## **Social Work England**

## **Performance Review – Monitoring year 2023/24**

This monitoring report covers the period January 2024-December 2024

## Key findings and areas for improvement

- Social Work England did not meet Standard 15 for the third consecutive year due to ongoing concerns about the time it takes to process fitness to practise (FTP) cases. We acknowledge that Social Work England continues to take steps aimed at improving its performance in this area and that it has some resource constraints. However, there does not appear to be evidence of an overall improvement in performance: the backlog at the hearings stage continues to grow, and many stakeholders raised concerns about the time the process is taking. We have escalated our concerns about Social Work England to the relevant Secretaries of State.
- Social Work England met Standard 3. This was the first year in which we assessed Social Work England with our new approach to Standard 3. It demonstrated positive work across all four outcomes. We noted good practice in relation to its standards for social workers and education and training providers, its work with its National Advisory Forum (NAF) and approach to co-production overall, and its approach to categorising corporate complaints which are relevant to equality, diversity and inclusion (EDI).
- Social Work England met Standard 4 this year. We saw that some stakeholder organisations published a joint statement raising their concerns about the significant delays in the fitness to practise process. As well as that, a registrant won claims in an employment tribunal which included exemplary damages being imposed on Social Work England. We are reassured that Social Work England is taking action in response to these concerns and we will continue to monitor its response.
- We noted last year that the time Social Work England was taking to process registration applications from overseas applications had increased. The time taken has significantly decreased this year, following action taken by Social Work England and a small decrease in the number of applications received, and Standard 11 is met.

Standards met 2023/24

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
-itness to Practise	4 out of 5
Fotal	17 out of 18

Social Work England standards met 2020-23

2022/23	17
2021/22	16
2020/21	16



103,893 professionals on the register (as at 31 December 2024)



### **General Standards**

## Social Work England met all five General Standards this year.

These five Standards cover a range of areas including: providing accurate, accessible information; clarity of purpose; equality, diversity and inclusion; reporting on performance and addressing organisational concerns; and consultation and engagement with stakeholders to manage risk to the public.

Our report focuses on Standard 3 because we have used a new approach to assessing the regulators against this Standard. More information is available in our <u>guidance document</u>.

# Our assessment of Social Work England's performance against Standard 3

As part of our new approach, we have broken down the Standard into four separate outcomes. For a regulator to meet the Standard, we would need to be assured that the regulator has met all four of the outcomes. Our assessment of Social Work England's performance against the four outcomes is set out below.

## Outcome 1: The regulator has appropriate governance, structures and processes in place to embed EDI across its regulatory activities

Social Work England collects data on all its staff, including senior leadership and FTP partners, and it has done targeted recruitment activity for FTP partners and course inspectors.

Social Work England shared some examples of Equality Impact Assessments it had completed, and we were reassured by how thorough they were.

#### **Opportunity for improvement**

EDI data is collected for Social Work England's Board, but it does not have access to the data, as it is held by the Department for Education. We considered that there may be value in Social Work England collecting this data itself as that may help identify areas where additional support or expertise could be beneficial.

Social Work England's strategy for 2023-26 emphasised its commitment to EDI and co-production as the two main principles which guide the organisation. It also publishes an annual action plan, with an update on progress alongside each new action plan. We were reassured to see actions not completed in the previous year's action plan included in future action plans.

#### **Opportunity for improvement**

We noted that, outside of the summary of EDI work that is included in the introduction to each year's action plan, Social Work England does not provide clear public reporting on progress against its action plan, on an action-by-action basis. We thought it would be helpful for the public and other stakeholders to see reports of progress against the action plan. We also noted a lack of discussion of the EDI action plan in public Board meetings. Social Work England informed us that it wants to avoid overreporting, and that other internal groups discuss its action plan in more detail.

Outcome 2: In terms of EDI, the regulator ensures that registrants and students are equipped to provide appropriate care to all patients and service users, and have appropriate EDI knowledge and skills

Social Work England has a range of professional standards for its registrants which ensure they provide appropriate care for all service

users, value diversity and challenge discrimination. It also publishes guidance to support with applying the standards.

For education and training providers across all the types of course it oversees, Social Work England has standards aiming to prepare students for providing appropriate support to service users and standards ensuring providers provide appropriate support to students. There is guidance to support these standards, and evidence from inspection reports that Social Work England is scrutinising courses against these Standards and applying conditions where necessary.

#### Good practice

We consider that the extent of Social Work England's emphasis on equality and inclusion within its professional standards and supporting guidance amounts to good practice. We also consider that the extent to which its standards for education and training providers emphasise equality, inclusion, and supporting students amounts to good practice.

Social Work England supports registrants with continuing professional development (CPD) in general, via Social Work Week and podcasts, both of which include specific events or episodes focusing on EDI issues.

# Outcome 3: In terms of EDI, the regulator makes fair decisions across all regulatory functions

Through its registration and renewal processes, Social Work England has been able to gather diversity data on 94% of its registrants. It conducted an initial analysis of this data against FTP outcomes, noting higher representation for social workers who are over the age of 40, male, or of Black, African, Caribbean or Black British ethnicity. It held a dedicated meeting to discuss the findings with its single point of contact network and included the findings in training provided to staff. The data was further analysed in relation to the type of concern, and the region and type of employment. Social Work England plans to undertake an in-depth review of cases involving the overrepresented groups, and multivariate analysis to consider the weight of different factors which affect case progression.

Social Work England's FTP guidance, across all parts of its process, refers to discrimination, noting that it is likely to require investigation and that this type of case is likely to be viewed as the most serious.

Social Work England provides EDI training to its staff and partners. This includes mandatory e-learning for all staff and partners and ongoing workshops for staff in the regulation directorate. It is also reviewing how EDI is presented in all training courses, as well as identifying training which should include EDI themes, but does not currently do so.

Social Work England does not currently collect EDI data from people raising concerns with it. It is currently exploring this, balancing the need to have data which can support decisions about strategy and policy, with the need to avoid any requests or requirements which may amount to a barrier to raising a concern.

Outcome 4: The regulator engages with and influences others to advance EDI issues and reduce unfair differential outcomes

#### Good practice

Social Work England engages with a diverse range of stakeholders via its NAF, which co-produces a significant amount of work with Social Work England. When undertaking consultations, Social Work England often holds pre-consultation events to involve specific groups in the process. We consider the extent of the NAF's involvement in Social Work England's work, and its associated commitment to co-production, is evidence of good practice.

We have seen examples of Social Work England using evidence and research to inform its work, including in respect of equality impact assessments.

We noted the existence of routes for people to raise concerns with Social Work England about bias and discrimination, including via Regional Engagement Leads and through the inspection process for education and training providers.

#### **Good practice**

Social Work England has eight different specific EDI-related themes for categorising corporate feedback or complaints. When these themes are identified, the information is shared with the Head of EDI, and any actions or learning are monitored by the internal quality and improvement team. We consider that the work Social Work England has done to categorise its corporate complaints amounts to good practice.

Social Work England is represented on many different groups which discuss EDI, and has worked with its single point of contact (SPOC) network and Skills for Care on EDI issues.

We have not identified any significant concerns against any of the outcomes for this Standard, and we are satisfied that all four outcomes are met. Therefore, Social Work England met Standard 3.

#### Social Work England's responses to concerns

During this review period, a social worker won multiple claims for harassment against Social Work England (and her employer), on account of her gender-critical beliefs. This included exemplary damages being imposed on Social Work England, which the tribunal described as being designed to *"punish conduct that is oppressive, arbitrary or unconstitutional"* and are *"reserved for the most serious abuse of governmental power"*. Some of Social Work England's stakeholders raised concerns with us about this case. Social Work England put out a detailed statement explaining the steps it was taking in response to this case, including developing and updating guidance and training for its staff, and improving guidance for social workers who have been offered accepted disposals.

BASW, SWU and UNISON published a joint statement raising significant concerns about the delays in Social Work England's FTP process. They noted that the timescale for hearings is *"detrimentally excessive for all parties involved"* and they outlined the consequences of these delays. Social Work England responded with a detailed statement addressing the points raised by the joint statement, and we will continue to monitor this situation.

Social Work England has explained what it is doing to address the concerns raised with it. Its response appears reasonable and we will continue to monitor its progress. Standard 4 is met.

### **Guidance and Standards**

Social Work England met both Standards for Guidance and Standards this year.

Social Work England maintains appropriate up-to-date Standards for its registrants. It continues to provide detailed guidance on meeting the Standards, including specific guidance for completing CPD. Standards 6 and 7 are met.

### **Education and Training**

Social Work England met both Standards for Education and Training this year.

Social Work England launched its education and training standards for Approved Mental Health Professionals and Best Interests Assessors<sup>1</sup> after working with the sector to ensure they were appropriate. It published guidance in support of these standards, and we received positive feedback on this area of work.

Social Work England also published its knowledge, skills and behaviours statements during this review period. These statements provide further detail on what it expects to be included in social work courses and will eventually form the core part of its guidance on readiness for professional practice. Whilst these statements have taken a long time to finalise, it is positive to see Social Work England making progress.

Social Work England is ahead of schedule in completing its inspections of course providers. It has also been undertaking a review of learning from its inspections of course providers, with high-level findings due to be published in 2025. Both of these pieces of work appear positive.



A stakeholder organisation told us that Social Work England's approach to inspections continues to work well. It said some of Social Work England's requirements could be clearer, but it is pleased to be involved in Social Work England's Education and Training Forum, which has been developing new guidelines.

Stakeholder feedback

During this review period, Social Work England published research on practice education in England. It does not have an explicit relationship with practice educators, nor with organisations providing practice education. The Independent Review of Children's Social Care<sup>2</sup> recommended that Social Work England take on a greater role overseeing practice educators, and Social Work England committed in its business plan to developing a model of regulating specialist and advanced practice, which includes practice education. We will monitor this work in future performance reviews. Overall, we do not have any significant concerns about Social Work England's work in education and training, and therefore both Standards are met.

## **Registration**

Social Work England met all four Standards for Registration this year.

#### **Registration applications**

In relation to registration applications from people who have qualified in the UK, Social Work England continues to meet its Key Performance Indicators and we are satisfied that the available evidence suggests it is performing well in this area.

We noted last year that Social Work England was taking longer to process applications from people who qualified overseas. However, we were reassured to see that Social Work England was acting in response to this issue. In this review period, we have seen a small decrease in applications from people who have qualified overseas, and a significant decrease in the time taken to process these applications. After peaking at 75 working days in March 2024, the median time consistently declined, to around 20 working days by the end of the review period. Whilst it is likely that the decrease in the volume of applications contributed to this, it also seems likely that the action taken by Social Work England has significantly contributed to this improved performance.

Some of the actions taken by Social Work England to improve performance in this area have included reviewing and updating public guidance for overseas applicants, holding dedicated workshops with the team to review processes and introduce efficiencies, increasing resources for the team, and meeting with local authorities who are recruiting overseas to gain insight into their processes and plans. We will continue to monitor Social Work England's work in this area, but it is very positive to see this reduction in processing times. Overall, we don't have concerns about Social Work England's handling of registration applications, and Standard 11 is met.

#### Renewals and continuing professional development

Social Work England had another successful renewals period, with only 166 social workers removed from the period for not meeting the CPD requirements. In total, 2,202 social workers (2.1% of those eligible to renew) were removed from the register, a slight decrease compared to 2023 when 2,263 (2.2%) social workers were removed.

Social Work England noted this year that it would only be manually reviewing CPD of social workers whose CPD had been marked for review in the previous review. Social Work England said that this is so that it can focus resources on a review of how social workers use CPD overall. We received mixed feedback from stakeholders on CPD; we have received feedback that Social Work England's approach to CPD is positive and working well, whilst some stakeholders questioned the need for social workers to complete CPD at all,

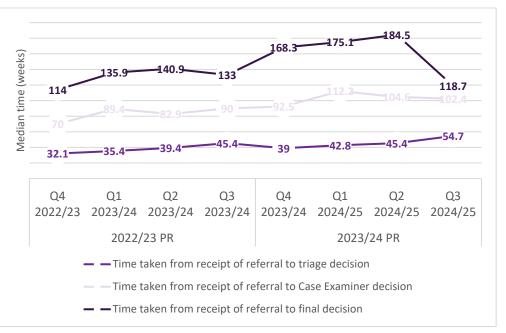
We will continue to monitor Social Work England's approach to CPD and look to the findings of its review of CPD. Overall, we are satisfied that Social Work England has proportionate requirements to satisfy itself that registrants continue to be fit to practise, and Standard 13 is met.

## **Fitness to Practise**

Social Work England met four of five Standards for Fitness to Practise. Social Work England met Standards 14, 16, 17 and 18 and did not meet Standard 15.

#### Time taken to progress cases

Social Work England has been taking too long to resolve FTP cases in recent years. There has not been an improvement in its timeliness during this review period, as the below graph shows.



A small number of hearings were concluded in Q3 2024/25, which is why the time taken has decreased so significantly. This does not reflect a significant improvement in performance.

Whilst there are some indications that the time taken for cases to reach a Case Examiner decision is stabilising, the time taken for cases to progress through the triage stage has been consistently increasing in this review period. Social Work England said there has been an increase in the number of cases being put on hold due to family court proceedings, and it takes time to consider how best to progress these cases whilst complying with legal obligations; it said that, with these outliers removed, the median time taken to process cases is not necessarily trending upwards. During this review period, Social Work England made the decision to reduce the number of hearings it was holding, due to budget constraints.<sup>3</sup> Other factors impacting its timeliness include the ongoing challenges of engaging social workers and employers in the process and gathering information from external partners including police and courts.

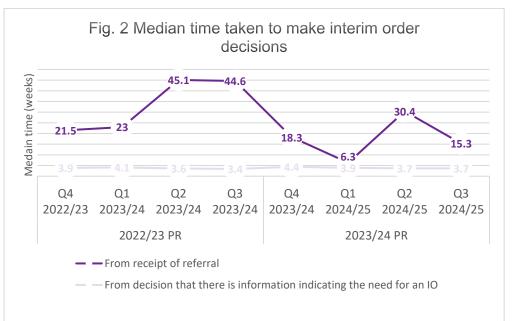
Social Work England has been taking a wide range of actions to address delays in the FTP process, including:

- Introducing complex case sessions for investigations, to support investigators in progressing their most complex cases
- Reviewing cases where accepted disposals are offered but not accepted
- Case examiners attending investigations team meetings, to share learning from the case examiner process with a review to reducing adjournments at that stage
- Reviewing adjournments in the hearings stage to identify opportunities to prevent future adjournments.
- Piloting two-person panels, which is designed to reduce panel membership in final hearings and increase the capacity to conclude more hearings.

In this review period, Social Work England conducted 40 final hearings, and 112 cases entered the hearings stage. As of the end of the review period, there are 421 cases awaiting conclusion at a hearing. As a result, without a significant change in Social Work England's capacity to hold hearings, it appears unlikely that there will be a significant improvement in the timeliness at the hearings stage in the medium-term future, despite the process improvements mentioned above. However, we were pleased to see that Social Work England reported in October 2024 that it had been able to redirect resources, enabling it to hold more hearings by the end of the financial year. This is likely to be a one-off for this year, as opposed to an ongoing improvement. Most of the stakeholders who provided us with feedback raised concerns with us about the delays in the FTP process, including several local authorities. Whilst it is positive to see Social Work England taking action to improve its performance, we have not yet seen any improvement. Standard 15 is not met.

#### **Interim orders**

The graph shows that the quarterly median time taken to make interim order decisions from receipt has fluctuated during this review period. However, this data point has remained well below the high levels in the second half of the last review.



We identified during this review period that cases awaiting a Case Examiner decision that have an interim order in place have a higher median age than cases without an interim order in place. However, Social Work England noted that the number of cases with an interim order in place is small, and they can be more complex cases requiring more evidence. It has a supervision framework that means all interim order cases are discussed, and we also identified that the median age of cases awaiting a hearing that have an interim order in place has declined, which suggests Social Work England is prioritising those cases at the hearing stage. We are satisfied that Social Work England is prioritising cases appropriately, and Standard 17 is met.

### **Our performance review process**

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. The judgements we make against each Standard incorporate a range of evidence to form an overall picture of performance. Meeting a Standard means that we are satisfied, from the evidence we have seen, that a regulator is performing well in that area. It does not mean there is no room for improvement. Where we identify areas for improvement, we pay particular attention to them as we continue to monitor the performance of the regulator. Similarly, finding that a regulator has met all of the Standards does not mean perfection. Rather, it signifies good performance in the 18 areas we assess.

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 review process <u>here</u>. We

welcome hearing from people and organisations who have experience of the regulators' work. We take this information into account alongside other evidence as we review the performance of each regulator.



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<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 and it cannot hold reserves. These factors are unique to Social Work England among the regulators we oversee.

<sup>&</sup>lt;sup>1</sup> Approved Mental Health Professionals consider requests for Mental Health Act assessments for people of all ages. A Best Interests Assessor is a professional who assesses and determines the best interests of individuals lacking mental capacity to make specific decisions.

<sup>&</sup>lt;sup>2</sup> <u>https://www.gov.uk/government/publications/independent-review-of-childrens-social-care-final-report</u>