

Social Work England Framework Document May 2020

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Social Work England Framework Document

1. This Framework Document has been drawn up by the Department for Education (“the Department”) in consultation with the Department of Health and Social Care (“DHSC”) and Social Work England. The Department has responsibility for child and family social workers, and DHSC for adult social workers. This document sets out the broad framework within which Social Work England will operate.
2. Copies of this document and any subsequent substantive amendments have been placed in the libraries of both Houses of Parliament and made available to the public on Social Work England’s website. This document does not confer any legal powers or responsibilities. It sets out agreed expectations for how day-to-day interactions will be handled between all parties and all parties agree to its terms.

Glossary

3. In this document, unless otherwise stated, the following definitions shall apply:

“the Accounting Officer”	The Chief Executive of Social Work England
“the Act”	The Children and Social Work Act 2017
“the Annual Report and Accounts”	The report required to be prepared by Social Work England under Schedule 3 paragraphs 17 and 18 of the Act
“the Board”	The Non-Executive Directors appointed to Social Work England’s Board by DfE and DHSC Secretaries of State
“the Chair”	The Non-Executive appointed to serve as Chair of Social Work England’s Board by the DfE and DHSC Secretaries of State
“the Chief Executive”	The Social Work England employee appointed to serve as the Chief Executive Officer
“the Department”	The Department for Education
“DHSC”	The Department of Health and Social Care
“Finance Business Partner”	Finance Business Partner from either the Department or DHSC
“GIAA”	Government Internal Audit Agency
“the Government”	The UK Government
“the Minister”	The Minister for Children and Families
“NDPB”	Non-Departmental Public Body
“Parliament”	The UK Parliament
“the Principal Accounting Officer (PAO)”	The Department’s Permanent Secretary
“the Secretary of State”	The Secretary of State for Education
“the Senior Sponsor”	The Department’s Senior Sponsor

Amendments to the Framework Document

4. The Framework Document will be subject to a routine annual review, with no action to be taken unless there are important or significant changes in structure, governance or other. The Department, DHSC or Social Work England may propose

amendments to this document at any time under arrangements agreed by the Department's Permanent Secretary, the Secretary of State, DHSC and Social Work England's Chief Executive. Significant variations to the document must be cleared with HM Treasury, the Cabinet Office, and the Department and DHSC, as appropriate.

Interpretation of the Framework Document

5. Any question regarding the interpretation of the document will be resolved by the Department after consultation with DHSC, Social Work England and, as appropriate, with the Cabinet Office and/or HM Treasury.

The Framework Document

Introduction

6. Social Work England was established under the Act to be a new single-profession regulator for social workers in England. It is a separate legal entity in the form of an NDPB and will operate at arm's length from Government.
7. Social Work England will regulate all social workers in England. Government will contribute to the funding of Social Work England until it becomes self-sufficient.
8. Social Work England was established on 1 April 2018. It took on its regulatory functions on 2 December 2019.

Purpose of Social Work England

9. As set out in the Act, and like the other health and social care regulators, Social Work England's over-arching objective will be the protection of the public. In pursuing its over-arching objective, Social Work England will, as set out in the Act, aim to:
 - protect, promote and maintain the health, safety and well-being of the public;
 - promote and maintain public confidence in social workers in England; and
 - promote and maintain proper professional standards for social workers in England.
10. Social Work England will be responsible for delivering key regulatory functions in respect of social workers, as follows:
 - setting profession-specific education and training standards and approving training courses;
 - setting profession-specific standards for fitness to practise;
 - maintaining a register of all social workers in England;
 - running a fitness to practise system;
 - monitoring and reporting on continuous professional development; and
 - approving post qualifying courses and specialisms.

Governance and accountability

Legal origin(s) of Social Work England's powers and duties

11. The Act, which received Royal Assent on 27 April 2017¹, provides for the establishment of Social Work England, and sets out its duties and powers as

¹ Further information and the full Act can be found at <https://www.legislation.gov.uk/ukpga/2017/16/contents>

regulator of the social work profession, as well as those of the Secretary of State in relation to Social Work England.

Ministerial responsibility

Accounting in Parliament

12. As the Secretary of State for the sponsoring department, the Secretary of State for Education will have ultimate accountability for Social Work England in Parliament. The Minister will account for Social Work England's business in Parliament and have lead responsibility for Social Work England on a day to day basis, consulting DHSC Ministers specifically in relation to adult social work policy.

Contact and engagement

The sponsor and partnership

13. The Department is the sponsor for Social Work England. The Department, DHSC and Social Work England will have an open and honest, trust-based partnership supported by the principles set out in the [Partnerships between Departments and Arm's Length Bodies: Code of Good Practice](#).

Ways of working

14. The Department, and DHSC, are committed to working in partnership with Social Work England and its senior team and staff to support its regulation of the social work profession. To this end, all parties will adhere to the principles of two-way communication and openness and a 'no surprises' culture. Issues and conflicts, where they arise will be dealt with promptly and at the appropriate levels, and parties will work together to anticipate problems and to take preventative action where needed.

The Senior Sponsor

15. The Department's Senior Sponsor for Social Work England will be the relevant Deputy Director. DHSC will also appoint a 'key point of contact', who will also be at senior civil service (SCS) level.
16. The Senior Sponsor will:
 - act as the senior point of liaison between Social Work England, the Department, DHSC, the Secretary of State and Ministers;
 - be the main source of advice to Ministers on the discharge of their responsibilities in respect of Social Work England;
 - support and advise the Principal Accounting Officer (PAO) on his or her responsibilities toward Social Work England;
 - ensure that, where reasonably possible, Social Work England's Chief Executive has advance notice of wider Government announcements on social work policy;

- aid the flow of information and nurture relationships, facilitating Social Work England's relationships with officials in other government Departments where reasonably possible;
- work collaboratively with Social Work England's Chief Executive to facilitate the smooth operation of the arrangements set out in this Framework Document; and
- ensure requests for approval of expenditure are dealt with promptly and proportionately, and that Departmental approval is not unreasonably delayed.

The Sponsor team

17. The Department has established a sponsor team based in the Social Work Reform Unit to manage the relationship between the Department, DHSC and Social Work England on a day-to-day basis. The sponsor team will also be responsible for managing the relationship with DHSC at an official level and will work with DHSC officials to ensure that information/input in respect of Social Work England is shared and secured in a timely manner. The sponsor team is the primary contact for Social Work England on all questions about the Department and/or Government's requirements of Social Work England.
18. The Senior Sponsor will meet the Chief Executive of Social Work England six times a year for a 'Strategic Social Work England Review Meeting'. The Department's Senior Responsible Officer and 'key point of contact' in DHSC will support the Senior Sponsor at these meetings three times a year.
19. The Department's sponsor team and the relevant Finance Business Partner will meet the Social Work England's finance team monthly to review Social Work England's management accounts.

Resolution of disputes

Between Social Work England and the Department

20. Any disputes between the Department and Social Work England will be resolved in as timely a manner as possible. The Department (in consultation with DHSC where relevant) and Social Work England will seek to resolve any disputes through an informal process in the first instance. If this is not possible, then a formal process, overseen by the Senior Sponsor, will be used to resolve the issue. Failing this, the Senior Sponsor will ask the relevant policy Director General to oversee the dispute. They may then choose to ask the Permanent Secretary to nominate a non-executive member of the Department's Board to review the dispute, mediate with both sides and reach an outcome, in consultation with the Secretary of State for Education.

Freedom of information requests

21. Where a request for information is received by Social Work England under the Freedom of Information (FOI) Act 2000, Social Work England will consult with the Department's sponsor team prior to any disclosure of information that may affect Social Work England's, the Department's or DHSC's respective responsibilities.

The Principal Accounting Officer (PAO)

The PAO

22. The Permanent Secretary as PAO of the Department has designated the Chief Executive as the Accounting Officer (AO) for Social Work England. The role/responsibilities of an AO are set out in Chapter 3 of [Managing Public Money](#).

The PAO's accountabilities

23. The PAO is accountable to Parliament for the issue of any grant-in-aid to Social Work England. The PAO is responsible for advising the Minister on:

- an appropriate framework of objectives and targets for Social Work England in the light of the Department and DHSC's wider strategic aims and priorities;
- an appropriate budget for Social Work England in light of the Department and DHSC's overall public expenditure priorities; and
- how well Social Work England is achieving its strategic objectives and whether it is delivering value for money.

24. The PAO is responsible for ensuring arrangements are in place in order to:

- monitor Social Work England's activities;
- address significant concerns that arise in connection with the work of Social Work England, making such interventions as are judged necessary to protect the interest of the Government;
- periodically carry out an assessment of the risks connected to Social Work England, both to the Department and Social Work England's statutory obligations, objectives and activities;
- inform Social Work England of relevant Government policy in a timely manner through the Senior Sponsor;
- bring concerns about the activities of Social Work England to the full (Social Work England) Board, and, as appropriate to the Department's Board requiring explanations and assurances that appropriate action has been taken; and
- inform the PAO of DHSC on any matters arising from Social Work England that are judged to be relevant.

Responsibilities of Social Work England's Chief Executive as Accounting Officer

General

25. The Chief Executive, as Social Work England's Accounting Officer is personally responsible for safeguarding the public funds for which he or she has charge; for ensuring propriety, regularity, value for money and feasibility in the handling of

those public funds; and for the day-to-day operations and management of Social Work England. In addition, he or she should ensure that Social Work England is run according to the standards set out in Box 3.1 of [Managing Public Money](#), in terms of governance, decision-making and financial management.

Responsibilities for accounting to Parliament

26. The accountabilities include:

- signing the Annual Report and Accounts (ARA);
- ensuring that proper records are kept relating to the accounts;
- ensuring Social Work England can safeguard and account for its assets;
- ensuring that the accounts are properly prepared and presented in accordance with any directions issued by the Secretary of State (see Schedule 3 paragraph 18 of the Act) by:
 - ensuring adherence to guidance on the form and content of the accounts;
 - preparing and signing a Governance Statement covering corporate governance, risk management and assurance of any local responsibilities, for inclusion in the ARA;
 - giving evidence, normally with the PAO, when summoned before the Public Accounts Committee (PAC) on Social Work England's stewardship of public funds or other statutory responsibilities;
 - ensuring that effective procedures for handling complaints about Social Work England are established, are compliant with the [Parliamentary and Health Service Ombudsman's Principles of Good Complaint Handling](#) and are made publicly available on Social Work England's website; and
 - acting in accordance with the terms of this Framework Document, [Managing Public Money](#) and other instructions and guidance issued from time to time by the Department, HM Treasury and the Cabinet Office.

Responsibilities to the Department

27. Particular responsibilities include:

- establishing, in agreement with the Department and DHSC, Social Work England's corporate and business plans in the light of Departments' wider strategic aims and agreed priorities;
- informing the Department and DHSC of progress in helping to achieve social work policy objectives and in demonstrating how resources are being used to achieve those objectives;
- ensuring that timely forecasts and monitoring information on performance and finance are provided to the Department; that the Department is notified promptly if over or under spends are likely and that corrective action is taken; and that any significant concerns whether financial or otherwise, and

whether detected by internal audit or by other means, are notified to the Department in a timely fashion; and

- taking action, by bringing his or her concerns to the Board, (as set out in Chapter 3 of [Managing Public Money](#)) if Social Work England's Board, or its Chair, is contemplating a course of action involving a transaction he or she considers would infringe the requirements of propriety or regularity, or does not represent prudent or economical administration, efficiency or effectiveness, is of questionable feasibility, or is unethical. The AO may wish to seek the advice of the PAO in these instances, prior to raising any concerns.

Responsibilities to Social Work England's Board

28. The Chief Executive is responsible for:

- advising the Board on the discharge of its responsibilities as set out in this document, in the founding legislation, and in any other relevant instructions and guidance that may be issued from time to time;
- advising the Board on Social Work England's performance with reference to its aims and objectives and promoting the efficient and effective use of staff and other resources;
- ensuring that financial considerations are taken fully into account by the Board at all stages in reaching and executing its decisions, and that financial appraisal techniques are followed; and
- taking action as set out in paragraph 3.8.6 of [Managing Public Money](#) if Social Work England's Board, or its Chair, is contemplating a course of action involving a transaction which the Chief Executive considers would infringe the requirements of propriety or regularity or does not represent prudent or economical administration, efficiency or effectiveness, is of questionable feasibility, or is unethical. The Chief Executive may wish to seek the advice of the PAO in these instances, prior to raising any concerns.

Corporate Governance and Social Work England Board

The responsibilities of the Board

29. The Board is specifically responsible for fulfilling its terms of reference including:

- establishing and taking forward the strategic aims and objectives of Social Work England;
- ensuring that Ministers are kept informed of any changes likely to impact on the strategic direction or targets, and determining the steps needed to deal with such changes;
- ensuring that any statutory or administrative requirements for the use of public funds are complied with; that the Board operates within the limits of its statutory authority, any delegated authority agreed with the Department,

including conditions related to the use of public funds, and guidance issued by the Department;

- ensuring that the Board receives and reviews regular financial information concerning the management of Social Work England; is informed in a timely manner about any concerns and provides positive assurance to the Department that appropriate action has been taken;
- demonstrating high standards of corporate governance at all times;
- in consultation with the Department, setting performance objectives and remuneration terms linked to these objectives for the Chief Executive; and
- establishing a publicly accessible register to list all the interests of its Board members.

30. Social Work England's Board will meet six times a year; the Audit and Risk Assurance Committee will meet four times a year; and the Remuneration Committee will meet once a year unless the Senior Sponsor is advised otherwise; additional meetings may be arranged as necessary. The Board can establish sub-committees as necessary. Sub-committees will have no decision-making powers. Arrangements for the Board and its sub-committees will be set out in Terms of Reference and kept under review. The Board will be chaired by the Chair of Social Work England and will comply with all of requirements for NDPBs, with non-executive members in the majority.

31. The Chief Executive will be a member of the Board. Other persons may be invited to attend the Board and sub-committees as necessary, including representatives of either Departments, as and when required; they will not have voting rights.

32. Social Work England will comply with all the requirements for an NDPB and the principles of good governance for public bodies. The Department will ensure that non-executive members will always be in the majority on the Board. This is to ensure that the Social Work England executive are supported and constructively challenged in their roles. The Department will actively monitor the diversity of Social Work England's Board.

33. It is the responsibility of the Secretary of State, in consultation with DHSC, to make Chair and Board member appointments to Social Work England's Board. Appointments are made for a period of three years. The Secretary of State may remove a member, by notice in writing. Appointment processes will be carried out in line with the [Governance Code for Public Appointments](#). The Board will operate in accordance with the [Code of Good Practice for Corporate Governance](#). The Secretary of State appointed the first Chief Executive of Social Work England under Schedule 3, paragraph 8(3) of the Act. As set out in Schedule 3, paragraph 8(1), Social Work England will appoint subsequent Chief Executives with the approval of the Secretary of State, who will consult with the Secretary of State for Health and Social Care, as appropriate, on the preferred candidate before an appointment is made.

Audit and Risk Assurance Committee

34. The Board is expected to assure itself of the effectiveness of the internal control and risk management systems. Its Audit and Risk Assurance Committee (ARAC) will operate in accordance with the [Audit and Risk Assurance Committee Handbook](#). The ARAC will be chaired by an independent non-executive member to provide independent advice on governance, risk management and internal control; it will meet at least four times annually and additional meetings may be arranged if necessary. The approval of the ARA will be retained as a Board responsibility, albeit on the recommendation of the ARAC.

Remuneration Committee

35. The Board's Remuneration Committee will advise the Secretary of State annually on the remuneration of the Chief Executive. It will meet at least once annually. The Chief Executive can take part in discussions but cannot take part in the Remuneration Committee's decision-making process and cannot attend or take part when the Committee is discussing the Chief Executive's own remuneration. The Department's Director of HR may attend meetings of the Remuneration Committee, as the Secretary of State's representative, to advise on senior remuneration policy across the public sector and how this has been applied in other NDPBs. Social Work England should have regard to Chapter 5 of the Cabinet Office's [Public Bodies: A Guide for Departments](#) that provides guidance on staff issues in public bodies including the CEO.

The Chair's responsibilities

36. The Chair will account to the Minister. He or she is responsible for ensuring that Social Work England's affairs are conducted with probity. Communications between Social Work England's Board and the Minister should normally be through the Chair.
37. The Chair has the following leadership responsibilities:
- guiding the Board to set the overall strategy for the organisation, providing strategic direction and ensuring compliance with statutory responsibilities;
 - establishing constructive and consultative relationships with a diverse range of stakeholders and embedding the views and interests of those with experience of social work and social workers in the organisation's culture and operating model;
 - leading Social Work England's Board, ensuring it provides leadership, direction and the overall strategy for the organisation;
 - overseeing the full range of Social Work England's regulatory functions as set out in the Act;
 - ensuring effective arrangements are in place to provide assurance on risk management, governance and internal control;
 - working constructively to ensure the successful delivery of Social Work England's objectives;

- providing additional scrutiny of Social Work England’s performance and risks, including escalating any issues to the PAO or Ministers of both Departments as deemed appropriate; and
 - delivering high standards of regularity and propriety.
38. The Chair also has an obligation to ensure that the work of the Board and its members is reviewed and working effectively. The Chair will usually do this annually. The Chair is responsible for ensuring Board members have the skills appropriate to direct Social Work England’s business, as set out in the [Code of Good Practice for Corporate Governance](#). The Chair is also responsible for ensuring:
- Board members are fully briefed on their terms of appointment, duties, rights and responsibilities;
 - he or she, together with the other Board members, receive appropriate training on financial management and reporting requirements and on any differences that may exist between private and public sector practice;
 - the Minister is advised of Social Work England’s needs when Board vacancies arise;
 - he or she assesses the performance of individual Board members when being considered for re-appointment;
 - that there is a published description of the role and responsibilities of the Board consistent with the [Code of Good Practice for Corporate Governance](#); and
 - that there is a Code of Practice for Board members in place, consistent with the [Code of Conduct for Board Members of Public Bodies](#).

Individual Board members’ responsibilities and indemnities

39. Section 12.2 of the [Civil Service Management Code](#) will apply to Board and Committee members. All Board and Committee members will be indemnified as set out in section A5.4.20 of [Managing Public Money](#). Individual Board members should:
- comply at all times with the [Code of Conduct for Board Members of Public Bodies](#) and with the rules relating to the use of public funds and to conflicts of interest;
 - not misuse information gained in the course of their public service for personal gain or for political profit, nor seek to use the opportunity of public service to promote their private interests or those of connected persons or organisations;
 - comply at all time with the Board’s Gifts and Hospitality policy and with the requirements relating to the Business and Pecuniary Interests Policy; and
 - act in good faith and in the best interests of Social Work England.

Annual Report and Accounts (ARA)

40. The Social Work England Board must prepare and publish an ARA, which sets out its activities together with its audited accounts after the end of each financial year. Social Work England shall provide the Department with its final (audited) ARA and other financial data following an agreed timetable each year in order for the accounts to be consolidated within the Department's ARA. The annual reporting and accounting requirements are set out in Schedule 3 paragraphs 17-20 of the Act. The accounts direction is at Appendix 1.

41. The ARA must:

- comply with HM Treasury's [Government Financial Reporting Manual](#) (FRoM) and Public Expenditure Systems (PES) requirements; and
- outline main activities and performance during the financial year and set out in summary form forward plans.

Internal audit

42. Social Work England shall:

- establish and maintain arrangements for internal audit and risk in accordance with HM Treasury's [Public Sector Internal Audit Standards](#) (PSIAS);
- ensure that the internal auditors provide independent and objective assurance to Social Work England's AO and the Board on the adequacy and effectiveness of Social Work England's governance, risk management and control;
- ensure the Department is satisfied with the competence and qualifications of its internal auditors and the requirements for approving appointments in accordance with PSIAS;
- ensure the Department and its internal auditors (GIAA) have complete access to all relevant records, including where a service is contracted out;
- forward the audit strategy, periodic audit plans and annual audit report, including Social Work England's opinion on risk management, control and governance as soon as possible to the Department; and
- keep records of and submit quarterly returns to the Department on fraud and theft suffered by Social Work England and notify the Department of any unusual or major incidents as soon as possible.

External audit

43. The Comptroller & Auditor General (C&AG) audits Social Work England's accounts. Once the C&AG audit report has been issued and incorporated into the ARA, the Secretary of State will lay the accounts before Parliament.

44. The C&AG may carry out examinations into the economy, efficiency and effectiveness with which Social Work England has used its resources in discharging its functions. For the purpose of these examinations the C&AG has statutory access to documents as provided for under section 8 of the National Audit Act 1983. In addition, Social Work England shall provide, in conditions to contracts, for the C&AG to exercise such access to documents held by contractors and sub-contractors as may be required for these examinations; and shall use its best endeavours to secure access for the C&AG to any other documents required by the C&AG which are held by other bodies.

45. The C&AG:

- will consult the Department and Social Work England on who – the National Audit Office (NAO) or a commercial auditor – shall undertake the audit(s) on their behalf, though the final decision rests with the C&AG;
- has a statutory right of access to relevant documents, including by virtue of section 25(8) of the Government Resources and Accounts Act 2000, those held by another party in receipt of payments from Social Work England;
- will share with the Department information identified during the audit process and the audit report (together with any other outputs) at the end of the audit, in particular on issues impacting on the Department’s responsibilities in relation to financial systems within Social Work England, as appropriate; and
- will, where asked, provide Departments and other relevant bodies with Regulatory Compliance Reports and other similar reports that Departments may request at the commencement of the audit and which are compatible with the independent auditor's role.

Right of access

46. Subject to the requirements of the Data Protection Act 2018, GDPR or other legal requirements, the Department has the right of access to any information relating to the exercise of Social Work England’s functions, including sponsorship audits and operational investigations.

Management and Financial responsibilities

Managing Public Money and other Government-wide corporate guidance and instructions

47. Unless agreed by the Department and, as necessary, HM Treasury, Social Work England shall follow the principles, rules, guidance and advice in [Managing Public Money](#), referring any difficulties or potential requests for exceptions to the Social Work England sponsor team in the first instance. The sponsor team will be responsible for seeking advice from relevant Departmental teams and HM Treasury. A list of guidance and instructions with which Social Work England should comply is set out in Appendix 2.

48. Social Work England shall comply with the financial delegations set out in the Department's letter of Delegated Financial Authority. Once the budget has been approved by the Department and subject to any restrictions imposed by statute, the terms and conditions of grant, and Minister's instructions, Social Work England shall have authority to incur expenditure approved in the budget without further reference to the Department, on the following conditions:

- Social Work England shall comply with [Managing Public Money](#) regarding novel, contentious or repercussive proposals;
- inclusion of any planned and approved expenditure in the budget shall not remove the need to seek formal Departmental approval where any proposed expenditure is outside the delegated limits, or is for new schemes not previously agreed; and
- Social Work England shall provide the Department with such information about its operations, performance of individual projects or other expenditure as the department may reasonably require.

Risk management procedures and arrangements

Risk Management Strategy

49. Social Work England shall ensure that the risks that it faces are dealt with in an appropriate manner, in accordance with relevant aspects of best practice in corporate governance and the wider Departmental approach. It will develop a risk management strategy, in accordance with HM Treasury guidance [Management of Risk: Principles and Concepts](#) and the Department's risk management framework (available through the sponsor team). In addition, it should adopt and implement policies and practices to safeguard itself against fraud and theft, in line with HM Treasury's guidance on tackling fraud. It should also take all reasonable steps to appraise the financial standing of any firm or other body with which it intends to enter into a contract.

50. Social Work England will have in place an Information Governance Policy that provides assurance on the appropriate management and treatment of information across Social Work England.

Reporting risk

51. The Senior Sponsor is responsible for escalating any risk that meets the escalation criteria as set out in the Department's risk management framework. Social Work England's ARAC will provide independent advice on the effectiveness of risk management to Social Work England's Board. Social Work England will:

- respond to Departmental commissions for information on performance and risk;
- maintain robust contingency and business continuity plans and will review and test these frequently; and

- report monthly to the Department on risks carried by the organisation and progress on their management.

Corporate and business plans

52. Social Work England will produce a corporate plan (usually covering the three years ahead) and update this annually. Social Work England will agree with the Department the arrangements for the preparation of the plan. Social Work England will also produce an annual business plan. This will comprise key targets and milestones for the year immediately ahead. Resources shall be clearly allocated to objectives. Subject to any commercial considerations, a digest of the corporate and business plans will be published by Social Work England on its website and made available to staff.

53. The following should be included in the plans:

- key objectives and associated key performance targets and the strategy for achieving those objectives;
- key non-financial performance targets;
- a review of performance in the preceding financial year and an estimate of performance in the current year, taking into account income from registrant fees;
- alternative scenarios and an assessment of the risk factors that may significantly affect the execution of the plan but that cannot be accurately forecast; and
- other matters as agreed between the Department and Social Work England.

54. Social Work England will consult the sponsor team in preparing its corporate and business plans. These will be ultimately approved by the Chief Executive and Board of Social Work England.

Grant-in-aid

55. Any grant-in-aid provided by the Department for the year in question will be voted in the Department's Supply Estimate and be subject to Parliamentary control. Grant-in-aid will be provided to Social Work England by the Department.

56. Social Work England will comply with the general principle that there is no payment of grant in aid in advance of need. Cash balances accumulated during the course of the year from grant-in-aid or other Exchequer funds shall be kept to a minimum level consistent with the efficient operation of Social Work England. Grant-in-aid not drawn down by the end of the financial year shall lapse. Subject to approval by Parliament of the relevant Estimates provision, where grant-in-aid is delayed to avoid excess cash balances at the year-end, the Department will make available in the next financial year any such grant-in-aid that is required to meet any liabilities at the year-end.

Reporting financial and non-financial performance to the Department

Regular reporting

57. Social Work England shall operate management, information and accounting systems that enable it to review in a timely and effective manner its financial and non-financial performance against the budgets and targets set out in the corporate and business plans. Social Work England shall inform the Department of any changes that make achievement of objectives more or less difficult. It shall report financial and non-financial performance, including performance in helping to deliver Ministers' policies, and the achievement of key objectives regularly.

Providing financial monitoring information to the Department

58. Social Work England will be required to report their monthly outturn by means determined by the Department that feeds into the Departmental reporting systems, as well as providing a monthly report summarising variances (and explanations of these variances) against budget, forecast and expected run rates for resource and capital budgets, including income from registrant fees and other sources, in a template agreed with the Department. The sponsor team will liaise regularly with Social Work England officials to review financial performance.

Forecasts

59. Social Work England will be required to provide monthly cash forecasts in line with the Department's cash management deadline to accurately forecast their cash flows in accordance with HM Treasury targets, and support the grant-in-aid cash requirement for the following month. This will enable the Department to satisfactorily monitor cash and budgetary limits, and report the following information to HM Treasury:

- Social Work England's cash management;
- its draw-down of grant-in-aid;
- forecast outturn by resource headings;
- other forecast and outturn data required to be reported to the HM Treasury database, OSCAR; and
- other data required for transparency reporting to the Cabinet Office and HM Treasury. Social Work England will submit its transparency data to the Cabinet Office, via the Department's sponsor team.

Delegated authorities

60. Social Work England does not have delegated authority to establish any subsidiary companies without prior written agreement from the Department. Social Work England's delegated authorities are set out in Appendix 3. Social Work England shall obtain the Department's prior written approval before:

- entering into any undertaking to incur any expenditure that falls outside the delegations, or which is not provided for in Social Work England's annual budget as approved by the Department;

- incurring expenditure for any purpose that is or might be considered novel, contentious or repercussive, or which has, or could have, significant future cost implications;
- making any significant change in the scale of operation or funding of any initiative or particular scheme previously approved by the Department;
- making any change of policy or practice which has wider financial implications that might prove repercussive or which might significantly affect the future level of resources required; and
- carrying out policies that go against the principles, rules, guidance and advice in [Managing Public Money](#).

Procurement

61. Social Work England shall:

- ensure that its procurement policies are aligned with and comply with any relevant UK, EU or other international procurement rules and in particular the [Public Contracts Regulations 2015](#);
- establish its procurement policies and document these in a Procurement Policy and Procedures Manual;
- in procurement cases where Social Work England is likely to exceed its delegated authority limit, procurement strategy approval for the specific planned purchase must be sought from the sponsor team;
- acquire goods, services and works by competition. Proposals to let single-tender or restricted contracts over £5,000 shall be limited and exceptional, and a quarterly report explaining those exceptions should be sent to the sponsor team. Procurements under £1,000 should be competed wherever possible and be based on a full options appraisal and value for money;
- comply with all relevant Procurement Policy Notes issued by the Cabinet Office; and cooperate fully with initiatives to improve the availability of procurement data to facilitate the achievement of value for money; and
- comply with the [Commercial](#) Standards.

Cabinet Office Efficiency Controls

62. The Cabinet Office introduced [Efficiency Controls](#) in 2010. The Controls apply to the Department, and Arm's Length Bodies funded by Departments, and help reduce unnecessary spend. They aim to save money; encourage a smarter, cross-Government approach to spend; and implement specific Government policies. Social Work England shall comply with efficiency controls as detailed in its delegated authority letter.

Broad responsibilities for staff

63. Within the arrangements approved by the responsible Minister and HM Treasury, Social Work England will have responsibility for the recruitment, retention and motivation of its staff. The broad responsibilities toward its staff are to ensure that:

- the rules for recruitment and management of staff create an inclusive culture in which diversity is fully valued; appointment and advancement is based on merit: there is no discrimination on grounds of gender, marital status, sexual orientation, race, colour, ethnic or national origin, religion, disability, community background or age;
- the level and structure of its staffing, including grading and staff numbers, are appropriate to its functions and the requirements of economy, efficiency and effectiveness;
- the performance of its staff at all levels is satisfactorily appraised and Social Work England's performance measurement systems are reviewed from time to time;
- its staff are encouraged to acquire the appropriate professional, management and other expertise necessary to achieve Social Work England's objectives;
- proper consultation with staff takes place on key issues affecting them, including with any recognised union/s;
- adequate grievance and disciplinary procedures are in place;
- whistle-blowing procedures consistent with the Public Interest Disclosure Act are in place; and
- a code of conduct for staff is in place, based on the Cabinet Office's 'Model Code for Staff of Executive Non-Departmental Public Bodies', as set out in Annex A of Chapter 5 of the Cabinet Office's [Public Bodies: A Guide for Departments](#).

Staff costs

64. Subject to its delegated authorities, Social Work England shall ensure that the creation of any additional posts does not incur forward commitments that will exceed its ability to pay for them.

Pay and conditions of service

65. Social Work England should have regard to Chapter 5 of the Cabinet Office's [Public Bodies: A Guide for Departments](#) that provides guidance on staff issues in public bodies including the CEO. Social Work England's staff are subject to levels of remuneration and terms and conditions of service (including pensions) within the general pay structure approved by the Department and HM Treasury.

66. The Act grants Social Work England the power to determine staff terms and conditions with the prior approval of the Secretary of State. Social Work England requires prior approval of the Secretary of State for staff remuneration, including annual sign off for the pay remit. Social Work England has no delegated power to amend these terms and conditions without the Secretary of State's prior approval.

Staff terms and conditions should be set out in an Employee Handbook, which is made available to all staff.

Pay structure

67. The pay and reward structure for Social Work England must be approved by Social Work England's Board, the Department and agreed with HM Treasury prior to implementation.

Expenses

68. Social Work England's expenses policy should be made available to all staff and applicable to Board members.

Pensions, redundancy and compensation

69. Social Work England staff will be eligible for a National Employment Savings Trust (NEST) pension, with contributions rates set at the minimum auto enrolment rates for employee and employer contributions as agreed with the Department and HM Treasury. Any proposal by Social Work England to move from the existing pension arrangements, including an increase of the minimum contributions rates, or to pay any redundancy or compensation for loss of office, requires the prior approval of the Department and HM Treasury/Cabinet Office where applicable. Proposals on severance must comply with the rules in Chapter 4 of [Managing Public Money](#) and Cabinet Office guidance on severance payments.

Arrangements for reviews of Social Work England's status

70. Social Work England will be reviewed in line with Cabinet Office guidance on reviews of public bodies.

Procedures for winding up Social Work England

71. The sponsor team shall put in place arrangements to ensure the orderly winding up of Social Work England. In particular it should ensure that the assets and liabilities of the NPDB pass to any successor organisation and accounted for properly. In the event that there is no successor organisation, the assets and liabilities should revert to the sponsor Department. To this end, the Department shall:

- ensure that procedures are in place in the NDPB to gain independent assurance on key transactions, financial commitments, cash flows and other information needed to handle the wind-up effectively and to maintain the momentum of work inherited by any residuary body; specify the basis for the valuation and accounting treatment of the NDPB's assets and liabilities;
- ensure that arrangements are in place to prepare closing accounts and pass to the C&AG for external audit, and that funds are in place to pay for such audits. It shall be for the C&AG to lay the final accounts in Parliament, together with their report on the accounts; and
- arrange for the most appropriate person to sign the closing accounts. In the event that another NDPB takes on the role, responsibilities, assets and liabilities, the succeeding NDPB details of all agreements where Social Work England or its successors have a right to share in the financial gains of

developers. It should also pass to the Department details of any other forms of claw-back due to Social Work England.

List of appendices

Appendix 1 – Social Work England accounts direction

Appendix 2 – List of Government corporate guidance and instructions

Appendix 3 – List of delegated authorities



Signed

Date 18 May 2020

(Chief Executive of Social Work England)

Signed... 

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Date 22nd June 2020

(Parliamentary Under Secretary of State for Children and Families, Department for Education)



Signed.....

Date 16 June 2020

(Minister of State for Care, Department of Health and Social Care)

Appendix 1 – Social Work England Accounts Direction



Department
for Education

ACCOUNTS DIRECTION GIVEN BY THE SECRETARY OF STATE FOR EDUCATION, IN ACCORDANCE WITH PARAGRAPH 18(3), SCHEDULE 3 OF THE CHILDREN AND SOCIAL WORK ACT 2017

1. This direction applies to Social Work England.
2. Social Work England shall prepare accounts for the financial year ended 31 March 2020, and subsequent financial years to 31 March, in compliance with the accounting principles and disclosure requirements of the edition of the Government Financial Reporting Manual issued by HM Treasury (“the FReM”) which is in force for the financial year for which the accounts are being prepared, together with any additional disclosure or other requirements as agreed with the department.
3. The accounts shall be prepared so as to:
 - (a) give a true and fair view of the state of affairs at 31 March 2021 and subsequent financial year-ends, and of the income and expenditure (or, as appropriate, net resource outturn), changes in taxpayers’ equity and cash flows for the financial year then ended; and
 - (b) provide disclosure of any material expenditure or income that has not been applied to the purposes intended by Parliament or material transactions that have not conformed to the authorities which govern them.
4. Compliance with the requirements of the FReM will, in all but exceptional circumstances, be necessary for the accounts to give a true and fair view. If, in these exceptional circumstances, compliance with the requirements of the FReM is inconsistent with the requirement to give a true and fair view, the requirements of the FReM should be departed from only to the extent necessary to give a true and fair view. In such cases, informed and unbiased judgement should be used to devise an appropriate alternative treatment which should be consistent with both the economic characteristics of the circumstances concerned and the spirit of the FReM. Any material departure from the FReM should be discussed with the Department for Education and HM Treasury.

Signed for and on behalf of the Secretary of State for Education,

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Felicity Allen
Deputy Director Workforce, Children’s Social Care

18 May 2020

Appendix 2 – Government Corporate Guidance and Instructions

Social Work England shall comply with the following general guidance documents and instructions:

- Appropriate adaptations of sections of [Code of Good Practice for Corporate Governance](#), issued by HM Treasury and the Cabinet Office
- [Managing Public Money](#), issued by HM Treasury
- [Financial Reporting Manual](#), issued by HM Treasury
- [Public Sector Internal Audit Standards](#), issued by the Treasury and Internal Audit Profession
- [Management of Risk: Principles and Concepts](#) (the ‘Orange Book’), issued by HM Treasury
- [Managing the Risk of Fraud](#), issued by HM Treasury;
- [The Fees and Charges Guide](#) (issued as Chapter 6 of Managing Public Money)
- [Departmental Banking: A Manual for Government Departments](#) (issued as Annex 5.6 of Managing Public Money)
- The relevant [Dear Accounting Officer letters](#)
- [Regularity, Propriety and Value for Money](#), issued by HM Treasury
- [The Parliamentary Ombudsman’s Principles of Good Administration](#)
- [Relevant guidance and instructions issued by the Ministry of Justice on the Freedom of Information Act](#)
- Model Code for Staff of Executive Non-Departmental Public Bodies, issued by the Cabinet Office (available at [Annex A of Chapter 5 of ‘Public Bodies: A Guide for Departments’](#))
- [Code of Conduct for Board Members of Public Bodies](#), issued by the Cabinet Office
- http://www.civilservice.gov.uk/wp-content/uploads/2011/09/code-ofconduct_tcm6-38901.pdf
- [Audit and Risk Assurance Committee Handbook](#), issued by HM Treasury
- [other relevant guidance and instructions issued by the Treasury in respect of Whole of Government Accounts](#)
- [HMG Security Policy Framework](#), issued by the Cabinet Office
- other relevant instructions and guidance issued by the central Departments
- specific instructions and guidance issued by the Department or DHSC
- recommendations made by the Public Accounts Committee, or by other Parliamentary authority, that have been accepted by the Government and are relevant to Social Work England
- [The Government’s Code of Practice on Consultation](#)

Appendix 3 – List of delegated authorities

Nature of Delegation		Social Work England
Policies and programmes agreed and announced at the Spending Review	Resource DEL	<p>Delegated up to the limits set out in Social Work England’s delegation of financial authority letter and annual budget allocation letter issued by the Department, apart from the specific restrictions set out below.</p> <p>All proposals for additional spend related to this category must be submitted to DfE for consideration and approval (may also require HMT approval) before additional spend and/or commitment can be made.</p> <p>Social Work England should discuss these issues with its sponsor team in any case where it is unclear whether a new delegation authority is required.</p>
	Capital DEL	As above.
All new announcements, policies and programmes creating one off or on-going expenditure	Resource and Capital DEL	£0m. Not delegated and Departmental approval required (may also require HMT approval).
Operational expenditure	Resource DEL	Delegated up to the limits set out in the annual budget allocation letter issued by the Department.
Spending commitments beyond 20-21	All expenditure	£0m. Not delegated and Departmental approval required.
Internal funding allocations	Resource and Capital	£0m. Not delegated. This relates to the restrictions set out in the delegation of financial authority letter on the transfer of funding between different categories of expenditure, not to the distribution of funding within those categories of expenditure.
Write offs and losses	All expenditure	To cover small amounts up to a maximum value of £1,000 per case individual case (provided these do not fall into the novel, contentious and/or repercussive category) and within a total ceiling in any one financial year of £10k. Anything above this will require Departmental approval.

