

Protocol between London Boroughs – Pay rates for agency workers in Children’s Services

This Protocol is intended to give effect to the terms of the Memorandum of Cooperation dated 1st September 2019. The Memorandum is an agreement between London Boroughs to adopt a collaborative and forward-thinking approach to address key workforce issues. Paragraph 6 of the Memorandum of Cooperation contains a number of provisions relating to the management of agency staffing.

This protocol sets out the maximum rates that Boroughs should pay for agency workers who have appropriate qualification, skills and experiences to effectively fulfil the relevant role. The rate to be paid to each worker will be a matter for individual negotiation and agreement by boroughs according to the context of the role, and the skills and experience required to effectively fulfil the relevant role and in recognition of each Council’s remuneration levels (in accordance with the Agency Worker regulations).

Consultation has taken place with managed service providers, key agencies and London Authorities on the level and application of this protocol.

1. Pay rates for new agency staff (inclusive of oncosts, exclusive of agency mark-up)

In order to disincentivise agency work and control costs, all new assignments are to have a pay ceiling. The rates set out below are maxima. The rates have been arrived at by analysis of data collected and reflect the most common rates applied at present. The rates are as follows:

Agency CSW Job-types	PAYE rates that equate to the MoC caps (Category 2 in notes below)	24.6% (amount in respect of Employers' NI and holiday pay)	CSW MoC Caps. These are rates inclusive of Employers' NI and holiday pay IE: equivalent to Ltd Co/Umbrella rates (Category 1 in the notes below)
CSW Newly Qualified Social Worker (post ASYE < 2 years' experience)	20.06	4.94	25.00
CSW Social Worker (with 2 years+ PQE)	24.08	5.92	30.00
CSW Experienced SW (5 years +)	25.68	6.32	32.00
CSW Senior SW (Senior Practitioner)	28.09	6.91	35.00
CSW Specialist / Advanced SW	28.09	6.91	35.00
CSW Assistant Team Manager (Practice Manager)	30.50	7.50	38.00
CSW Team Manager	33.71	8.29	42.00
Important Notes:			
Agency pay-rates fall into two main categories in respect of Employers' NI and holiday pay. Category 1 = Ltd Co/Umbrella. Category 2 = PAYE			

This is because the Employers' NI and holiday pay need to be included in the pay rate to Ltd Co/Umbrella SWs (so the Employers' NI and holiday pay can be paid out of the pay rates). Whereas for PAYE SWs, the pay-rates are exclusive of Employers' NI and holiday pay (because the agency pays these amounts out of additional sums charged in the charge-rate).

PAYE pay-rate + 24.6% = Ltd Co/Umbrella rate = MoC capped rates

All of the above rates reflect charges paid to the agency excluding agency mark-up (which may be a fixed pence price, or percentage addition, dependent on local agreements). The rates are pay rates not charge rates.

Where length of experience is referred to in years (eg: 2 yrs + PQE) above – this is only a guide to a typical level of seniority/experience. It is not necessary to collect/count/monitor the length of individuals' experience.

2. Pay rates for existing agency staff (inclusive of oncosts, exclusive of agency mark-up)

Where the rate for existing agency staff exceed the maxima above, steps should be taken to comply at assignment renewal or as early as possible.

3. Monitoring and reporting arrangements

Monitoring and reporting of the implementation of these rates will be conducted through the provision of data to the London Councils HR Metrics Service on a quarterly basis at the end of June, September December and March. Due to the need to provide data quickly to Heads of HR, the deadline for the return of data may be as short as two weeks.

4. Review

The rates will be reviewed periodically by the Heads of HR network.

Date of Protocol: 1 September 2019