system leaders; and steering workstreams on recruiting and attracting new social workers, international recruitment and the role of social care staff, and retaining experienced staff. A series of actions have been agreed.
- 5.4 Social Work England commissioned research during this review period, on public perception of social work, issues affecting workforce recruitment and retention and practice education. This research will potentially inform future work.
- 5.5 Some of the stakeholders we spoke to reflected positively on their engagement with Social Work England, with particularly positive feedback for Social Work England's Regional Engagement Leads (RELs). One stakeholder did note that they felt Social Work England was not always sufficiently open to feedback.

## Conclusion

Social Work England continues to engage with stakeholders and we have received mostly positive feedback in relation to this. It established an education and training advisory forum and convened a workforce roundtable to bring stakeholders together. This Standard is met.

## Guidance and Standards

### 6

**The regulator maintains up-to-date standards for registrants which are kept under review and prioritise patient and service user centred care and safety.**

- 6.1 Social Work England continues to have standards for its registrants, and there is no information to suggest these standards are out of date or no longer appropriate.

## Conclusion

Social Work England maintains appropriate, up-to-date standards. This Standard is met.

### 7

**The regulator provides guidance to help registrants apply the standards and ensures this guidance is up to date, addresses emerging areas of risk, and prioritises patient and service user centred care and safety.**

- 7.1 Social Work England continues to produce guidance on how registrants can meet its standards. We do not have any concerns about this guidance.
- 7.2 It publishes specific guidance on its renewal and CPD requirements, which includes guidance on peer reflection (a mandatory part of the CPD requirements), and how social workers can meet the CPD requirements whilst being on extended leave or not holding any cases.

## Conclusion

Social Work England continues to produce up-to-date, appropriate guidance for its registrants. This Standard is met.

## Education and Training

### 8

**The regulator maintains up-to-date standards for education and training which are kept under review, and prioritise patient and service user centred care and safety.**

- 8.1 Social Work England maintains up-to-date standards for education and training, along with supporting guidance. It told us that the Standards may be revisited, based on learning from its inspections.
- 8.2 As mentioned at Standard 5, Social Work England produced and consulted on standards for approving BIA courses, working with stakeholders to ensure the standards were suitable for consultation.
- 8.3 Social Work England continues to work on finalising its guidance on readiness for professional practice, via the education and training advisory group. The guidance aims to set out the knowledge, skills and behaviours which Social Work England expects social workers to demonstrate in order to apply to register as a social worker.
- 8.4 One stakeholder did note that it's not yet clear how this guidance will fit in with other guidance and whether it will be a step forward. Social Work England stated that 'the ambition is to simplify the landscape of guidance and work with the sector to achieve this and define where the readiness for professional practice guidance sits in that space.'
- 8.5 The Education and Training Advisory Forum will next be looking at implementing the guidance. Social Work England anticipates this being an important but complicated piece of work due to how far in advance universities plan their curriculum.

### Conclusion

Social Work England maintains appropriate standards for education and training and is working with the sector to develop guidance which will support education and training providers. This Standard is met.

### 9

**The regulator has a proportionate and transparent mechanism for assuring itself that the educational providers and programmes it oversees are delivering students and trainees that meet the regulator's requirements for registration, and takes action where its assurance activities identify concerns either about training or wider patient safety concerns.**

- 9.1 Social Work England has a KPI for the percentage of course reapproval decisions it has made. The target is for 70% to be completed by March 2024. As of the end of the review period, it is on track, having completed 66%. It also started the annual monitoring for Approved Mental Health Professionals (AMHPs) in this review period.
- 9.2 Data published in Social Work England's performance reports shows that most courses are approved or re-approved with conditions. In Q1 2023/24, only one course was approved or reapproved with no conditions, compared to 21 approved or reapproved with conditions. This indicates that Social Work England continues to require training providers to take action to ensure that they are able to meet its standards.
- 9.3 Other work completed in this area includes end-to-end process mapping of the education quality assurance process and the development of an improvement plan for the third year of approvals and reapprovals, which started in September 2023. Social Work England also appointed a new Head of Education Programmes to oversee the implementation of its approach to education and training.
- 9.4 We received positive feedback about Social Work England's approach to inspections, including that it is open to hearing from course providers as opposed to just focusing solely on the documentation provided, leading to a much more collaborative process.
- 9.5 Social Work England also told us that it will be reviewing the information obtained from the first two years of inspections with a view to identifying learning. It is also looking at internal process systems, with a view to strengthening them.

## Conclusion

Social Work England publishes a lot of information in relation to its inspections, the majority of which involve conditions being applied. It is on target to meet its KPI, with learning and process improvements planned, and we have received positive feedback about Social Work England's performance. This Standard is met.

## Registration

# 10

**The regulator maintains and publishes an accurate register of those who meet its requirements including any restrictions on their practice.**

- 10.1 We conducted a check of Social Work England's register and identified no significant concerns.
- 10.2 We identified one issue in which a decision document was attached to the register entry, but the register entry itself did not include the usual note that a warning was in place. Social Work England told us that this was due to human error, and it

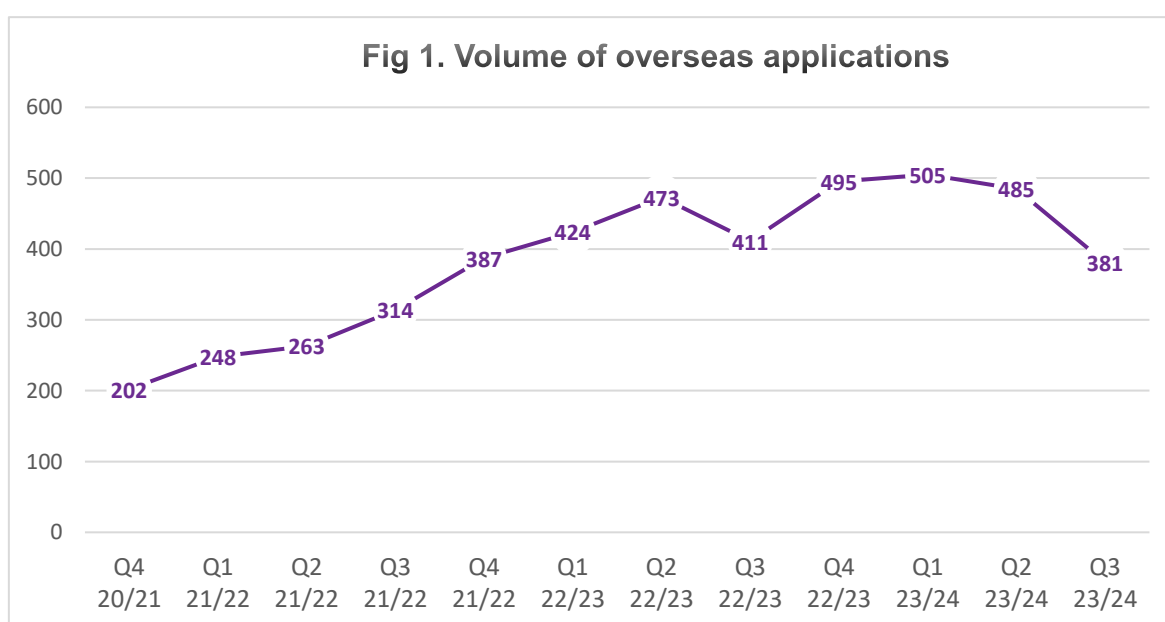
would remind the team about the importance of updating the register and consider process amendments to prevent a repeat of the error.

## Conclusion

We do not have any significant concerns in relation to Social Work England's performance in this area and therefore the Standard is met.

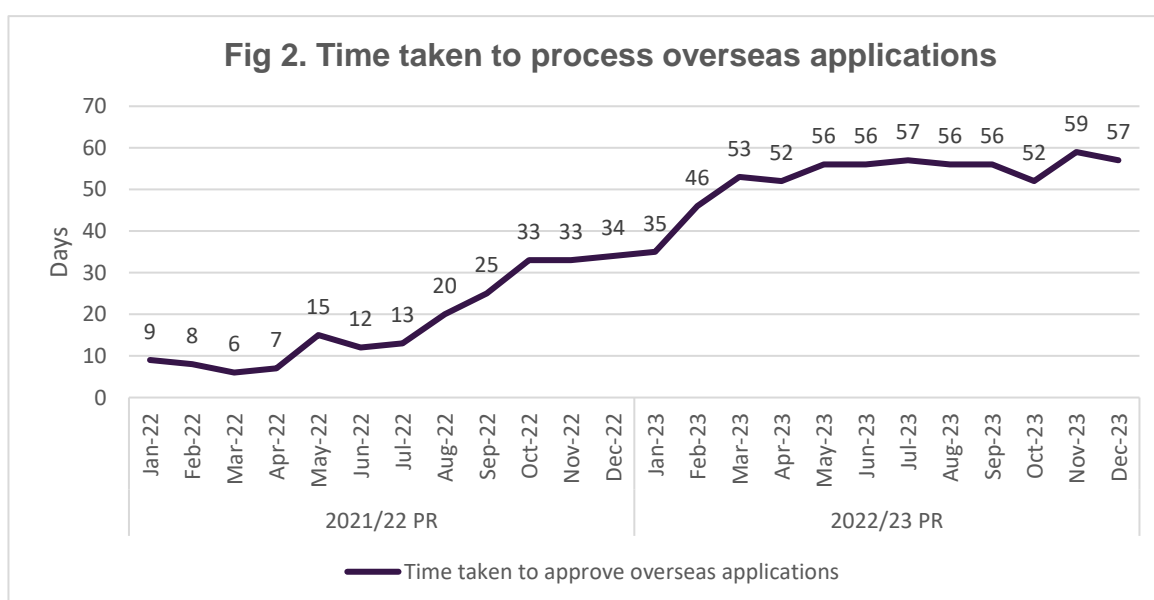
# 11 | The process for registration, including appeals, operates proportionately, fairly and efficiently, with decisions clearly explained.

- 11.1 Social Work England had a successful annual registration renewal process this year. It made multiple changes, including: changing wording on the online account to ensure it was clear and concise; producing updated CPD and renewal guidance; and tailoring emails for social workers depending on where they are in the renewal process. In 2022, 96% of social workers successfully renewed, with 1,181 social workers applying for restoration afterwards. In this review period, 98% of social workers successfully renewed, and only 520 social workers applied for restoration, representing a clear improvement.
- 11.2 Social Work England has two KPIs in relation to its registration and restoration process. It aims to approve UK registration applications in less than 10 working days, and UK restoration applications in less than 20 working days. It has been meeting these KPIs over this review period and the previous review period.
- 11.3 Overseas applications have presented a challenge in this review period. The below graph shows the volume of overseas applications received over the past three review periods. It demonstrates that Social Work England has seen a significant increase in the volume of overseas applications received, though it



does appear to have stabilised now.

- 11.4 Social Work England explained to us that some of the factors causing an increase in the volume of applications from overseas include the lifting of travel embargos in relation to the Covid-19 pandemic, and government departments providing funding for local authorities to actively recruit social workers from overseas.
- 11.5 As a consequence of the increase in overseas applications received by Social Work England, it has seen an increase in the time taken to process overseas applications. However, as with the volumes, this does appear to have stabilised. The graph below shows the time taken to process overseas applications over the previous two years.



- 11.6 In addition to the increase in volume, Social Work England explained that changes to its rules and regulations gave applicants 28 days as opposed to 14 days, to respond to requests for information. There has been a change to its requirements so that, whereas previously applicants only had to provide evidence of updating skills and knowledge if it was more than five years since receiving their qualification, applicants now need to provide this evidence if it is more than two years since receiving their qualification. Social Work England also noted that many applicants seem to be leaving their registration application until after they have secured a job and a visa, which means they are starting the process without the requisite information or documentation.
- 11.7 Social Work England informed us of a range of actions it has taken to manage this increase in overseas applications. This has included:

- meeting with overseas regulators to understand their processes and ensure they are able to advise their registrants about applications to Social Work England;
- engaging with agencies and employers conducting overseas recruitment to understand how they are approaching overseas recruitment and ensure they make overseas applicants aware of the requirement to be registered;
- internal work to ensure their overseas team has sufficient resources and training.

11.8 We considered the range of actions being taken by Social Work England to address this to be a reasonable approach to address this challenging area.

11.9 We received concerns, both from potential registrants and from stakeholders, about the time taken to process applications from overseas and the time taken to process restoration applications. As described above, Social Work England is taking reasonable steps to address the time taken to process overseas applications, and the available data does not show evidence of concerns in relation to its restoration application processing times. However, we do acknowledge the challenges that a lengthy application process can present for both applicants and other stakeholders. Accordingly, we will expect Social Work England to continue to take appropriate steps to improve performance in this area.

## Conclusion

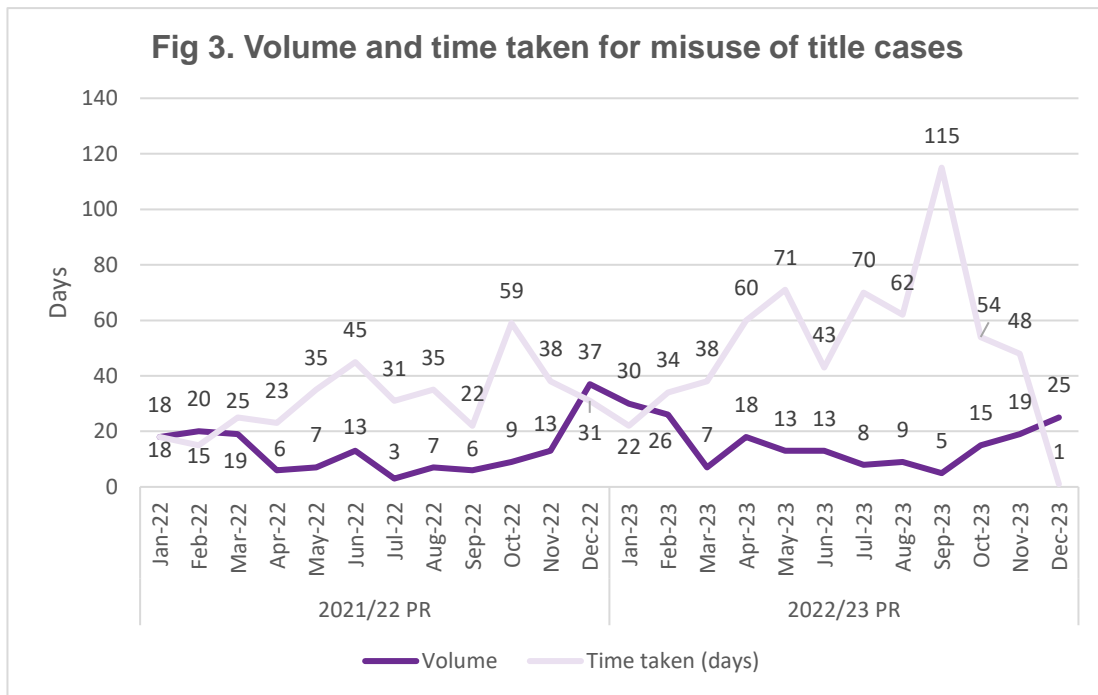
Overall, Social Work England shows good performance in relation to UK registration applications and in the annual registration renewal process. Overseas applications have increasingly presented a challenge for Social Work England, and the increase in processing times is concerning. However, we are satisfied that the actions it is taking appear reasonable and appropriate and we will continue to monitor its work in this area. Therefore, this Standard is met.

# 12

**Risk of harm to the public and of damage to public confidence in the profession related to non-registrants using a protected title or undertaking a protected act is managed in a proportionate and risk-based manner.**

12.1 Social Work England has a new KPI covering misuse of title cases, covering the time taken to conclude misuse of title cases, although this is only being monitored as opposed to aiming for a specific target.

12.2 The below graph shows the volume of misuse of title cases and the time taken to conclude them.



12.3 There was an increase in cases between December 2022 and February 2023, linked to the renewal period which closed at the end of November 2022 and saw people continuing to practise despite failing to renew their registration. This review period overall saw a 19% increase compared to the previous review period.

12.4 This review period also saw an increase in processing times, as demonstrated by the graph. Social Work England explained this as being partly due to the increase in volume as well as a number of staff vacancies. It also completed a process review in September 2023 which led to recommendations to reduce case volumes with a focus on proportionality, and to effectively communicate Social Work England’s role in the protection of the social worker title. The time taken to deal with cases reduced by the end of the review period.

## Conclusion

Social Work England has seen an increase in the volume of misuse of title cases, and an increase in the time taken to process these cases as a result. However, we do not have concerns about Social Work England’s overall approach to misuse of title cases. This Standard is met.

# 13 | The regulator has proportionate requirements to satisfy itself that registrants continue to be fit to practise.

13.1 Social Work England retained its CPD requirements this year, which were changed last year from one piece of CPD to two pieces of CPD, one of which had



to include a peer reflection. It provides support for social workers to complete their CPD, including a video guide on how to do so, guidance for CPD, and specific guidance for social workers on extended leave or not in direct practice. It also publishes example CPD on its website.

- 13.2 Social Work England published a review of CPD following the conclusion of the 2022 renewals process. This provided further advice for social workers on completing CPD, including to focus on impact, specify the role of the peer in their peer reflection aspect, and to start their CPD early.
- 13.3 It also provides social workers with opportunities to complete CPD. At Social Work Week 2023, it reminded social workers that all of the sessions could be used for personal reflection for CPD. It also ran online 'Peer reflective sessions' which social workers could attend to reflect with other social workers on a particular topic.
- 13.4 We received feedback from one stakeholder that the changes to CPD seemed positive. They said it is useful for social workers to think about and prove that they are continuing to learn, but it may take time for CPD to be fully embedded within the profession.

## Conclusion

Social Work England's CPD requirements have not changed in the past year. There is no evidence that its requirements are not proportionate, and it provides a lot of support to registrants to ensure that they are able to meet the CPD requirements. This Standard is met.

## Fitness to practise

### 14 | The regulator enables anyone to raise a concern about a registrant.

- 14.1 Since Q4 2021/22, Social Work England has consistently had 400 to 450 concerns raised with it every quarter, with the exception of Q3, which covers the renewals period and saw 516 referrals in 2022/23 and 519 referrals in 2023/24. Social Work England has begun publishing data about its referrals on its website, covering the source of referrals, the types of concerns received, and outcomes in the fitness to practise process based on the source of the referral. The data shows that employers and members of the public are the two most common sources of referrals.
- 14.2 Social Work England has undertaken a wide range of work as part of its fitness to practise upstreaming project. Some of that work, not limited to this review period, includes redesigning the concerns journey, commissioning research looking at the experiences and perceptions of the fitness to practise process for members of the public and developing its SPOC network.

- 14.3 We have not seen any evidence or received any concerns from members of the public to suggest that there are challenges with raising concerns about registrants. Social Work England has consistently had referrals at a higher rate than the previous regulator. One stakeholder did express concern that the high rate of referrals is not good for the profession and hoped to see Social Work England take steps to resolve this. The upstreaming project is one way in which it is attempting to do so.

## Conclusion

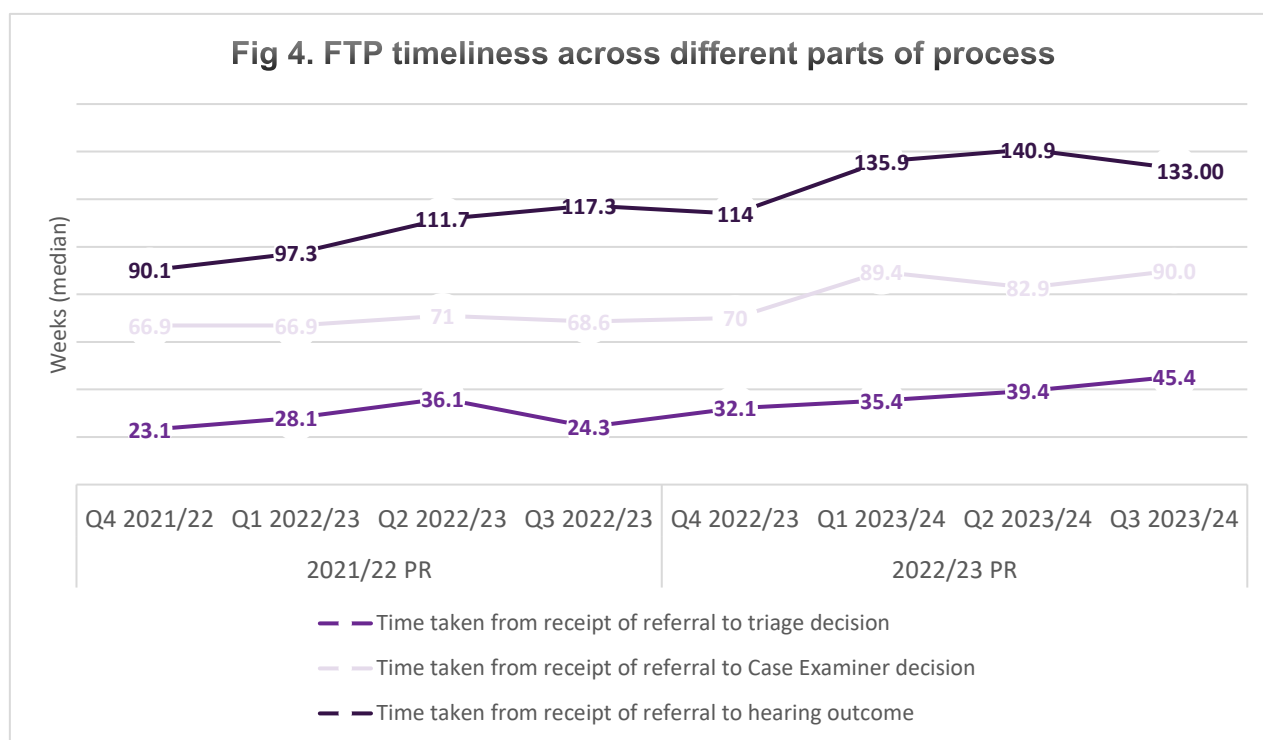
We do not have any evidence to suggest that there are any barriers to anyone raising a concern about a registrant with Social Work England. This Standard is met.

# 15

**The regulator's process for examining and investigating cases is fair, proportionate, deals with cases as quickly as is consistent with a fair resolution of the case and ensures that appropriate evidence is available to support decision-makers to reach a fair decision that protects the public at each stage of the process.**

- 15.1 Social Work England did not meet this Standard last year because it was taking too long to resolve fitness to practise cases.
- 15.2 Social Work England has made significant progress with concluding the cases inherited from the previous regulator. Less than 100 remain open, and it has a detailed understanding of the causes of delays in each case. Due to the small number of cases remaining, this is no longer an area of focus in our performance review.
- 15.3 Social Work England did not meet its KPIs for the age of its triage and investigation caseloads by the end of March 2023, and set new KPIs for the following year. Its target is that by the end of March 2024, the median age of its triage caseload is 14 weeks, and the median age of its investigation caseload is 54 weeks. As of the end of December 2023, those numbers are 23 weeks and 66 weeks respectively, significantly older than the interim targets of 15 weeks and 57 weeks. It appears unlikely that Social Work England will meet either of these KPIs.
- 15.4 Social Work England does have two other KPIs for timeliness in fitness to practise. The first is the median time taken to complete the case examination process, which has a target of under 12 weeks that has been consistently met during this review period. The other KPI is the median time from receipt of referral to final FTP outcome; no target is set for this measure, which was at 109 weeks at the end of December 2023. Overall, its performance data does not show a significant

improvement from last year. The graph below shows data on FTP timeliness across different parts of the process.<sup>2</sup>



15.5 Social Work England has stated that it experienced a high level of vacancies and absences in triage and investigations, which affected performance. It also stated that it cannot increase its hearings capacity due to the level of budget available.<sup>3</sup> Therefore, there is unlikely to be a reduction in the number of cases awaiting a hearing, and the time from receipt of referral to final fitness to practise outcome is expected to increase.

15.6 Steps taken by Social Work England to try to improve its timeliness include increasing decision-making capacity at triage, increasing capacity in investigations, reviewing triage processes, reviewing approaches to case supervisions, identifying likely pathways of cases at an earlier stage and reviewing aspects of the accepted disposals process to find efficiencies. Whilst there is not yet any evidence from the available data of any improvements in Social Work England’s timeliness, it is still early in relation to these actions and it is positive to see Social Work England taking action to address concerns about its timeliness.

<sup>2</sup> The graph uses data from our quarterly dataset, which aims, as far as possible, to be consistent across regulators. Regulators may calculate data differently for their own internal measures and targets.

<sup>3</sup> Social Work England is an arm’s-length body of the Department for Education, which contributes to its funding. It requires approval from the Secretary of State for Education to increase its registration fees. These factors are unique to Social Work England among the regulators we oversee.

- 15.7 As part of our periodic review, we conducted an audit. This involved obtaining detailed further information from Social Work England and reviewing a sample of its fitness to practise cases. In all but two cases, we were satisfied that decision makers had sufficient information to make a decision. We also generally saw a good level of supervision in most of the cases we looked at.
- 15.8 Stakeholders raised concerns with us about the delays in fitness to practise cases. One stakeholder noted the stress for people when cases take years to conclude, and the problems associated with making a decision about a social worker's fitness to practise years after the events giving rise to the referral. Another stakeholder took the view that Social Work England should put more work into frontloading cases, and that it could improve its early engagement with registrants by disclosing more information and recognising it as positive when registrants do engage at an early stage.

## Conclusion

This Standard was not met last year. Social Work England's timeliness has not improved and it appears unlikely to meet its KPIs on the age of its caseload. It is taking actions to improve its performance, but it is too early to see any outcomes from that. This Standard is not met.

# 16

**The regulator ensures that all decisions are made in accordance with its processes, are proportionate, consistent and fair, take account of the statutory objectives, the regulator's standards and the relevant case law and prioritise patient and service user safety.**

- 16.1 Social Work England has measures in place to assure the quality of its decision-making in fitness to practise. One of Social Work England's KPIs is that 90% of cases meet its internal quality score, and it is on track to meet this KPI.
- 16.2 As part of our audit of Social Work England, we reviewed decision-making in accepted disposals and at the triage stage. At the triage stage, we had no concerns about the decision-making in 17 of 19 cases we reviewed. In 12 of 14 cases closed via accepted disposal, we considered that the Case Examiners had followed the guidance, reached a reasonable decision, and clearly recorded their decision.
- 16.3 There was only one case where we were concerned that the outcome may not have been sufficient to protect the public, and Social Work England accepted that it was difficult to have full confidence in the outcome of that case. It shared learning about our feedback with the relevant team. Overall, our audit findings in relation to Social Work England's decision-making were positive, and we took substantial assurance that Social Work England was making decisions in line with its processes.

- 16.4 In December 2022, Social Work England's regulations changed in relation to voluntary removal and also changed so that Social Work England could offer removal as an outcome via accepted disposal. We have only seen a small number of removals via accepted disposal, and did not identify anything of concern in the decisions published on Social Work England's website.
- 16.5 We have also seen relatively small numbers of voluntary removals. Social Work England publishes the names of those social workers who have gone through the voluntary removals process, in which it notes that the social worker has confirmed they are not practising as a social worker, they do not intend to practise, and they will not restore to the register in the future. We do not have any concerns about this process.
- 16.6 We lodged one appeal against a fitness to practise outcome in this review period, which was resolved by way of a consent order between the parties involved, and concluded four further appeals. Through our review of cases under our section 29 powers, we also identified fewer learning points for Social Work England in this performance review period, compared to the previous review period.
- 16.7 Social Work England reported to its Board on the use of the Just Disposal Policy, which was used for cases transferred from the previous regulator. It considered that the policy had avoided many unnecessary hearings, and an audit found substantial assurance about the way it had been used. Social Work England's Decision Making Group had oversight of the policy and its Decision Review Group reviewed 95 decisions: it had no concerns in 93 of them, and in the other two it was not concerned about the decision but the process or drafting could have been improved. It was appropriate for Social Work England to review the application of the Just Disposal Policy, and the findings of its review give assurance about the way the policy operated.
- 16.8 One stakeholder did raise concerns about some of Social Work England's decisions, specifically accepted disposal decisions, seeming harsher than the decisions of other regulators. We also received an increased number of concerns this year about fitness to practise decisions, although we didn't identify anything which gave us significant cause for concern.

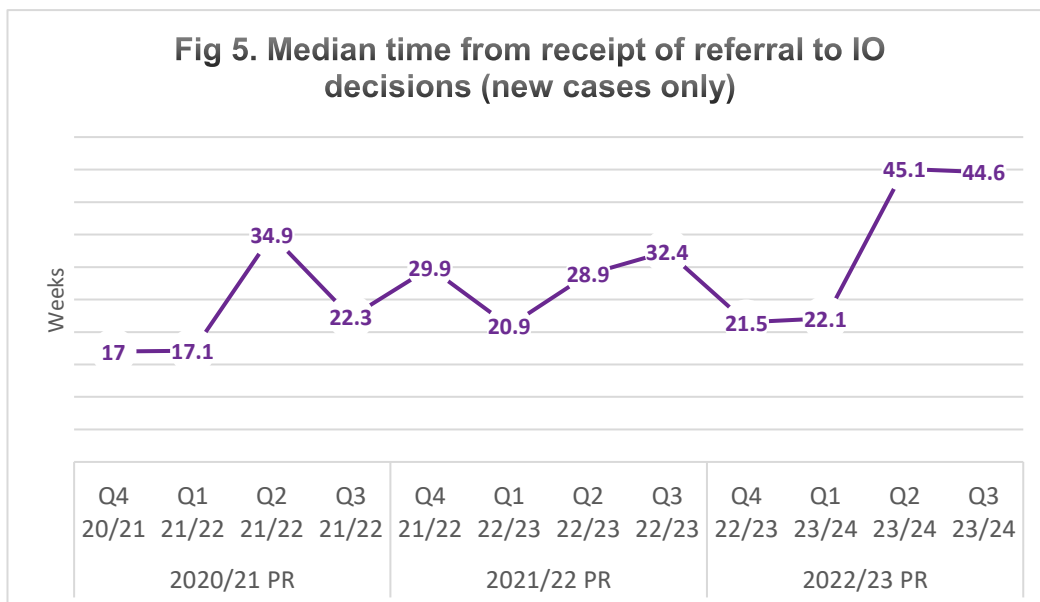
## Conclusion

Social Work England continues to meet its KPI for quality scores and our audit gave us substantial assurance about Social Work England's decision-making. We did not identify any significant causes for concern about Social Work England's decision-making. This Standard is met.

# 17

**The regulator identifies and prioritises all cases which suggest a serious risk to the safety of patients or service users and seeks interim orders where appropriate.**

- 17.1 Social Work England did not meet this Standard last year because we considered it was taking too long to make decisions about interim orders.
- 17.2 During this year’s audit of Social Work England’s fitness to practise cases, we reviewed the risk assessments on all the cases that we looked at. We only identified one case where we had significant concerns about the risk assessment, which occurred prior to this review period. We saw some cases where risk assessments were not always completed within the time specified in Social Work England’s guidance, particularly following new information being received. But none of these concerns were significant, and many of the cases were low risk cases. We saw no cases where we considered there to have been a delay in applying for an interim order.
- 17.3 Social Work England conducted an internal audit of its timeliness with respect to risk assessments. It found that in both triage and investigations, initial risk assessments were conducted on time in over 70% of cases, and further risk assessments took place within 10 working days in over 66% of cases. Where targets were missed, risk assessments usually took place soon afterwards. Overall, we did not have any significant concerns about Social Work England’s approach to risk assessments.
- 17.4 Social Work England has a KPI for the timeliness of its interim orders, aiming to approve them within 20 working days once it identifies that an interim order may be necessary. It has consistently met this KPI. We also collect data on the time taken from the receipt of a referral to an interim order being applied. The below graph shows Social Work England’s performance for the previous three review periods.



- 17.5 As the graph shows, the figures in relation to this item reduced at the start of the review period and then significantly increased in the last two quarters. Social Work England provided us with detailed explanations as to why this increase occurred,



referencing each of the specific cases which took longer than 20 weeks and providing reasonable explanations for why the delays were outside their control. The delays were largely due to external investigations taking a long time to conclude after the referral to Social Work England had been made, and subsequent challenges obtaining evidence.

- 17.6 Social Work England provided further information about the context of social work and how this can contribute to the time it takes from receipt of a referral to an interim order decision. This included that social workers often have to use their judgement to make decisions about people that can be unwelcome even if they are right and lawful. This can mean that Social Work England needs to seek primary evidence to understand all the context of a social worker's decisions before assessing their fitness to practise.
- 17.7 Other factors include the fact that Social Work England is a relatively new organisation, meaning it did not have established mechanisms for information sharing. High levels of turnover within the profession can also present challenges in developing relationships which support information sharing. The high prevalence of agency work can also pose challenges as there may not always have been a primary investigation, meaning Social Work England will have to do so. Social Work England also has different requirements in relation to criminal proceedings compared to most regulators, meaning it receives referrals at an earlier stage. This was a factor in some of the cases which contributed to the recent increase in time taken.
- 17.8 We considered Social Work England's explanation of the context in which it works, and the specific cases referenced. We considered that whilst some of the factors would affect other regulators to some extent, Social Work England had reasonably explained why it would be particularly affected.

## Conclusion

Social Work England did not meet Standard 17 last year, when the median time from receipt of referral to interim order decisions was lower than in the latter part of this year. However, this year we have had further assurance, particularly through our audit and the further information provided by Social Work England. This assurance goes alongside good performance in relation to the time taken once the need for an interim order application is identified and Social Work England's internal audit which showed generally positive performance. On balance, we are satisfied that this Standard is met. We will continue to closely monitor its performance, and it is important for Social Work England to take all reasonable steps to ensure that the parts of the process within its control work as effectively as possible, given that cases where an interim order might be necessary are by definition ones where there is a high public protection risk.

# 18

**All parties to a complaint are supported to participate effectively in the process.**

- 18.1 Social Work England conducted an internal audit, looking at how fitness to practise teams are keeping the parties involved up to date, and whether there could be any improvement. It noted that it had similar service standards to other social work regulators, but updates were not consistently being provided in line with expectations. Overall, the audit found that there was adequate assurance, based on its criteria. It recommended improvement actions, due to be completed by the end of the review period. These included for Social Work England to provide updates when cases stay in one part of the process past the target timeframe for that stage, and to review the use of automated functions in the case management system to prompt case updates.
- 18.2 Our audit also identified some cases where there was a lack of contact with the parties involved, although much of this had occurred prior to this performance review period. Our audit also identified two cases where we felt more could have been done to support complainants who may have been vulnerable, although Social Work England felt its approach in those cases was reasonable.
- 18.3 We received concerns from a stakeholder that the language used in Case Examiner decisions can sometimes affect a registrant's engagement with the process. This stakeholder felt that whilst Social Work England solicits early engagement from the registrant, it provides limited information and it is often hard to see the benefits of early engagement for the registrant. This stakeholder also raised concerns with us about the level of communication for registrants, noting that they often go a long time without hearing anything. Two registrants under investigation raised similar concerns with us. We noted the stakeholders' feedback, but our audit did not identify significant problems in the way Social Work England engages with parties to fitness to practise cases.

## Conclusion

Social Work England found adequate assurance in its audit of this area, and our audit found some issues, but these were not widespread. Social Work England has planned work to address the concerns identified, and we will monitor this area closely in the next performance review. This Standard is met.