



Social Work England Framework Document February 2022

Agenda Item 12 Paper Ref 10

Paper for the

Social Work England Board

Sponsor

Philip Hallam, Executive Director, Registration, Quality Assurance and Legal

Author

Department for Education

Date

11 March 2022

Reviewed by

Executive Leadership Team

This paper is for

Assurance and Noting

Associated Strategic Objective

SO9: We will establish robust infrastructure, systems and processes that promote trust and confidence.

Impact: Risk Type and Appetite

Operational delivery - Open

1. Summary

The Framework Document sets out the broad framework within which Social Work England operates. This update of the Framework Document has been led by our Sponsor Team who worked in close consultation with Social Work England. Following the Board's approval by correspondence, the document was signed and officially laid in House Libraries on 15 February 2022.

2. Action required

The Board is asked to provide a formal note of approval and to acknowledge the publication of the updated Social Work England Framework Document February 2022.

Social Work England

Framework Document

February 2022

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Introduction and Background

1. Purpose of Document

This Framework Document has been agreed between the Department for Education (“the Department”), as sponsor department, in consultation with the Department of Health and Social Care (“DHSC”) and Social Work England in accordance with HM Treasury's handbook [Managing Public Money](#) (“MPM”) (as updated from time to time) and has been approved by HM Treasury. The Department has responsibility for child and family social workers, and DHSC has responsibility for adult social workers. The Framework Document sets out the broad governance framework within which Social Work England, the Department and DHSC will operate. It sets out Social Work England’s core responsibilities; describes the governance and accountability framework that applies between the roles of Social Work England, the Department and DHSC; and sets out how the day-to-day relationship works in practice, including in relation to governance and financial matters.

The document does not convey any legal powers or responsibilities and nothing in the Framework Document detracts from Social Work England’s powers and obligations as set out in [The Children and Social Work Act 2017](#) (“the Act”) and [The Social Workers Regulations 2018](#). All parties agree to operate within its terms.

References to Social Work England include all its subsidiaries and joint ventures that are classified to the public sector and central government for national accounts purposes. If Social Work England establishes a subsidiary or joint venture, there shall be a document setting out the arrangements between it and Social Work England agreed with the Department.

Copies of the document and any subsequent 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 Framework Document should be reviewed and updated at least every three years unless there are exceptional reasons that render this inappropriate that have been agreed with HM Treasury and the Principal Accounting Officer of the sponsor department. The Department, DHSC or Social Work England may propose amendments to this document at any time. The latest date for review and updating of this document is February 2025.

2. Machinery of Government

If a [Machinery of Government](#) change results in Social Work England being sponsored by a new department before the Framework Document is due for review, the Department will notify Social Work England of the relevant relationship changes. The provisions of the Framework Document will continue to have effect until the Framework Document is replaced, unless otherwise stated by the new sponsor department.

3. Objectives

The Department, DHSC and Social Work England share the common objective of improving public protection and improving standards of social work practice. To achieve this, they will work together in recognition of each other's roles and areas of expertise, providing an effective environment for Social Work England to achieve its objectives through the promotion of partnership and trust and ensuring Social Work England also supports the Secretary of State's priorities when and to the extent it is appropriate to do so.

4. Classification

Social Work England has been classified as a central government organisation by the Office for National Statistics/HM Treasury Classifications team. It has been administratively classified by the Cabinet Office as a Non-Departmental Public Body.

Purposes Aims and Duties

5. Purpose

Social Work England has been established under the Act to be a new single-profession regulator for social workers in England. Its purposes are set out in Part 2 of the Act.

6. Powers and Duties

The Act provides for the establishment of Social Work England and sets out its duties and powers as regulator of the social work profession, as well as those of the Secretary of State in relation to Social Work England.

As set out in the Act, and like the other health and care regulators, Social Work England's over-arching objective will be the protection of the public. [The Social Workers Regulations 2018](#) set out the detail of the regulatory framework within which Social Work England will regulate social workers.

Social Work England is 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.

7. Aims

Social Work England's strategic aims are set out in a corporate strategy document. Its objectives and the steps it will take to achieve its strategic aims will be detailed in an annual business plan. Both documents will be published on socialworkengland.org.uk.

In pursuing its over-arching objective, Social Work England will 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.

Role of the Department

8. The Responsible Minister

As the Secretary of State for the sponsoring department, the Secretary of State for Education has ultimate accountability for Social Work England in Parliament. The Secretary of State's statutory powers in respect of Social Work England are set out in the Children and Social Work Act 2017 and include:

- a power of appointment in relation to the appointment of the Chair and other members of the Social Work England Board;
- a power of approval in relation to the appointment of the Chief Executive of Social Work England;
- a power over Social Work England's fees income;
- a power to investigate Social Work England and to request information in relation to the exercise of the regulator's functions, which Social Work England must provide;
- a power of remedial direction if Social Work England is or is likely to default in performing any of its functions; and
- a power to determine and publish improvement standards for social workers and to make provision for Social Work England to approve education and training courses or qualifications.

9. The Principal Accounting Officer (PAO)

The Principal Accounting Officer is the Permanent Secretary of the Department. The PAO designates the Chief Executive as the Accounting Officer (AO) for Social Work England and ensures that they are fully aware of their responsibilities. The PAO issues a letter appointing the Accounting Officer, setting out their responsibilities and delegated authorities.

The respective responsibilities of the PAO and Accounting Officers for ALBs are set out in Chapter 3 of [Managing Public Money](#).

10. The PAO's Accountabilities and Responsibilities

The PAO is accountable to Parliament for the issue of any grant-in-aid to Social Work England. The PAO is also responsible, usually via the sponsor team, for advising the Secretary of State 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's overall public expenditure priorities;

- how well Social Work England is achieving its strategic objectives and whether it is delivering value for money; and
- the exercise of the Secretary of State's statutory responsibilities concerning Social Work England as outlined above.

The PAO, via the sponsor team, is also responsible for ensuring arrangements are in place in order to:

- monitor Social Work England's activities and performance;
- address significant problems in Social Work England, making such interventions as are judged necessary;
- periodically, and at such frequency as is proportionate to the level of risk, carry out an assessment of the risks both to the Department and Social Work England's objectives and activities in line with the wider departmental risk assessment process;
- inform Social Work England of relevant Government policy in a timely manner; and
- bring Ministerial or departmental 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.

11. The role of the Sponsor Team

The Social Work England Sponsor Team in the Department is the primary contact for Social Work England. The responsible Senior Civil Servant for this relationship is Social Work England's Senior Sponsor. This is the Deputy Director, Social Work Workforce, Children's Social Care. They are the main source of advice to the Secretary of State on the discharge of their responsibilities in respect of Social Work England. They also support the PAO on their responsibilities towards Social Work England.

Officials of the sponsor team in the Department will liaise regularly with Social Work England officials to review performance against plans, achievement against targets and expenditure against its Departmental Expenditure Limits (DEL) and Annually Managed Expenditure (AME) allocations. The sponsor team will also take the opportunity to explain wider policy developments that might have an impact on Social Work England. The sponsor team will 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 Department, DHSC and Social Work England will have an open and honest, trust-based partnership supported by the principles set out in [Partnerships with Arm's Length Bodies: Code of Good Practice](#).

12. Resolution of disputes between Social Work England and the Department

Any disputes which occur 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. The Department has no role in resolving any disputes between Social Work England and DHSC. A Memorandum of Understanding will be established between Social Work England and DHSC, at a timetable to be agreed, setting out how disputes between the two parties will be resolved.

13. Reporting on legal risk and litigation

Social Work England shall provide, at the earliest opportunity, an update to the Senior Sponsor on the existence of any active litigation, any threatened litigation or any reasonably anticipated litigation. The parties acknowledge the importance of ensuring that legal risks are communicated appropriately to the Senior Sponsor in a timely manner.

In respect of each substantial piece of litigation:

- Social Work England will ensure appropriate and timely reporting on the status of the litigation, unless to do so would compromise its position in the litigation;
- Social Work England will include any material developments that may pose a risk to the Department or the Secretary of State so that they can be assessed and managed effectively, unless to do so would compromise Social Work England's position in the litigation;
- Social Work England may in relevant cases share with the Department a summary of the litigation based on publicly available documents, but this will not include privileged information.

Social Work England Governance and Structure

14. Governance and Accountability

Social Work England shall operate corporate governance arrangements that, as far as practicable and in the light of the other provisions of this Framework Document or as otherwise may be mutually agreed, accord with good corporate governance practice and applicable regulatory requirements and expectations.

In particular (but without limitation), Social Work England should:

- comply with the principles and provisions of the Corporate Governance in Central Government Departments Code of Good Practice (as amended and updated from time to time) to the extent appropriate and in line with its statutory duties or specify and explain any non-compliance in its annual report;
- comply with [Managing Public Money](#);

- in line with [Managing Public Money](#) have regard to the relevant [Functional Standards](#) as appropriate and in particular those concerning Finance, Commercial and Counter Fraud; and
- take into account the codes of good practice and guidance set out in Appendix 3 of this Framework Document, as they apply to Arm's Length Bodies.

In line with [Managing Public Money](#) Annex 3.1, Social Work England shall provide an account of corporate governance in its annual governance statement including the Board's assessment of its compliance with the Code with explanations of any material departures. To the extent that Social Work England does intend to materially depart from the Code, the Senior Sponsor should be notified in advance and their agreement sought to this approach.

15. The Chief Executive

As set out in section 8(1) of Schedule 3 of the Act, the first Chief Executive of Social Work England is appointed by the Secretary of State. Subsequent appointments will be made by the Social Work England Board with the approval of the Secretary of State.

[Responsibilities of Social Work England's Chief Executive as Accounting Officer](#)

The Chief Executive, as Social Work England's Accounting Officer is personally responsible for safeguarding the public funds for which they have 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, they should ensure that Social Work England as a whole is run on the basis of the standards, in terms of governance, decision-making and financial management, that are set out in Box 3.1 of [Managing Public Money](#). These responsibilities include the below and those that are set out in the Accounting Officer appointment letter issued by the Principal Accounting Officer of the Department.

[Responsibilities for accounting to Parliament and the Public](#)

Responsibilities to Parliament and the public include:

- signing the accounts and ensuring that proper records are kept relating to the accounts and that the accounts are properly prepared and presented in accordance with any directions issued by the Secretary of State;
- preparing and signing a Governance Statement covering corporate governance, risk management and oversight of any local responsibilities, for inclusion in the annual report and accounts;
- establishing, and publishing on its website, a corporate complaints procedure to investigate and deal with complaints about: the actions of Social Work England's staff, partners or suppliers; a service that has been provided which was unsatisfactory, or where Social Work England has not followed its own procedures; the way an individual has been communicated with. This shall be in accordance with

Parliamentary and Health Service Ombudsman's Principles of Good Complaint Handling:

- acting in accordance with the terms of [Managing Public Money](#) and other instructions and guidance issued from time to time by the Department, HM Treasury and the Cabinet Office;
- ensuring that as part of the above compliance it is familiar with and acts in accordance with:
 - any governing legislation
 - this framework document
 - any delegation letter issued to Social Work England
 - any elements of any settlement letter issued to the Department that is relevant to the operation of Social Work England
 - any separate settlement letter that is issued to Social Work England from the Department;
- ensuring it has appropriate internal mechanisms for the monitoring, governance and external reporting regarding compliance with any conditions arising from the above documents; and
- giving evidence, normally with the PAO, when summoned before the PAC on Social Work England's stewardship of public funds.

Responsibilities to the Department for Education

Responsibilities include:

- in respect of Social Work England's non regulatory functions, establishing in discussion with the Department, its corporate and business plans in light of the Department's wider strategic aims and priorities;
- informing the Department of progress in helping to pursue social work policy objectives and, where appropriate, in demonstrating how resources are being used to achieve those objectives; and
- 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.

Responsibilities to Social Work England's Board

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 compared with its aims and objectives;

- 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
- following the advice and direction of the Board, except in very exceptional circumstances with a clear cut and transparent rationale for not doing so.

If the 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 in their role as Accounting Officer should reject that course of action and ensure that the Board have a full opportunity to discuss the rationale for that rejection.

Such conflicts should be brought to the attention of the Principal Accounting Officer and the Responsible Minister as soon as possible.

Furthermore, and if agreed with the responsible Minister, the Accounting Officer must write a letter of justification to the Chair of the Board setting out the rationale for not following the advice and recommendation of the Board and copy that letter to the Treasury Officer of Accounts.

If the Responsible Minister agrees with the proposed course of action of the Board it may be appropriate for the Minister to direct the Accounting Officer in the manner as set out in Managing Public Money paragraph 3.4 onwards.

16. The Board

Composition of the Board

Social Work England will have a Board in line with good standards of Corporate Governance and as set out in its establishing statute and in guidance as set out in Annex A. The role of the Board shall be to oversee the running of Social Work England, and to deliver the objectives, in accordance with the purposes as set out above, its statutory, regulatory, common-law duties and their responsibilities under this Framework Document. Detailed responsibilities of the Board shall be set out in the Board terms of reference. Remuneration of the Board will be disclosed in line with the guidance in the Government Financial Reporting manual (FReM).

The Chief Executive will be a member of the Board. 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 team is supported and constructively challenged in their roles. The Board will include as a non-executive and voting board member an appropriately qualified finance director as described in Annex 4.1 of [Managing Public Money](#). Working with Social Work England, the Department will actively monitor the diversity of Social Work England's Board, including as part of the public appointments process.

Board Committees

The Board may set up such committees as necessary for it to fulfil its functions. As is detailed below at a minimum this should include an Audit and Risk Assurance Committee chaired by an independent and appropriately qualified non-executive member of the Board.

While the Board may make use of committees to assist its consideration of appointments, succession, audit, risk and remuneration it retains responsibility for, and endorses, final decisions in all of these areas. The Chair should ensure that sufficient time is allowed at the Board for committees to report on the nature and content of discussion, on recommendations, and on actions to be taken.

Where there is disagreement between the relevant committee and the Board, adequate time should be made available for discussion of the issue with a view to resolving the disagreement. Where any such disagreement cannot be resolved, the committee concerned should have the right to report the issue to the sponsor team, Principal Accounting Officer and Secretary of State. They may also seek to ensure the disagreement or concern is reflected as part of the report on its activities in the annual report.

The Chair should ensure Board committees are properly structured with appropriate terms of reference. The terms of each committee should set out its responsibilities and the authority delegated to it by the Board. The Chair should ensure that committee membership is periodically refreshed and that individual independent non-executive directors are not over-burdened when deciding the chairs and membership of committees.

Appointments to the Board

The Chair and non-executive members are appointed by the Secretary of State under paragraph 2, Schedule 3 of the Act. These appointments are subject to the [Public Appointments Order in Council](#) and as such must comply with the [Governance Code on Public Appointments](#). All such appointments should have regard to the principle that appointments should reflect the diversity of the society in which we live, and appointments should be made taking account of the need to appoint boards which include a balance of skills and backgrounds.

Duties of the Board

The Board is specifically responsible for:

- establishing and taking forward the strategic aims and objectives of Social Work England consistent with its overall strategic direction in its corporate plan;
- providing effective leadership of Social Work England within a framework of prudent and effective controls which enables risk to be assessed and managed;
- ensuring the financial and human resources are in place for Social Work England to meet its objectives;
- reviewing management performance;

- ensuring that the Board receives and reviews regular financial and management information concerning the management of Social Work England;
- ensuring that it is kept informed of any changes which are likely to impact on the strategic direction of Social Work England's Board or on the attainability of its targets, and determining the steps needed to deal with such changes and where appropriate bringing such matters to the attention of the Secretary of State and Principal Accounting Officer via the executive team, sponsor team or directly;
- 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 and any delegated authority agreed with the Department, and in accordance with any other conditions relating to the use of public funds; and that, in reaching decisions, the Board takes into account guidance issued by the Department;
- ensuring that as part of the above compliance it is familiar with:
 - this Framework Document,
 - any delegation letter issued to Social Work England
 - any elements of any settlement letter issued to the Department that is relevant to the operation of Social Work England;
 - any separate settlement letter that is issued to Social Work England from the Department; and
 - that it has appropriate internal mechanisms for the monitoring, governance and external reporting regarding any conditions arising from the above documents and ensure that the Chief Executive and Social Work England as a whole act in accordance with their obligations under the above documents;
- demonstrating high standards of corporate governance at all times, including by using the independent audit committee to help the Board to address key financial and other risks;
- setting remuneration terms for the Chief Executive which give due weight to the proper management and use and utilisation of public resources;
- appointing, with the Secretary of State's approval, subsequent Chief Executives;
- contributing to the annual evaluation of the performance of the Chair, to be led by the Department; and
- determining all such other things which the Board considers ancillary or conducive to the attainment or fulfilment by Social Work England of its objectives.

Remuneration Committee

The Board's Remuneration Committee will advise the Secretary of State annually on the remuneration of the Chief Executive. 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 Chief Executive.

[Audit and Risk Assurance Committee](#)

The Board should ensure that effective arrangements are in place to provide assurance on risk management, governance and internal control.

The Board should make a strategic choice about the style, shape and quality of risk management and should lead the assessment and management of opportunity and risk. The Board should ensure that effective arrangements are in place to provide assurance over the design and operation of risk management, governance and internal control in line with the [Management of Risk – Principles and Concepts \(The Orange Book\)](#). The Board is expected to assure itself of the adequacy and effectiveness of the risk management framework and the operation of internal control.

The Board's 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 and appropriately qualified non-executive member to provide independent advice and ensure that the Department's Audit and Risk Assurance Committee is provided with routine assurances with escalation of any significant limitations or concerns. The approval of the Annual Report and Accounts will be retained as a Board responsibility, albeit on the recommendation of the ARAC.

[The Chair's Role and Responsibilities](#)

The Chair is responsible for leading the Board in the delivery of its responsibilities. Such responsibility should be exercised in the light of their duties and responsibilities as set out in the Chair's terms of appointment, the statutory authority governing Social Work England, this document and the documents and guidance referred to within this document. Communications between Social Work England's Board and the Secretary of State should normally be through the Chair. The Chair is bound by the [Code of Conduct for Board Members of Public Bodies](#), which covers conduct in the role and includes the [Nolan Principles of Public Life](#).

In addition, the Chair is responsible for:

- ensuring, including by monitoring and engaging with appropriate governance arrangements, that Social Work England's affairs are conducted with probity; and
- ensuring that, where appropriate, policies and actions support the Secretary of State's (and where relevant, other Ministers) wider strategic policies and are clearly communicated and disseminated throughout Social Work England.

The Chair has the following leadership responsibilities:

- formulating the Board's strategy;
- ensuring that the Board, in reaching decisions, takes proper account of guidance provided by the Secretary of State or the Department;
- promoting the efficient and effective use of staff and other resources;
- delivering high standards of regularity and propriety; and
- representing the views of the Board to the general public.

The Chair also has an obligation to ensure that:

- the work of the Board and its members are reviewed and are working effectively including ongoing assessment of the performance of individual board members with a formal annual evaluation and more in-depth assessments of the performance of individual board members when being considered for re-appointment;
- in conducting assessments, the views of relevant stakeholders including employees and the sponsor team are sought and considered;
- the Board has a balance of skills appropriate to directing Social Work England, and that all directors including the Chair and Chief Executive continually update their skills, knowledge and familiarity with Social Work England to fulfil their role both on the Board and committees. This will include but not be limited to skills and training in relation to financial management and reporting requirements, risk management and the requirements of board membership within the public sector;
- board members are fully briefed on terms of appointment, duties, rights and responsibilities;
- they, 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 Secretary of State is advised of Social Work England's needs when Board vacancies arise;
- there is a Board Operating Framework in place setting out the role and responsibilities of the Board consistent with the [Government Code of Practice for Corporate Governance](#); and
- there is a code of practice for board members in place, consistent with the [Cabinet Office Code of Conduct for Board Members of Public Bodies](#).

Individual board members' responsibilities

Individual board members should:

- comply at all times with the [Cabinet Office Code of Conduct for Board Members of Public Bodies](#), which covers conduct in the role and includes the [Nolan Principles of Public Life](#) as well as rules relating to the use of public funds and to conflicts of interest;
- demonstrate adherence to the [12 Principles of Governance for all Public Body Non-Executive Directors](#) as appropriate;

- 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 with the Board's rules on the acceptance of gifts and hospitality, and of business appointments;
- act in good faith and in the best interests of Social Work England; and
- ensure they are familiar with any applicable guidance on the role of Public Sector non-executive directors and boards that may be issued from time to time by the Cabinet Office, HM Treasury or wider government.

Management and financial responsibilities and controls

17. Delegated Authorities

Social Work England's delegated authorities are set out in the delegation letter (attached to this Framework Document). This delegation letter may be updated and superseded by later versions which may be issued by the Department in agreement with HM Treasury.

In line with [Managing Public Money](#) Annex 2.2 these delegations will be reviewed on an annual basis.

Social Work England shall obtain the Department's and where appropriate HM Treasury'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 or contentious, 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; or
- carrying out policies that go against the principles, rules, guidance and advice in [Managing Public Money](#).

18. Spending authority

Once the budget has been approved by the Department, 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 the delegations set out in the delegation letter. These delegations shall not be altered without the prior agreement of the Department and as agreed by HM Treasury and Cabinet Office as appropriate;

- 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, individual projects or other expenditure as the Department may reasonably require.

19. Banking and Managing Cash

Social Work England must maximise the use of publicly procured banking services (accounts with central government commercial banks managed centrally by Government Banking).

Social Work England should only hold money outside Government Banking Service accounts where a good business case can be made for doing so and HM Treasury consent is required for each account to be established. Only commercial banks which are members of relevant UK clearing bodies may be considered for this purpose.

Commercial Accounts where approved should be operated in line with the principles as set out in [Managing Public Money](#).

The Accounting Officer is responsible for ensuring Social Work England has a Banking Policy as set out in [Managing Public Money](#) and ensuring that policy is complied with.

20. Procurement

Social Work England shall ensure that its procurement policies are aligned with and comply with any relevant UK or other international procurement rules and in particular the [Public Contracts Regulations 2015](#).

Social Work England shall 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 Department's sponsor team.

Goods, services, and works should be acquired by competition. Proposals to let single-tender or restricted contracts shall be limited and exceptional, and a quarterly report explaining those exceptions should be sent to the Department.

Procurement by Social Work England of works, equipment, goods, and services shall be based on a full option appraisal and value for money (VfM), i.e. the optimum combination and whole life costs and quality (fitness for purpose).

Social Work England shall engage fully with Department and Government-wide procurement initiatives that seek to achieve VfM from collaborative projects, comply with all relevant Procurement Policy Notes issued by Cabinet Office and co-operate fully

with initiatives to improve the availability of procurement data to facilitate the achievement of VfM.

Social Work England shall comply with the [Commercial](#) and [Grants](#) Standards. These standards apply to the planning, delivery, and management of government commercial activity, including management of grants in all departments and arm's length bodies, regardless of commercial approach used and form part of a suite of functional standards that set expectations for management within government.

21. Risk management

Social Work England shall ensure that the risks it faces are dealt with in an appropriate manner, in accordance with relevant aspects of best practice in corporate governance, and develop a risk management strategy in accordance with the HM Treasury guidance [Management of Risk – Principles and Concepts \(The Orange Book\)](#).

22. Counter Fraud and Theft

Social Work England should adopt and implement policies and practices to safeguard itself against fraud and theft.

Social Work England should act in line with guidance as issued by the Counter Fraud Function and in compliance with the procedures and considerations as set in in [Managing Public Money](#) Annex 4.9 and the [Counter Fraud Functional Standard](#). It should also take all reasonable steps to appraise the financial standing of any firm or other body with which it intends to enter a contract.

Social Work England should keep records of and prepare and forward to the Department an annual report on fraud and theft suffered by Social Work England and notify the Department of any unusual or major incidents as soon as possible. Social Work England should also report detected loss from fraud, bribery, corruption and error, alongside associated recoveries and prevented losses, to the counter fraud centre of expertise in line with the agreed government definitions as set out in the [Counter Fraud Functional Standard](#).

Staff

23. Broad responsibilities for staff

Within the arrangements approved by the Secretary of State (and HM Treasury as appropriate), 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 sex, gender reassignment, marriage and civil partnership, sexual orientation, pregnancy and maternity, race, religion or belief, disability, 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 performance measurement systems are reviewed from time to time;
- its staff is 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;
- 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 and in line with the Cabinet Office's [Model Code for Staff of Executive Non-departmental Public Bodies](#).

24. Staff costs

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

Social Work England 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. Social Work England has no delegated power to amend these terms and conditions.

Staff terms and conditions should be set out in an Employee Handbook, which should be provided to the Department together with subsequent amendments.

Social Work England shall abide by public sector pay controls, including the relevant approvals process dependent on the organisation's classification as detailed in the [Senior Pay Guidance](#) and the [public sector pay and terms guidance](#).

Social Work England shall operate a performance-related pay scheme that shall form part of the general pay structure approved by the Department and HM Treasury, where relevant with due regard to the senior pay guidance.

The travel expenses of board members shall be tied to the rates allowed to senior staff of Social Work England. Reasonable actual costs shall be reimbursed.

Pensions, redundancy and compensation

Compensation scheme rules and pension scheme rules should reflect legislative and HM Treasury guidance requirements regarding exit payments.

Social Work England staff shall normally be eligible for a pension provided by National Employment Savings Trust (NEST). Staff may opt out of the occupational pension

scheme provided by Social Work England, but that employers' contribution to any personal pension arrangement including stakeholder pension shall normally be limited to the national insurance rebate level.

Any proposal by Social Work England to move from the existing pension arrangements, 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.

Any proposal by Social Work England to make a severance payment must comply with the rules in Chapter 4 of HM Treasury [Managing Public Money](#) and Cabinet Office guidance on severance payments. Any proposal for special severance payment (i.e. non-contractual) must be submitted to the Department first, before onward referral to HM Treasury, for written approval before making payment.

Business Plans, Financial Reporting and Management Information

25. Corporate and business plans

Social Work England shall submit to the Department a draft of their corporate plan covering three years ahead, no later than 3 months ahead of the period in question. Social Work England shall discuss with the Department the issues to be addressed in the plan and the timetable for its preparation. The plan shall reflect Social Work England's statutory and/or other duties and, within those duties, the priorities set from time to time by the Secretary of State (including decisions taken on policy and resources in the light of wider public expenditure decisions). The plan shall demonstrate how Social Work England's objectives contribute to the achievement of the Department's medium-term plan and priorities and aligned performance metrics and milestones, when and to the extent it is appropriate to do so.

The business plan shall be updated to include key targets and milestones for the year immediately ahead and shall be linked to budgeting information so that resources allocated to achieve specific objectives can readily be identified by the Department. Subject to any commercial considerations, a digest of the corporate and business plans should be published by Social Work England on its website and separately be made available to staff.

The following key matters should be included in the plans:

- key objectives and associated key performance targets for the forward years, and the strategy for achieving those objectives;
- key non-financial performance targets;
- a review of performance in the preceding financial year, together with comparable outturns for the previous years, and an estimate of performance in the current year;
- 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.

26. Budgeting procedures

Each year, in the light of decisions by the Department on the updated draft corporate plan, the Department will send to Social Work England:

- a formal statement of the annual budgetary provision allocated by the Department in the light of competing priorities across the Department and of any forecast income approved by the Department; and
- a statement of any planned change in policies affecting Social Work England.

The approved annual business plan will take account both of approved funding provision and any forecast receipts and will include a budget of estimated payments and receipts together with a profile of expected expenditure and of draw-down of any Departmental funding and/or other income over the year. These elements form part of the approved business plan for the year in question.

27. Grant-in-aid and any ring-fenced grants

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.

The grant-in-aid will normally be paid in monthly instalments on the basis of written applications showing evidence of need. Social Work England will comply with the general principle that there is no payment 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, such as creditors.

In the event that the Department provides Social Work England with separate grants for specific (ring-fenced) purposes, it would issue the grant as and when Social Work England needed it on the basis of a written request. Social Work England would provide evidence that the grant was used for the purposes authorised by the Department. Social Work England shall not have uncommitted grant funds in hand, nor carry grant funds over to another financial year.

28. Annual report and accounts

Social Work England's Board must publish an annual report of its activities together with its audited accounts after the end of each financial year. The Board shall provide the Department its finalised (audited) accounts by a date to be agreed each year in order for the accounts to be consolidated within the Department's accounts. A draft of the report should be submitted to the Department before the proposed publication date. The accounts should be prepared in accordance with the relevant statutes and specific accounts direction issued by the Department as well as HM Treasury's Financial Reporting Manual (FReM).

The annual report must:

- cover any corporate, subsidiary, or joint ventures under its control;
- comply with the FReM and in particular have regard to the illustrative statements for an [NDPB](#); and
- outline main activities and performance during the previous financial year and set out in summary form forward plans.

Information on performance against key financial targets is within the scope of the audit and should be included in the notes to the accounts. The report and accounts shall be laid in Parliament and made available on Social Work England's website, in accordance with the guidance in the FReM.

29. Reporting performance to the Department

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.

The Senior Sponsor will meet the Chief Executive of Social Work England four times a year for a strategic review of Social Work England's performance. The sponsor team will meet Social Work England's finance team monthly to review Social Work England's management accounts and forecasts.

The Secretary of State or their delegated Minister will meet Social Work England's Chair and Chief Executive once a year.

The Principal Accounting officer will meet the Chief Executive at least once a year.

30. Information Sharing

The Department and HM Treasury may request the sharing of data held by Social Work England in such a manner as set out in central guidance except insofar as it is prohibited by law. This may include requiring the appointment of a senior official to be responsible for the data sharing relationship.

Subject to the requirements of the Data Protection Act 2018, UK General Data Protection Regulation (GDPR) or other legal requirements, the Department has the right of access to any information relating to the exercise of Social Work England's regulatory functions, including sponsorship audits and operational investigations.

As a minimum, Social Work England shall provide the Department with information monthly that will enable the Department satisfactorily to monitor:

- Social Work England 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
- data as required in respect of its compliance with any Cabinet Office Controls pipelines or required in order to meet any condition as set out in any settlement letter.

With regard to litigation cases Social Work England may in relevant cases share with the Department a summary of the litigation based on publicly available documents, but this will not include privileged information.

31. Information Rights Requests

Where a request for information is received by a party (Social Work England, the Department or DHSC) under the Freedom of Information (FOI) Act 2000, or the Data Protection Act (DPA) 2018, the party receiving the request will consult with the other parties prior to any disclosure of information that may affect other parties' responsibilities.

32. Data Breach Reporting

In the event that a personal data breach occurs which meets the threshold for reporting to the Information Commissioner's Office, this must also be notified to the Department's sponsor team simultaneously, so that any risk to the Secretary of State can be assessed and managed effectively.

Audit

33. Internal audit

Social Work England shall:

- establish and maintain arrangements for internal audit;
- ensure that any arrangements for internal audit are in accordance with the [Public Sector Internal Audit Standards \(PSIAS\)](#) as adopted by HM Treasury;
- set up an audit committee of its board in accordance with the [Code of Good Practice for Corporate Governance](#) and the [Audit and Risk Assurance Committee Handbook](#);
- forward the audit strategy, periodic audit plans and annual audit report, including the Social Work England's Head of Internal Audit opinion on risk management, control and governance as soon as possible to the Department;
- keep records of and prepare and forward to the Department an annual report on fraud and theft suffered by Social Work England and notify the Department of any unusual or major incidents as soon as possible; and
- share with the Department information identified during the audit process and the Annual Audit Opinion Report (together with any other outputs) at the end of the audit.

34. External Audit

The Comptroller & Auditor General (C&AG) audits Social Work England's annual accounts. Once the C&AG audit report has been issued and incorporated into the Annual Report and Accounts (ARA), arrangements should be made for the ARA to be laid before Parliament.

In the event that Social Work England sets up and controls subsidiary companies, Social Work England will (in the light of the provisions in the Companies Act 2006) ensure that the C&AG has the option to be appointed auditor of those company subsidiaries that it controls and/or whose accounts are consolidated within its own accounts. Social Work England shall discuss with the sponsor department the procedures for appointing the C&AG as auditor of the companies.

The C&AG:

- will consult the Department and Social Work England on whom – the 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, 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; and
- will consider requests from departments and other relevant bodies to provide Regulatory Compliance Reports and other similar reports at the commencement of the audit. Consistent with the C&AG's independent status, the provision of such reports is entirely at the C&AG's discretion.

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.

Reviews and winding up arrangements

35. Review of Social Work England's status

Social Work England will be reviewed in line with Cabinet Office's guidance, or in the event of a significant change in scope or direction of their statutory purpose and aims. These reviews ensure intra alia that Social Work England is delivering effectively against their aims and objectives.

Furthermore, and as detailed in the Act, the Secretary of State must commission an independent person to review the operation of Social Work England during the review period which is 5 years beginning with the day on which section 39(1) of the Act came fully into force (2 December 2019). In carrying out the review the independent person must consult representatives of social workers in England and anyone else that the person considers appropriate. The independent person must then send a report to the Secretary of State with their findings after which the Secretary of State must lay it before Parliament. The Secretary of State must also lay before Parliament a response to the report.

36. Arrangements in the event that Social Work England is wound up

The Department 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 Social Work England are passed 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:

- have regard to [Cabinet Office guidance](#) on winding up of ALBs;
- ensure that procedures are in place in Social Work England 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 Social Work England'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, for non-Crown bodies, 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 ALB takes on the role, responsibilities, assets and liabilities, the succeeding ALB AO should sign the closing accounts. In the event that the Department inherits the role, responsibilities, assets and liabilities, the Department's AO should sign.

Social Work England shall provide the Department with full 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.

Subsidiary Companies

Social Work England does not have delegated authority to establish any subsidiary companies without prior written agreement from the Department.

In the event that Social Work England decides to set up and control a subsidiary company, Social Work England will undertake to do the following:

- inform the Cabinet Office so it can be assured as to whether Social Work England has established for the subsidiary, and published on its website, a corporate complaints procedure to investigate and deal with complaints about: the actions of the subsidiary's staff, partners or suppliers; a service that has been provided which was unsatisfactory, or where the subsidiary has not followed its own procedures; the way an individual has been communicated with. This shall be in accordance with [Parliamentary and Health Service Ombudsman's Principles of Good Complaint Handling](#);
- establish whether the subsidiary constitutes a new Non-Departmental Public Body;
- if the subsidiary is a new public body, then HM Treasury will always consider this to be novel and this will require HM Treasury's prior approval; Cabinet Office controls relating to the establishment of new public bodies will also apply; and
- Social Work England shall discuss with the Department the procedures for appointing the C&AG as auditor of the subsidiary companies and in line with the Companies Act 2006 the C&AG is appointed auditor of those company subsidiaries that it controls and/or whose activities are consolidated into its own ARA.

Better Regulation, Consultation, and Impact Assessments

Social Work England shall follow the Government's commitment to efficient and effective regulation. Where possible and certainly whenever necessary Social Work England shall follow the [Consultation Principles](#) and comply with the Government's Better Regulation agenda and the Regulator's Code. Where necessary Social Work England shall produce Impact Assessments on any proposal that imposes or reduces costs on businesses, community, and voluntary bodies. Impact Assessments and any related material should be produced in accordance with statutory guidance produced by the Better Regulation Executive.

List of appendices

Appendix 1 – Delegated Authority Letter

Appendix 2 – Accounts Direction Letter

Appendix 3 – List of Government corporate guidance and instructions

Signed

Colum Conway
Chief Executive Officer, Social Work England

Signature: 

Date: 01/02/2022

Professor The Lord Patel of Bradford
OBE
Chair, Social Work England

Signature: 

Date: 01/02/2022

Will Quince MP
Minister for Children and Families, Department
for Education

Signature:



Date: 07/02/2022

Susan Acland-Hood
Permanent Secretary, Department for
Education

Signature:



Date: 16/02/2022

Gillian Keegan MP
Minister for Care, Department of Health and
Social Care

Signature



Date: 11/02/2022

APPENDIX 1 – DELEGATED AUTHORITY LETTER



Felicity Allen
Social Work England Senior
Sponsor
Department for Education
Sanctuary Buildings
Great Smith Street
London
SW1P 3BT

Colum Conway
Chief Executive
Social Work England
1 North Bank
Blonk Street
Sheffield
S3 8JY

February 2022

Delegated Authority Letter – Social Work England

Dear Colum

As Deputy Director for Workforce, Children's Social Care at the Department for Education (DfE), I have been given formal delegated authority by the DfE's Principal Accounting Officer to exercise a range of authorities and to sub-delegate these as appropriate. I am writing to set out Social Work England's delegated spending authorities. This supersedes all previous communication on delegated authorities, and includes the arrangements for approving:

- new policy proposals and announcements;
- projects and programmes; and
- internal funding allocations.

By accepting the Delegation of Financial Authority along with your responsibility as Accounting Officer, you assume full accountability and responsibility for ensuring that any financial resources under your control are managed in an economic, efficient and effective manner. Treasury approval for expenditure is one aspect of the convention whereby Treasury controls all other Departments in matters of finance and public expenditure on behalf of Parliament. Formally, Treasury consent is required for all expenditure or resource commitments. In practice, Treasury delegates to the DfE and DfE delegates to Arm's Length Bodies (ALBs) the authority to enter into commitments and to spend within predefined limits without specific prior approval from the Treasury (with certain exceptions). Such delegated authorities strike a balance between Treasury's need for control in order to fulfil its responsibilities to Parliament and the Department's freedom to manage within its agreed

budget limits and Parliamentary provision. Annex 2.2 of [Managing Public Money](#) sets this out in further detail.

The delegated authorities set out in this letter give Social Work England standing authorisation to commit resources or incur expenditure without specific prior approval from the DfE in specific areas and within specific limits. Where expenditure does not fall within these delegations, DfE and/or Treasury consent will be necessary. Details of these delegated authorities are set out in Annex A, alongside a list of the categories of spending which always require DfE/Treasury approval. These include proposals for expenditure which is novel and contentious or could cause repercussions elsewhere in the public sector. Expenditure slotting into any of these categories requires Treasury consent. If no delegation is set out specifically in the letter, then the delegation is nil and DfE and/or Treasury consent will need to be sought. Programme specific delegations are also set out in Annex A.

This delegation letter commences from the date of this letter until 31 March 2023 and will then be reviewed on annual basis by the DfE. This means that your delegations will next be reviewed by 31 March 2023. The letter should be read in conjunction with other guidance setting out the parameters of Departmental spending authority, such as [Managing Public Money](#). Any questions on the contents of this letter should be referred to the Sponsor Team who in turn will refer it to the Financial Governance Team in DfE to advise on.

Process for obtaining approval

Before any expenditure outside the delegated authorities, as set out in this letter, is submitted by Social Work England to DfE and as appropriate onward referral to the Treasury for formal approval, it should already have passed the highest level of scrutiny within the Department, which as a minimum will require sign-off by the Accounting Officer, Social Work England's Finance Director, or other official with full delegated powers. Applications for approval should be submitted to the DfE Sponsor Team who may onward refer to the Treasury spending team, who will then communicate in writing whether approval has been granted.

Expenditure submitted to the Treasury for approval should also have been signed-off by the relevant minister within the Department (except in cases related to special payments). Where the Accounting Officer assesses that a ministerial direction will likely be needed in relation to the expenditure, the reasons for this should be discussed with the Treasury. No direction should be sought in advance of obtaining Treasury approval for the expenditure.

Projects outside delegated authority will be scrutinised through the HM Treasury Approval Point process, or the Major Projects Review Group for Government's largest and riskiest projects and programmes. You will normally receive a response within 28 days of the business case formally being received.

New policy proposals and announcements – You have no delegation for this spend. Departmental approval required.

New policy proposals and announcements with financial implications must be cleared with the DfE. Additional clearance from HM Treasury may also be required.

Cost estimates must be provided to the DfE/Treasury with an identification of how the costs will be met, including costs impacts for other Departments where applicable. Except where specifically agreed with the DfE and Treasury, ALBs are expected to submit a business case

using the techniques set out in the Green Book, including cost-benefit analysis, to appraise and evaluate policy announcements and proposals, as well as projects and programmes.

Where proposals with financial implications are to be submitted to the Cabinet or a ministerial committee for collective approval, by DfE on the ALB's behalf then Treasury approval must be secured well in advance. Where the Department proposing the policy and Treasury cannot agree in advance, any proposal for collective ministerial consideration must record the Treasury's position in terms which are acceptable to the Treasury. Cabinet Committees will not sign-off policy proposals with public expenditure implications unless Treasury ministers are content. Issues will be referred to the Prime Minister, if necessary, for decision, or to Cabinet if the Prime Minister so decides.

Project and programme spending – You have no delegation for this spend.

Departmental approval required.

Projects and programmes must be cleared by the DfE. They may also require Treasury approval where they exceed, or are likely to exceed, the Department's delegated authorities. The need for Treasury approval extends to the renewal of existing projects and programmes where significant changes are being proposed as well as new projects and programmes. For clarification, Treasury approval must be sought where multiple contracts tendered for a programme would, in aggregate, take expenditure over a given delegation limit; contracts must not be broken down in order to avoid the need for HMT approval. It will also be appropriate to seek Treasury consent where additional contracts in relation to a programme of activity raise the expenditure above the delegation limit.

Where expenditure is or is likely to be beyond the Department's delegated authorities, Treasury approval must be given at a minimum at each key stage of the project or programme under the Five Case Model, as set out in the Green Book supplementary business case guidance:

- initial approval at the Strategic Outline Case (SOC) phase;
- approval at the Outline Business Case (OBC) phase, before going out to the market or tender;
- approval at the Full Business Case (FBC) phase before any spending is committed. In the case of projects and programmes procured under the competitive dialogue process, approval is required before close of dialogue; further approval is then required at the FBC stage for any substantive changes since close of dialogue.

Additionally, for major projects as defined by the 'Treasury approvals process' guidance, the following apply:

- HM Treasury and the Infrastructure & Projects Authority (IPA) will agree with Social Work England, via the DfE, a set of milestones as part of the project's Integrated Assurance and Approval Plan (IAAP). The Treasury reserves the right to add further approval milestones where necessary;
- Social Work England, via the DfE, must continue to provide the Treasury and the Infrastructure & Projects Authority (IPA) with details of projects and programmes after FBC approval until the project or programme is operational, including on project performance, cost and time envelope, on a quarterly basis. This information will be collected via the IPA's Government Major Project Portfolio (GMPP); and
- Social Work England, via the DfE, is required to share its post-implementation review for each project with HM Treasury and the IPA.

Where this is not the case, or where Social Work England does not accept IPA recommendations, the Treasury will consider withholding funding until it is satisfied the recommendations have been properly implemented or considered.

Project reporting

In addition to setting delegated limits, we are also maintaining lower disclosure thresholds for projects and programmes as set out in Annex A.

To facilitate effective Treasury oversight and knowledge of Departmental spending, and Cabinet Office oversight of delivery risk and capability, the DfE is required, on a quarterly basis, to provide the Treasury spending team, and relevant IPA contact, with information on projects whose whole life costs fall outside, or are likely to fall outside, delegated authorities or exceed disclosure thresholds.

This process includes all initiatives outside delegated authorities or above disclosure thresholds, including:

- those that are identified within your Department as in development, as well as serious options where project or programme initiation is envisaged; and
- the projects and programmes of the DfE's executive agencies, non-departmental public bodies, or other sponsored bodies.

For any new initiative which is:

- likely to fall outside the relevant delegated authorities; or
- requires specific functional input or technical expertise (e.g. finance; digital; infrastructure; construction etc); or
- is novel, contentious, or is expected to lead to ministerial announcement.

Social Work England should assist the Department in respect of these reporting requirements of eligible projects and programmes.

The quarterly GMPP process provides the primary means of collecting the information, which includes:

- project summary;
- the lifecycle stage, the next significant milestone, and when that is likely to take place;
- annual project costs and whole life costs, in government budgeting terms;
- where appropriate, the NPV of the project or programme;
- delivery confidence;
- the relative priority of the project in the Department's project portfolio;
- the future timetable; and
- where applicable, the date and amount of any existing approval from HM Treasury.

The Treasury will normally only approve projects and programmes outside delegated authorities where Departments comply with this and associated processes to prioritise and rank their portfolio(s).

You are asked to work with the DfE sponsor team to engage the relevant Treasury spending team and IPA contact at the outset to determine the degree of challenge and whether the initiative and proposed delivery approach would benefit from Major Project status or IPA

support. IPA and Treasury engagement in an initiative's transition from policy to delivery should be as early as possible and should not rely on the more formal quarterly cycle. As set out in the DfE's most recent Spending Review settlement letters, there will be a quarterly meeting between the DfE, the relevant Treasury spending team, and IPA contact where such matters should be formally discussed. In addition, the Treasury should be kept informed on a regular basis of details of planned savings measures, especially where they are novel or contentious.

Spending commitments beyond Spending Review settlement – You have no delegation for this spend. Departmental approval required.

In line with [Managing Public Money](#), any new spending proposal which would entail contractual commitments to significant levels of spending in future years for which plans have not been set must be approved by the Treasury. In addition, the Treasury requires Departments to report on a quarterly basis on the total amount of capital spending which has been committed per financial year beyond the current Spending Review settlement. This applies to capital spending beyond 2021-22. If the Treasury has concerns about the level of commitments that have built up, it may require all spending proposals committing money beyond the current Spending Review settlement to have HM Treasury approval, regardless of the level of spending involved.

Cabinet Office controls

The Cabinet Office will continue to operate a subset of spending controls on behalf of the Treasury. They apply to the following types of expenditure:

- Advertising, marketing, and communications;
- Commercial activity, including dispute disclosure;
- Consultancy and professional services;
- Digital and technology, including identity assurance;
- Grants;
- Property, including facilities management;
- External recruitment;
- Learning and development (Civil Service Learning); and
- Redundancy and compensation.

Detailed guidance on their operation and requirements is available at: <https://www.gov.uk/government/publications/cabinet-office-controls>.

The controls apply to DfE and all its arm's length and central government bodies, unless exempted. Following a review, most spending control exemptions have been withdrawn or updated (details are set out at Annex B). Any new bodies being formed should be done so with the assumption that new exemptions will not be granted.

DfE, and its arm's length and central government bodies, are required to develop and share spending 'pipelines' containing information on proposed commercial procurement, digital and technology, and property spending for at least the next 18 months (publishing commercial procurement pipelines). As well as meeting this requirement your staff should also continue to produce other business cases and seek other Treasury and Cabinet Office consent as required. As it constitutes a delegation from Treasury consent, spending without the required Cabinet Office approval, or without meeting the conditions set for delegated or Cabinet Office approval, may be considered irregular. As AO you must notify the Cabinet Office and

HM Treasury as soon as you become aware of a breach of spending controls, and the National Audit Office (NAO) may also need to be informed.

Departments and their ALBs also need to seek Treasury approval for redundancy schemes where these fall outside delegated authorities, including where this involves a request to draw down funding ring-fenced for redundancy costs in the Spending Review. HM Treasury and Cabinet Office are jointly reviewing the operation of these controls and will notify you of further changes.

In addition, please also note the Cabinet Office Guidance on the use of Settlement Agreements, Special Severance Payments, and Confidentiality Clauses on Termination of Employment. As of 1 February 2015, Accounting Officers are required to seek the prior approval of the sponsoring Department's minister for any use of a confidentiality clause and then the approval of the Minister for the Cabinet Office in specified criteria, one of which is a proposed payment of £100,000 or more (at any grade).¹

Special payments

Certain categories of transaction require distinct treatment, including special payments, overpayments, losses & write-offs, gifts, and remedy payments. Annexes 4.10 to 4.14 of [Managing Public Money](#) contain guidance on these categories and the circumstances under which Treasury approval must be sought. You should note that all severance payments outside of normal statutory or contractual requirements require Treasury approval and, unless separately agreed with the Treasury Officer of Accounts (TOA), any consolatory payment of above £500 also requires Treasury approval (further detail set out in Annex C). In addition, all payments, regardless of value, require Treasury approval if they are novel, contentious, or repercussive (paragraph 2.3.4 of [Managing Public Money](#)). Annex A of this letter contains further detail on the delegations relating to special payments, overpayments, losses & write-offs, gifts, and remedy payments.

Contingent Liabilities – You have no delegation for this spend. Departmental approval required.

ALBs sponsored by Departments do not generally have powers to take on liabilities, because these would in effect bind their sponsoring Departments. Therefore, your delegation limit in relation to this is nil and you must always refer proposals for contingent liabilities to the DfE for initial consideration and approval. HM Treasury must be sought for all contingent liabilities that are novel, contentious, or repercussive, before they are agreed and must be cleared through your sponsoring Department in the same way you would for other proposals needing Treasury approval. In addition, where such proposed contingent liabilities have maximum exposure of £3 million or more, a completed Contingent Liability approval framework checklist must be submitted to the Treasury alongside the request for approval. This process is also required for remote contingent liabilities.²

New Services and Sole Authority

HM Treasury agreement is also needed to introduce new services on the sole authority of the Supply and Appropriations Acts. New services can never be introduced on a permanent footing without legislation, but there is a temporary services derogation that may be used for

¹ Detailed guidance is available at: <https://www.gov.uk/government/publications/civil-service-settlement-agreements-special-severance-payments-and-confidentiality-clauses>; further information on disclosure may be found within the Government Financial Reporting Manual (FReM) Clause 3.2.12d, available at: <https://www.gov.uk/government/publications/government-financial-reporting-manual>.

² <https://www.gov.uk/government/publications/contingent-liability-approval-framework>

services lasting no more than two years in total. Using this derogation requires agreement from the Treasury.

Fees and Charges

Treasury agreement is needed to introduce or modify fees and charges schemes and for any proposal to retain fee and charge income to finance expenditure.

Banking and Cash Management

DfE and its ALBs must maximise the use of publicly procured banking services (accounts with commercial banks managed centrally by Government Banking). Departments should only hold funds outside of the Exchequer where a good business case can be made for doing so. It should also be noted that specific Treasury agreement to each commercial account is required before it is established. Further details are set out in the Banking and managing cash annex of [Managing Public Money](#). This also provides guidance on banking policy. As a matter of good financial management, Social Work England should never go overdrawn.

As part of its delegated authority, Social Work England should plan its own cash management efficiently. Departments must support central cash management processes through forecasting of their cashflow via the cash management scheme as set out in guidance on OneFinance and in [Managing Public Money](#). This captures Department's inflows and outflows at the point they leave the Department's group of accounts within the exchequer.

For effective cash management it is important to distinguish cash flow from accrued budgets. Cash flow should be profiled for each day to inform Exchequer Funds and Accounts (EFA) of the Exchequer's demand for cash and expectations of income on a daily, weekly and monthly basis. The Debt Management Office (DMO) relies on the accuracy of this information to minimise the risks and cost of managing the government's overall cash position daily, and therefore the earliest possible communication with EFA on changes to cash flow is essential.

Sharing information with HM Treasury

To support the effective monitoring of spend, and to inform decision making, Departments must provide HM Treasury with robust spending and forecasting information, including for Arm's Length Bodies, and share data to demonstrate whether priority outcomes are being achieved and contribution to key government objectives.

Review of Delegated Authorities

Social Work England's delegated authorities will be reviewed by the DfE on an annual basis, beginning from the date of this letter. That means that your delegations will be reviewed by 31 March 2023. Notwithstanding these regular reviews, the DfE reserves the right to withdraw, reduce, or amend these delegated authorities. Before doing this, the DfE will set out its reasons for making the changes and give Social Work England the opportunity to comment. Social Work England's delegation may be affected by such amendments affecting the DfE.

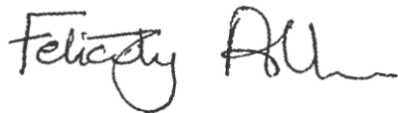
Change of Circumstances

For the avoidance of doubt, where there are material changes to the key metrics (e.g. cost base, forecast benefits, delivery schedule) of a programme, Social Work England should consult the DfE who may in turn consult the Treasury for its view on whether the

considerations that led to approval should be revisited, and if fresh consent for the continuation of funding should be sought. Failure to do so may lead the NAO to regard spending following the identification of the material change of circumstances, benefits, or costs as irregular.

Change Control Procedure

Where Social Work England's delegated authorities are amended a fresh delegation letter must be issued immediately to record this change. If a new delegation letter is not issued within 14 days of the change then it will lapse, and Social Work England delegation limits will be as in the unamended letter.

A handwritten signature in black ink, appearing to read 'Felicity Allen'.

Felicity Allen
Senior Sponsor

ANNEX A: DETAIL OF SOCIAL WORK ENGLAND'S DELEGATED AUTHORITIES

Social Work England's delegated authorities are set out below. Notwithstanding these delegations, certain categories of spending proposal override any delegated authority and must be submitted to HM Treasury via DfE. These are proposals which:

- could create pressures leading to a breach in Departmental Expenditure Limits, administration costs limits, or Estimates provision;
- would entail contractual commitments to significant levels of spending in future years for which plans have not been set;
- could set a potentially expensive precedent;
- could cause significant repercussions for others;
- require primary legislation;
- are novel and contentious; or
- where Treasury consent is a statutory requirement.

In addition:

- Social Work England will always act within the rules of [Managing Public Money](#);
- The Department will abide by any specific agreements reached with Treasury Ministers or officials during Spending Review discussions or otherwise;
- If spending falls under more than one category of delegation, the lower delegated limit applies.
- Where Social Work England refers a proposal to DfE that exceeds the Department's own delegated authorities, these must be submitted to HM Treasury via DfE.

The delegated authorities for Social Work England are set out in the following table:

Notes:

1. Approval is required if spending falls outside one or more of the applicable delegated limits. Spending should be measured on a whole life cost basis except where this is not sensible, for example for ongoing annual commitments.
2. This includes all new projects and proposals/announcements, even when they are part of a larger programme or payment that was provided for as part of a Spending Review or other Treasury written approval and that are not covered by prior written approval from the Treasury.
3. This also includes renewal of existing projects and programmes where significant changes are being proposed.
4. Costs are on current net present value accruals basis.
5. Where relevant, when comparing costs against delegated limits, non-recoverable VAT will count towards the delegated limit (recoverable VAT will not).
6. The cost is the sum of all payments committed to a body, organisation or individual from a single programme over its lifetime (i.e. costs should not be "unbundled" to fall below the delegation).

Nature of delegation		Delegated limit	Disclosure threshold
Novel, contentious, or repercussive spend. This includes where commitments are made that may give rise to such spend in future i.e. novel guarantees, indemnities and contingent liabilities, novel financing techniques, significant departures from standard Departmental terms and conditions.		£0. Not delegated. HMT approval (via the Department) is required.	Nil
Projects and programmes, and announcements and policy proposals with a defined timeline	Resource and Capital DEL	£0. Not delegated and Departmental approval required (may also require HMT approval).	Nil. Any spending should be recorded and reported to HMT on a monthly basis.
Announcements and policy proposals creating ongoing expenditure	Resource and Capital DEL	£0. Not delegated and Departmental approval required (may also require HMT approval).	Nil
Policies and programmes agreed and announced at the Spending Review	Resource and Capital DEL	Delegated up to the limits set out in the grant-in-aid letter, apart from the specific restrictions set out below. 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. 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.	Nil
Spending commitments beyond the current Spending Review settlement	Resource and capital	£0. Not delegated and Departmental approval required (may also require HMT approval).	Nil
Administrative expenditure	Resource DEL	Delegated up to the limits set out in the grant in aid letter.	Nil
Claims waived or abandoned – third party insolvent	Any		Nil
Claims waived or abandoned – third party solvent			£250k

Losses and Write-Offs		To cover small amounts up to a maximum value of £1,000 per 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.	£10k
Special Payments All special payments (save special severance payments) are included in this category. This includes extra-contractual payments involving Departmental default made on appropriate legal or other professional advice, ex-gratia compensation payments made on appropriate legal or other professional advice, extra-statutory payments, and extra-regulatory payments. Managing Public Money should be consulted for appropriate guidance		£0. You have no authority to make special payments (including compensation and ex-gratia payments). In all cases, you must seek and receive my formal approval to your proposal before proceeding with any action about these matters.	£25k
Consolatory payments (ex-gratia payments to individuals in respect of incidents which do not involve financial loss and there is no legal redress available)			Nil
Special severance payments, including PILON and CILON, outside of normal statutory or contractual requirements		£0. Not delegated. HMT approval (via the Department) is required.	Nil
Other	Charitable grants, Subsidies, Gifts		Nil
	Guarantees, indemnities, and loans	You do not have delegated authority to engage in the provision of loans, guarantees, indemnities or letters of comfort or to enter into any transactions that may give rise to a contingent liability. For such cases, you must seek and receive my formal approval, and that of HMT (where necessary) via the Finance Business Partner and Sponsorship Team, to your proposal before proceeding with any action on these matters. In addition, dependent upon the specific circumstances, Parliament may also need to be informed. The provision of	Nil

	interest-free loans to staff that are consistent with current HR policies are valid and reasonable. These loans will be, for example, for the purchase of bus/train season tickets, and pedal bicycles. As they are an advance of salary and part of normal business, this is different from the reference to loans above.	
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[Managing Public Money](#) sets out clearly the areas in which HM Treasury consent is required in more detail, so the below list should not be considered exhaustive. It is provided below as an aide memoire for areas where explicit HMT consent is needed even where the related spending may fall within delegations.

Managing Public Money reference		
Reliance on Sole Authority of the Supply and Appropriations Act for modest and temporary expenditure on a New Service	2.5.4 & Annex 2.4	
Payment in advance of need	A.4.8.5	
Insurance	Annex 4.4	
Contingent Liabilities	Annex 5.4	
Lending to commercial entities	Annex 5.5	
Setting up of accounts outside the Government Banking Service.	Annex 5.6	
Creation of New Public Bodies	Annex 7.1	
Agreeing new Framework documents with ALBs	Annex 7.2	

ANNEX B: CABINET OFFICE CONTROLS

Controls requirements for Social Work England.

All Departments will be required to agree exemptions (full / partial / proportionate) with Cabinet Office controls team by 15 March, prior to the start of FY 22-23.

Body	Exempt status	Thresholds	Review date	Other conditions
Social Work England	DfE and its arm's length and central government bodies are not exempt from Cabinet Office controls.	Bespoke thresholds, or as per guidance		

ANNEX C: EXPLANATORY NOTE ON HM TREASURY APPROVAL IN RESPECT OF CONSOLATORY PAYMENTS

Summary

HM Treasury approval is required for any consolatory payment which is over £500, or which is novel, contentious, or repercussive, or which is outside the delegated authority limit for ex-gratia payments agreed with HM Treasury. There are some exceptions, which are given below.

Definition

Consolatory payments are ex gratia payments made to individuals by organisations in respect of incidents which do not involve financial loss, e.g. stress, inconvenience, embarrassment etc. They are a form of special payment, as defined by [Managing Public Money](#) (Annex 4.13 – Special Payments).

Guidelines

Due to the size of the amounts involved, Treasury approval is not required for any payment up to £500, which is not novel, contentious, or repercussive, and which is within the delegated authority limit for ex-gratia payments.

Given that there is no measure of financial loss in assessing consolatory payments, any such payment over £500 is liable to be novel and contentious by its nature and as such would require Treasury approval in most cases, even if the level of payment is within the delegated authority limit for ex gratia payments for the department or agency concerned.

Exceptions

The following exceptions to these guidelines apply **if, and only if**, the proposed payment is not novel, contentious or repercussive, and is within the delegated authority limit for ex gratia payments for the department or agency concerned.

- Treasury approval is **not** required if a Department is in a position to offer to settle a case which would otherwise be determined by the courts (e.g. a personal injury case), and the legal assessment is that the Department is likely to lose the case and the proposed consolatory payment is less than the amount the court is likely to award.
- Treasury approval is **not** required for cases where an arbiter which has legal authority has made a recommendation for payment. The Parliamentary and Health Service Ombudsman (PHSO) is an example of such an arbiter.
- Treasury approval is **not** required if the proposed payment is above £500 but below a limit agreed bilaterally between the Department and the Treasury in the context of an independent case examiner (ICE) within the Department having made a formal determination of the appropriate level of compensatory payment.

An example of this is the Department for Work and Pensions, which has an ICE which carries out this role. The Treasury has agreed a threshold of £1,000 with the Department for consolatory payments assessed by the ICE.

Process

Submissions for Treasury approval in respect of consolatory payments should be made through the usual Departmental contacts in Treasury spending teams, who will, as appropriate, consult the Treasury Officer of Accounts team (TOA). We would normally expect a succinct business case, setting out the circumstances of the maladministration, the level of payment proposed, and justification for the level of payment.

Principles

Given the absence of measurable financial loss in such cases, HM Treasury seeks to strike a balance between ensuring appropriate levels of scrutiny and avoiding disproportionately heavy clearance procedures for very low value cases.

In accordance with [Managing Public Money](#), HM Treasury approval is required for any payment which is novel, contentious or repercussive, or which is outside the delegated authority limit for ex gratia payments agreed with HM Treasury.



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 2022, 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 on 31 March 2022 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,

Felicity Allen
Deputy Director Workforce, Children's Social Care

APPENDIX 3 – COMPLIANCE WITH GOVERNMENT-WIDE CORPORATE GUIDANCE AND INSTRUCTIONS

Social Work England shall comply with the following instructions, to the extent that they apply to ALBs, and consider relevant guidance:

- This Framework Document
- Appropriate adaptations of sections of [Corporate Governance in Central Government Departments: Code of Good Practice](#)
- [Code of Conduct for Board Members of Public Bodies](#)
- [Partnerships between Departments and Arm's Length Bodies: Code of Good Practice](#)
- [Managing Public Money \(with annexes\)](#)
- [Public Sector Internal Audit Standards](#)
- [Government Internal Audit Standards](#) and [Public Sector Internal Audit Standards](#)
- [Management of Risk: Principles and Concepts](#) (the 'Orange Book')
- [Managing the Risk of Fraud](#)
- [Government Financial Reporting Manual](#)
- [The Fees and Charges Guide](#) – see Chapter 6
- [Departmental Banking: A Manual for Government Departments](#) – see Annex 5.7
- The relevant [Dear Accounting Officer letters](#)
- [Regularity, Propriety and Value for Money](#)
- [The Parliamentary Ombudsman's Principles of Good Administration](#)
- [Consolidation Officer Memorandum, issued by the Treasury; and Dear Consolidation Officer letters](#)
- [Relevant guidance and instructions issued by the Ministry of Justice on the Freedom of Information Act](#)
- [Audit Committee Handbook](#)
- [HMG Security Policy Framework](#)
- [Guidance to Funders](#)
- [The Compact](#)
- [The Government's Code of Practice on Consultation](#)
- Other specific guidance and instructions issued by the HM Treasury in respect of Government Accounts, central government departments; and Department for Education.
- Recommendations made by the Public Accounts Committee, or by other Parliamentary authority, that have been accepted by the Government and relevant to Social Work England.