



House of Commons
Education Committee

The College of Social Work

Oral Evidence

Tuesday 8 November 2011

Allan Bowman, Chair of the Board, Social Care Institute for Excellence, Hilton Dawson, Chief Executive, British Association of Social Workers, Maurice Bates, Chair, Transition Board, College of Social Work and Helga Pile, National Officer for Social Care, Unison

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Oral evidence

Taken before the Education Committee on Tuesday 8 November 2011

Members present:

Mr Graham Stuart (Chair)

Neil Carmichael
Damian Hinds
Charlotte Leslie

Ian Mearns
Tessa Munt
Lisa Nandy

Examination of Witnesses

Witnesses: **Allan Bowman**, Chair of the Board, Social Care Institute for Excellence, **Hilton Dawson**, Chief Executive, British Association of Social Workers, **Maurice Bates**, Chair, Transition Board, College of Social Work, and **Helga Pile**, National Officer for Social Care, Unison, gave evidence.

Q1 Chair: Good morning. Thank you very much for attending this morning's session of the Education Committee looking into the establishment of a College of Social Work. I am delighted to see that Helga Pile has joined us as well, in the nick of time; it is lovely to see you too. Could I begin by asking you: what are your hopes and aspirations for what the College can deliver? I will start with the interim co-Chairman. We tend to be very informal here; are you all happy with us using your first names? Thank you, Maurice.

Maurice Bates: Thank you, Chair. In our submission of evidence, we have our strategic aims and mission and the remit of the College. We are now making great progress on establishing the College and making sure that it is an independent and viable organisation by 3 January next year. The overall purpose of the College is to provide strong leadership for the profession and to establish agreed professional standards emanating from the Social Work Reform Board, of which we are a member. It is our aim to help social workers to exercise professional judgment and to balance the rights of individuals against the needs of the community.

We are also, Chair, committed to unifying the profession and achieving a single college in this country. We continue to believe that is in the best interests of the profession and I think, given the changes that are planned to happen later next year in terms of regulation and different parts of the landscape moving, it is even more important for the profession that a strong, healthy, powerful and independent college is formed as soon as possible.

Q2 Chair: Thank you. So an independent unifying force for the College, in summary. Mr Dawson? Hilton.

Hilton Dawson: Thank you very much, Graham. I would agree with much of what Maurice has said, except that I would say that the College is surely here to give leadership by the profession, not leadership to the profession. It is BASW's view that the College of Social Work is the most profoundly important development for our profession and this is an opportunity that we must not miss. It gives us a chance to establish our profession and give it the status and the standing that we think it deserves as

something that is fundamentally important to the lives of people, certainly of people MPs serve. We think that the profession of social work is badly misunderstood and is hardly recognised for its tremendous value and worth, and we believe that a college doing all the things that Maurice has said—bringing the profession together, speaking out for the profession and enabling ever higher standards for the profession—is vital. But it must be led by and accountable to the profession. That is a very important distinction.

Allan Bowman: I would agree with that last point, but I would like to remind the Committee about the origins of this particular initiative. It did come from the Baby Peter case. I do not know how many Members here have read reports year after year after year on child death cases. I think the decision of the last Government, endorsed by the coalition Government, to set up the College was a signal step forward so we can move away from that kind of blame game of social workers being seen as a very weak and ineffective profession, when in fact we know they are not and the evidence is that they are extremely effective.

Q3 Chair: Did it need the Government to do it? Having an independent voice for social workers by and for social workers and then you get £5 million of public money to get cracking—the word independence is bandied around in situations that do not seem to merit it.

Allan Bowman: The social work profession has been unable to deliver its own college. Social work has been around for over 100 years. I remember as a student reading about aspirations for a college. The British Association of Social Workers, of which I was a member for many, many years, did not ever achieve a majority of social workers in membership. There appeared to be no vehicle that could set about delivering the College. It may be something to do with the way social work is organised. We have seen many reorganisations: divisions between adult and children's social work; divisions between the different countries of the United Kingdom.

I think the Government's decision to make a serious investment in establishing the College was a way of

giving social work a leg up—giving it a start—to set about doing exactly what Hilton said: social workers taking control of their own profession and managing it.

Q4 Chair: Helga, from the Unison point of view?

Helga Pile: I was on the Social Work Task Force, and one of the things that became clear was that there were a number of things in the reform programme that were going to need this professional body to take them forward. The Task Force itself recommended that there should be some start-up funding. I think that was because there was a need for this body to be established fairly quickly and to have a firm base to take some of the work forward, as indeed now we have on the Reform Board passed a lot of responsibilities over for the College to take forward. I think that was part of the thinking of the Task Force at the time.

Q5 Chair: Thank you. The Task Force, Maurice, said that the College should be “an independent voice for social work in public and media debate”, very much like yourself just now. But given the College’s dependence on its fee from administering the Social Work Education Support Grant, is there a risk that it has surrendered its independence before it has even begun?

Maurice Bates: Not at all, Chair. The Social Work Education Grant—is that the grant, Chair, that you referred to?

Q6 Chair: Yes. Because I think the plan is for the College to take an administration fee from that.

Maurice Bates: There may be a management fee. We are still in discussions with the Department of Health. The plan is that there will not be any changes to the impact of the grant in the next academic year—2012–13—but we will be going out to quite an extensive consultation in terms of changes that could then happen to improve the quality of placements for social workers for the academic year in 2013–14. That is the aim of this.

Q7 Chair: But is there a risk of being dependent on essentially public funds and compromising the independence of the College? It is sometimes unavoidable, but you get campaigning organisations that become dependent on funds and they become strangely muted when Government takes decisions that seem to be antipathetic to everything that organisation had previously stood for. He who pays the piper plays the tune.

Maurice Bates: Not at all, Chair. We will live or die on the quality and the volume of membership that we can attract from the profession. Our aim is to achieve what has not been achieved before, with the majority of the social work profession being members of the College and clearly fee-paying members. Certainly in the early years of the College’s existence, almost all its income will be from fee-paying members. It is crucial from when we open our doors on 3 January next year that we are clearly independent of any other organisation in terms of our policymaking and that we

are run by our members for our members and for the social work profession.

Q8 Chair: Do you have any idea how much money you might expect to make as a fee from administering that grant?

Maurice Bates: I understand that is still in discussion with the Department of Health and I do not think that will be finalised.

Q9 Chair: I want to bring Hilton in and then I will come to Charlotte.

Hilton Dawson: Thank you very much, Chair. I would disagree with both Allan and Maurice. I think it was completely unnecessary to put any public funds into the development of a college. That is not to say that BASW simply acting alone would have achieved the majority of social workers in membership any time soon.

Q10 Chair: You have been going 41 years. If you were going to be able to do it and lead it, shouldn’t you have been able to do so before now?

Hilton Dawson: Indeed. We have never aspired to lead it, Chair, although I would point out that we have increased our membership by something like 24% in the last three years, which is a good growth rate, I would say, particularly in current circumstances. But we never aspired to lead it; what we wanted to be was part of a college and to work with other trade unions, professional associations and social workers in membership and to be challenged by Government to produce something good. No other profession has had a college set up for it by a Government, to the best of my knowledge, and that has skewed things away from the independence that we want to see.

Q11 Chair: Were you not involved in the Task Force?

Hilton Dawson: We certainly were involved in the Task Force.

Q12 Chair: The Task Force in its report suggested that it should help with the logistics.

Hilton Dawson: Absolutely. As members of the Task Force, BASW were the protagonists for the development of a College of Social Work. If we had thought we could do it ourselves, we would just have done it. What we wanted was for the Task Force and all the organisations to come together to create a College for Social Work. We think that the Task Force got it skewed right from the start. Its remit was only England, but it only set out to create a national college for England and the Government over-interfered right from the start. Unfortunately, that is what is going to happen with the Social Work Education Grant.

If this Government wants value for money, then it should put the Social Work Education Grant out to tender on a commercial basis and get someone else to run it. It does not need to be part of the College’s remit. This is simply the Government having the difficulty, which it has created for itself through the demise of the GSCC, of needing to find a home for the Social Work Education Grant and hanging it on the College. The danger is it could make the College

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unsustainable if the College comes to rely on that grant and it detracts from the independence of the College all the time because social workers, suspicious and critical people as they are, will say, “You’re in the financial pockets of Government,” right from the start.

Q13 Charlotte Leslie: I have a quick question on something we will come back to later. Maurice, I was struck by something you said: “run by our members for our members”. Before this session, I spoke to a few members of other Royal Colleges in the medical profession and, to paraphrase them, they said, “We are run by our members for our patients.” Do you see the Royal College being run by your members for social workers or by your members for the patients of social workers and the clients? With the discussion that is coming along, I think it might be quite an interesting distinction.

Maurice Bates: It is. It is an excellent question. Our Board took a very early stance in recognising that there was a really important coalition to be made between the College in terms of its leadership of the profession, decided by its members, and people who use services and their carers. Right from the start we made sure that, for example, we had service user representation on our board and we have continued that in terms of our new arrangements, which I can explain if you want me to in terms of our Transition Board. It is vital that we have very strong links and a very good coalition.

As an ex-director of both adult and children’s services, I think that mirrors what happens on the ground; social workers do not work in isolation. Yes, we need to stick up for them; they need leadership and they need confidence restored to them. But we have to do it in a way that involves people, and we need to remember that in the end what we are all involved in is improving outcomes for people. That is the real endgame.

Q14 Tessa Munt: Yes, but you did use the words “by social workers for social workers”. That means that is the headline, doesn’t it?

Maurice Bates: It is.

Q15 Tessa Munt: That is quite a defensive position as opposed to a service position. That would be my observation.

Maurice Bates: It was not meant to illustrate that; it was meant to illustrate the fact that we would be a member-driven organisation. By this time next year we hope to have our first elected board and our first elected professional assembly in place. There are times when it will have to stick up for social workers, but the important distinction between the efforts of our colleagues in BASW and the new college is that we will be upholding professional standards for the profession and assisting in the reform of the profession. There are a number of standards that we will be and are starting to inherit from the Social Work Reform Board. There is a professional capabilities framework, which links the skills and qualifications of social workers from an early stage in their career right through to the end, into senior practitioner and

management. We will be upholding partnerships and we will be upholding standards in terms of continuous professional development. We are certainly not an insular, inward-looking College and organisation; quite the opposite.

Hilton Dawson: Just to come back, I really think that Maurice must have tripped over his words, because the prime function of BASW as the professional association is to uphold and develop professional standards. We are in touch on a global basis with the highest level of standards for social work.

Q16 Ian Mearns: Good morning. For the record I should point out I am a member of Unison, although I am not sponsored by Unison. In the work that was being done to establish the College, I understand that there have been a number of phases of development. There has been the establishment of a development board and then an Interim Board and then a Transition Board. There has been a change of membership of those different boards through that process. From the outset, how did everyone come together and determine the models of governance that were going to be adopted to move through these different phases? Was there clarity about what the ultimate aim was going to be?

Allan Bowman: Maybe I could answer that, Chair. I will just run through the process and try to put it in context. The Government approached my organisation, SCIE, in November 2009 and effectively said, “Could you help us establish a College of Social Work?” Initially we set up a development group, which I chaired, and the membership of that development group was broadly drawn from across the spectrum, including people from the Reform Board; indeed BASW were part of that on an in-and-out basis during the discussions.

What we saw as our task as a development group was to scope out what needed to be done: what the College is going to look like, what the basic things are that it is going to need and so on. We worked through that over a period of about five and a half months, and we reached the view in terms of structure that it would require an Interim Board—a board with a majority of social workers on it. Bear in mind that the remit was a college for social work, run by social workers, so we developed a process whereby we established an outline constitution for an Interim Board, and we set about initially to seek the recruitment of a chair for the board. I arranged the process to be dealt with at arm’s length from me by the Chair of the Reform Board, Moira Gibb, and in fact Moira appointed two co-chairs. After the appointment of the co-chairs, they advertised and then appointed members of the Interim Board.

We felt as a development group that we could go so far but it would be wrong for us to take the kinds of decisions the Interim Board have taken about the direction the College would go in, how it would be organised in the long run and so on. Effectively we saw ourselves as getting the thing launched as quickly as possible. Bear in mind the timetable was to try to do this by March 2012. I am still mindful of that, given that we are now in November 2011.

I think we did all that could reasonably be expected in that six-month period to June; we made the appointments and then the Interim Board took over. As Maurice has probably explained in his submission, the Interim Board then approached us as SCIE. Bear in mind they had been reporting to us; SCIE has been accountable for the money and still is at this very point. They approached us in September to say they felt that they needed to take a step forward and establish the College as an independent body. We had been aware that discussions between the College and BASW had gone on for some considerable time. My board heard from the two co-chairs in September, took the opportunity to question them at some length, and then unanimously endorsed their decision to proceed to establish an independent college. That is the point we are at now.

Q17 Ian Mearns: Is everyone satisfied that the people who have been involved throughout this process have been accountable in terms of what has been done, or is there any disagreement about that?

Allan Bowman: As the organisation that would have to account to Ministers, I am satisfied that all the steps taken by the College have been appropriate. They have been reported properly to us and they have been monitored. We have had observers on the Interim Board and observers are continuing on the Transition Board. In fact, we have tried to ensure that things like the Nolan principles in public life—openness, transparency and so on—have been observed by the Interim Board of the College.

Hilton Dawson: Just to put our take on this, we were members of the College development group. We were not happy with the process. As you have heard, we were not happy with the Government funding it; we were not happy, frankly, that SCIE were given the contract rather than it being tendered out to anyone. We were members of the College development group; we were expelled from the College development group when we held a referendum of our members to check out what their view was about a college. We had a very successful referendum, with 42% of our members voting. They came back and told us what sort of college they wanted to see, and we went back into the college development process to try to effect that college.

We thought that we were making progress, and we had a written agreement with the Interim Board that we would have discussions, particularly about their relationship with Unison. We wanted to do that; we thought that Unison were an important part of the College. Before those discussions took place, we were told via press release that the board had reached an agreement with Unison to make them the sole trade union involved with the College.

It has not been a happy process. We were very, very concerned about that, took it to the highest level of Government and were persuaded by Ministers to get back round the table with the College. We had a good process during the spring—February to May—when we developed together a memorandum of understanding that embodied all that our members wanted to see from a college, and we were working on that when in September we were again summarily

ejected from the process when the Interim Board told us that they were unilaterally going ahead. They were not unilaterally going ahead by themselves; they were going ahead with Unison. That is the position we are in at the moment.

Chair: We will come back to Unison a little later.

Q18 Ian Mearns: Other colleagues do want to return to that, but I was hoping to get to the long-term ambitions of the College to become a Royal College and also to expand and cover the whole of the United Kingdom. Is there a medium-term development plan being thought about at the moment?

Allan Bowman: The funding was provided to establish a college in England, but from the very outset we had observers from the other three governments of the United Kingdom at the development group. Our view—I think sensibly—was that the long-term ambition to have a United Kingdom college should be achieved but there are quite significant issues to address in that process. Would it be a federal type of college? The principle of establishing a UK college in the longer term remains, for me certainly, one of the things that would clearly be on the table.

Q19 Ian Mearns: Have you got a time scale in mind for that?

Allan Bowman: In some ways, that might be directed by the other governments of the United Kingdom and the social workers in those parts of the United Kingdom. I know Maurice has already had meetings in Scotland and there is a forthcoming meeting in Northern Ireland. That will give us an indication of the likely enthusiasm for a college, whether a college of their own or for being part of a UK one. Then we can begin to think about the sort of timetable.

Hilton Dawson: BASW is a UK body and have said all along that we needed to have a federal college that respected the pace and the devolved institutions in each of the three devolved countries. The memorandum of understanding that we agreed with the Interim Board in May had as one of its prime aims that we would have a UK federal college. It is disastrous to go down the process that Allan has just outlined. Social work is a devolved function in Scotland, Wales and Northern Ireland. They have their own ideas about the ways to develop the profession. They must be involved from the start. You cannot impose a UK structure on the rich devolutionary tapestry that we have now.

Q20 Chair: I don't quite follow. You said we cannot impose a UK structure. Do you mean an essentially English structure?

Hilton Dawson: Allan is setting out a process by which a college would be started in England, from an office based just off Trafalgar Square, and gradually rolled out to the devolved countries, our members in Scotland, Wales and Northern Ireland.

Allan Bowman: That is not what I said.

Q21 Ian Mearns: I am not here to give evidence, but I cannot imagine for one moment that the Scots, the

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Northern Irish and the Welsh would allow them to have it imposed upon them.

Allan Bowman: Exactly.

Hilton Dawson: Perhaps you could clarify it.

Allan Bowman: I think I was very clear when I said that the move towards a UK college could be a federal structure. These are matters to be explored and developed. But the long-term aspiration to have one college covering the United Kingdom is not—

Chair: Thank you. I think we have explored enough of that for now.

Q22 Neil Carmichael: Good morning. I have listened carefully to the process that you have got to already and it is fascinating; I am sure my questions may expose further rifts. What I want to talk about is the purpose of the College, because it is quite a wide remit. The first basic question is whether the College is really bringing together existing functions and provision and effectively corralling them into one entity, or adding something new as well. I would like to ask Maurice that question and then I will go to Hilton for his view.

Maurice Bates: Thank you. Chair, I would like to come back to the College's view of the process as well.

Q23 Chair: Go on then—before you answer Neil's question, if you'd like to.

Maurice Bates: Okay. Mr Dawson seems to be unhappy with quite a lot of people through this process. I begin to lose the thread of his argument. Recently he has attacked the Prime Minister, the Department for Education, the Department of Health, the College, SCIE, the Social Work Reform Board, etc, so I begin to lose the thread of that argument really. What I would say is that the College of Social Workers established good working relationships with a whole range of key stakeholders. I can furnish you with a list.

Q24 Neil Carmichael: Well I want to ask you a bit about that later. What I want to know is this: is the College going to bring something new to the table or is it a collection of existing provision?

Maurice Bates: Could I just continue with my explanation, Chair?

Chair: If you do so succinctly, please Maurice.

Neil Carmichael: We have only got 40-odd minutes.

Maurice Bates: It includes organisations such as Skills for Care, the GSCC and the Health Professions Council. There is a whole range of organisations that we have achieved good relationships with. The only organisation we have not managed to do that with is the British Association of Social Workers. The truth of it is that the 15 months of negotiation, certainly since I was appointed, have been difficult and frustrating. There was a long period before then as well. My conclusion is that the reason for that is BASW's inability and refusal to accept even the basic tenets of corporate governance. I will give you a brief example, because I know that we are pushed for time.

Q25 Neil Carmichael: I have other meetings. I would like an answer to the question I have asked.

Maurice Bates: I will answer, but could I just finish my point?

Chair: I think you had better answer Neil's question, please.

Q26 Neil Carmichael: Is the College going to bring something new to the table or is it a collection of existing provision just being corralled together?

Maurice Bates: No, it is a complete new entity. The important thing I referred to earlier is that it will inherit a number of professional standards designed by the Social Work Reform Board, which of course come themselves from the Task Force. It will be a completely new organisation, which is one of the difficulties we have had in negotiations with BASW, because BASW has sought to create a college that is really BASW Mark 2. We have been insisting that the College has to be a new college, representing a majority of the profession.

Q27 Neil Carmichael: Is it bringing something new to the table in terms of provision, function or whatever, or is it a collection of existing provision?

Maurice Bates: No. The new thing it is bringing is that it will inherit the energy and the products from the Social Work Reform Board, which go right back to the issues around Baby P, so we introduce a much higher quality around social work placements, social work supervision, continuing professional development and partnerships between higher education and service users and employers. It is a completely new entity—a new creation—which is the exciting thing about it.

Q28 Neil Carmichael: Hilton, would you like to comment on that?

Hilton Dawson: Certainly. It does give the opportunity to build on some good work that the Social Work Reform Board does; there is no doubt about that. But it cannot possibly be a completely new entity, because for 41 years BASW has occupied a large part of the space that the College will have. The College will be a membership organisation; the College will need to provide advice and representation services to members; the College will need to provide professional indemnity and public liability insurance; it will provide a professional journal; it will provide a members' magazine; it will be involved in campaigning and lobbying; it will be a voice for social work. BASW is all of those things at the moment. BASW wants there to be a college because we know that a college needs to be bigger and better than even BASW has been.

Q29 Neil Carmichael: So in a nutshell, you think it does not bring anything new?

Hilton Dawson: No, I think it does. As I say, I think it builds on some good work at the Social Work Reform Board and, importantly, takes that forward. It also brings in some functions that until now have been undertaken by the GSCC in terms of continuing professional development. Those are emphatically roles for a college rather than a regulatory body, in my opinion. We are moving forward; there is a definite purpose to this. But in no sense can this be

regarded as a new body; there is a lot of very good work and very hard-won experience in the space that the College is seeking to occupy.

Q30 Neil Carmichael: Allan, would you like to have a few words on the question I asked?

Allan Bowman: Yes. In my view, the College is a new body bringing a whole range of new things to bear. BASW cannot claim leadership of the profession, nor can Unison, even though it may have the majority of members. We need an organisation that is going to offer leadership to professionals.

Q31 Chair: Unison has a minority of members within the profession, I think.

Allan Bowman: It probably has about 40%. Helga would know the exact figures.

Q32 Neil Carmichael: She can answer that in a minute. I am determined to get an answer to my question.

Allan Bowman: If the vision we have for the College comes off, it is going to have a majority of social workers in membership from a very early date. That is going to be able to offer leadership to a profession that has been disjointed and that has been treated very badly in a whole range of forums, in my view, but it is also going to be about setting professional standards. The point was made earlier; the reason you have professional standards is so you can do well by the people out there who use services. The way we do that is to ensure that the training of social workers improves and employers treat social workers far, far better than they do. It is about holding employers to account as well; that is quite critical. It is about ensuring that professional supervision of social workers is carried out.

For me a college is a new body that through its membership of a majority of social workers is going to hold a whole lot of people, including its own members, to account and it is going to ensure improving practice and improving outcomes for people.

Q33 Neil Carmichael: Thank you. The Task Force used the phrase “permanent responsibility”. What exactly does that mean?

Allan Bowman: I never like to place too much on my interpretation of other people’s words, but I think what was envisaged was that the College was not just going to be some transitory body that was here for two or three years, but as with many other colleges—be they Royal or otherwise—that are around and have been around for a long time, it will continue to develop and grow, and as the profession improves what it does, the College will begin to take on more and more responsibility for it. You could argue that gets it further and further away from Government. The Government will have a body that will be taking responsibility for improving a service that in our view does need to improve.

Q34 Neil Carmichael: What is your interpretation of the phrase, Maurice?

Maurice Bates: I think I would agree with Allan’s statement. We have a once in a generation opportunity to create something completely exciting and new to instil confidence in a profession that has been fractured over recent years, and I think we need to take it.

Q35 Neil Carmichael: I do not want to rehash the arguments we have just gone through, but I do want to know what challenges you have encountered in terms of defining the role and function of the College.

Maurice Bates: The challenge was first of all finding out what social workers, service users and carers thought themselves. We did that between May and September 2010 with a series of events: 12 events with social workers and 20 events with service users and their carers. We were very careful to make sure that fed into our strategic mission and to the role of the College.

Q36 Chair: You did an online survey, did you not, as part of that?

Maurice Bates: We did.

Q37 Chair: How many respondents to did you have?

Maurice Bates: I do not have the number in my head, Chair, but I can make sure that you receive it in the next 24 hours.

Q38 Neil Carmichael: How has the process of developing a strategic vision for the College been undertaken? What point are you at?

Maurice Bates: Primarily through that consultation, but then also developing the headlines from the consultation through the Interim Board process and now into our Transition Board process. The important point to make, though, Chair, is that the strategic vision is the strategic vision set by the Interim Board, which is there to set up the College. The elected board of the College, which will arrive next year, is at liberty through its membership to change direction if that is what the members want.

Q39 Neil Carmichael: You are seeing an organic process under way?

Maurice Bates: Absolutely. My job, assisted by the board and our current prospective members, is to set up the College. It is then up to its membership to determine its future direction.

Q40 Neil Carmichael: I think it is safe to say Hilton would probably think that the consultation has not been as wide or as thorough as it should have been. Yes or no, Hilton?

Hilton Dawson: The answer to your question is that 1,170 people were consulted and it cost £435,000. That was an answer gleaned under freedom of information.

Q41 Neil Carmichael: I think that the answer to the question is no, isn’t it?

Hilton Dawson: The answer is absolutely no. Yes, indeed.

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Q42 Neil Carmichael: Allan, how do you think that could have been improved?

Allan Bowman: I think it illustrates the fundamental problem in social work of how you get social workers to respond. Historically it has been very, very difficult. The figure for online responses, whatever it is, may seem low, but let us bear in mind we have had 12 meetings around the country and we have had 20 meetings with service users and carers. There is a qualitative aspect to that kind of consultation that I think has come through and has informed what the College has then gone on to establish.

But I come back to my point: social workers are very hard. If they were not, we would have a college; they would be here already. My view is that people should really all have been in BASW from the outset. But the social work profession has seemed very, very shy over the years about coming forward and saying what it wants. It has not been given many opportunities to do that. I would be surprised if many people didn't also feel a bit suspicious about any consultation, thinking, "Here we go again." There has been a feeling in the profession that we are always the ones who are knocked, the ones who are rocked back.

I think again, a bit like the process of establishing the College, engagement of social workers will grow and grow, and if you have social workers running the College engaging with fellow social workers, then you are going to see a much, much improved landscape. We have already got a majority of social workers on the Interim Board, other than what you might call the usual suspects who have gathered round the table. That for me was a big, big step forward.

Q43 Chair: Should we be sceptical though? It does sound like a lot of money for a relatively low response. I know Unison—if it has got 40,000 social workers as members—contacted its members and urged them to respond. I don't know how actively it did so. The BASW referendum had 6,000-odd, if my maths is correct on working out what their 40%-odd response was. It does sound like an awful lot of money to get an awfully small interaction with the profession.

Allan Bowman: I do not have the benefit of freedom of information on BASW, so I do not know what they have spent on the various consultations and meetings they have had round the country, so I cannot give you a comparative answer on that.

Hilton Dawson: You can have any information you want, Allan. Just ask us.

Q44 Neil Carmichael: I always thought consultations were surprisingly tricky, but not this tricky. The Government supports the College—it is interested in establishing the College—but what else do you think the Government could do to improve the status, reputation and accountability of social workers?

Maurice Bates: As the College grows stronger from next year, it will take over a substantial part of that role, because it is going to provide the professional leadership for the profession through its membership. Things are changing in that respect. This is why it is so important that we form properly and form a strong,

independent organisation. That is our role: to lead the profession and to lead issues of policy, driven by social workers and our alliances with people who use services and with their carers.

Q45 Neil Carmichael: Helga, is Unison marching behind this trumpet call for leadership?

Helga Pile: Yes we are. As has already been mentioned, we have been involved in this process from the start. I do have to say that we see the reform programme as a whole.

As an aside in terms of consultation responses, one of the elements was that there had been a huge amount going on around the Task Force itself—consultations, surveys of social workers—so there is a degree to which people get a little bit fed up of filling out questionnaires. But when we consulted members on the 15 Task Force recommendations, the things that came top were things like ensuring we have manageable work loads, dealing with practice placements and bringing in the assessed and supported first year in practice. Those were the things that came higher up the list than the College.

Q46 Chair: The College was last, in 15th place, wasn't it?

Helga Pile: Indeed, yes. What we have always been keen to hold on to is the whole reform package. But clearly, for it to happen there needs to be a strong body that can take it forward and that can have the authority, both in relation to employers and Government. In policymaking, in the past there has been a difficulty in terms of engaging what the social work profession thinks about a particular proposal on legislation or other initiatives because there has been this plethora of organisations who do parts of it—organisations that do not have a primary focus on social work but are much broader in terms of social care.

Q47 Chair: Like yourselves, then?

Helga Pile: Yes. I think that is part of the reason we are in this. We are a public services union and we represent a wide range of different professions across local government and the health service and, as we have done with health professional bodies, we are keen to be able to build on our strengths, which are employment issues and providing support in the workplace, by giving our members access to professional support, and that is why we have made the partnership arrangements with other professional bodies that we would like to make now with the College.

Q48 Neil Carmichael: I have one last question. Does what Helga has just been explaining chime with your understanding of the College?

Allan Bowman: It broadly does, yes. I think the difference in perspective may come more from my aspirations for the social work profession. But having said that, the clear message from social workers when I have been involved in any consultation has been that they want the profession, but they also want some of the things that Helga said, because they are the day-to-day things that they face at work.

Q49 Neil Carmichael: Hilton?

Hilton Dawson: The answer to Neil's question, from someone who used to sit on the other side of the table in meetings like this, is that I want Government to do what Governments find extremely difficult, and that is to listen and be prepared to be challenged and to recognise that sometimes your best friends tell you really uncomfortable things. The idea that BASW is some sort of oppositional party opposed to absolutely everything is completely wrong. What we are is independent and fearless, and we will say when Government has got it right and we will tell them when they have got it wrong. Ministers need to hear that and stop closing their ears to us.

Neil Carmichael: Well it is nice that you are still considering everybody as friends, Hilton. I like that.

Q50 Tessa Munt: The Social Work Task Force recommend the College should be established quickly and cover the creation of a nationally recognised careers structure, a new standard for employers and the development and implementation of the reform programme. I wanted to ask you whether you thought you had sufficient time to set up what seems relatively complex in organisational terms.

Maurice Bates: It is. To set up a college from a cold start with very few resources to begin with would normally take some years, so I think we have moved at quite a fast rate. We are completely on track to open our doors on 3 January to the first fee-paying members, but we are also on track, and have been doing an awful lot of work with the Social Work Reform Board, to pick up all those really important areas of work that you have just highlighted. We are confident that we are able to do that, but we are doing it in collaboration with all the different agencies, people and organisations represented in the Social Work Reform Board and throughout the social work sector, including colleagues in BASW. It is a huge task, but we have got an awfully long way forward and we are confident that we are going to get there.

Q51 Tessa Munt: Bearing in mind that you are looking at 3 January, can you give me a percentage on how close you are to getting everything ready for the three main things that I mentioned?

Maurice Bates: The important thing is that on 3 January we are able to start to receive fee-paying members. We have only very recently become a company limited by guarantee—a legal entity—so our carefully planned separation from SCIE will continue from now and be a process, rather than an event, over the next 12 months. In terms of inheriting and operationalising all the products from the Social Work Reform Board, we are a long way down that road.

Q52 Tessa Munt: In percentage terms, if you went from 0% to 100% ready, where are you on those things?

Maurice Bates: Between 80% and 85%.

Q53 Tessa Munt: And you expect to achieve what in the next six weeks? Where will you be on 3 January?

Maurice Bates: In the next six weeks we will have completed our process to become a company limited by guarantee.

Q54 Tessa Munt: That is a technicality though, isn't it?

Maurice Bates: It is. Unfortunately an important one. We will have completed all the other technicalities as well, then, without listing them; we will be opening our doors to fee-paying members, and we will be very, very much closer to being able to take full responsibility for the products from the Social Work Reform Board. There will then be a short period when the organisation has to continue to grow, but importantly we will organise ourselves so that by this time next year our first members will have been able to elect their own board. I will disappear and the members will decide who governs the College.

Hilton Dawson: If the College carries on the way it is going, on 3 January they will be lacking the 14,000 members of BASW and the millions of pounds of BASW resources that could be transferred into a college that is prepared to go ahead on the basis of the memorandum of understanding that we agreed with the Interim Board on a proper transparent and open way of working.

Last week our members, I think frankly courageously, at the additional general meeting changed our constitution and gave our Chair and our Vice-Chair—who are sitting behind me—and our Council the ability to transfer the entire undertaking of BASW into a college established on a proper basis. Those members and that resource will not be going to the College in the way that it is currently constituted. If someone takes action to get this college on a proper footing, those resources could go in and be in place long before 3 January. We have heard a lot of talk about opportunities being missed. This is the biggest opportunity of them all.

Q55 Tessa Munt: I just want to be absolutely clear, then. The things that need to happen for that transfer to take place are precisely what?

Hilton Dawson: We need to get back to the terms of the memorandum of understanding that Maurice and our Chair signed in May, and that means we need effective joint discussions with third parties. We cannot be in a position where members of the College automatically become members of Unison; that is a completely inappropriate way to establish a College of Social Work. Unison need to be part of the College of Social Work, not in a position of inordinate influence over it. But if we can get the College on to that sort of basis, and if we can start to get people dealing with us fairly and properly in ways that they have not done previously, then we can make this work and get it sorted out.

Q56 Tessa Munt: Thank you. I have heard what you said and I understand what you are saying. I have one other quick question, but before I do that, do you wish to make a comment on time scale? That is what I would like to focus on.

Maurice Bates: Yes. The words "fairness" and "properly" really strike home with me. On 4 May I

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had a letter from Mr Dawson, which explained his insistence that he expected—“expectation” was his word—to be the chief executive of the new college. He went on to say how this might involve him in making a claim for unfair dismissal and claiming to be a whistleblower. I have copies of the letter here, Chair, if you want to see that.

Q57 Chair: If you could provide them to us, that would be helpful.

Maurice Bates: You may want Mr Dawson’s permission just out of courtesy.

Hilton Dawson: Absolutely. You are most welcome to.

Chair: For the record, Mr Dawson gives his permission.

Maurice Bates: This is an example of not really understanding the basic tenets of corporate governance. The College could not accept a position where the first chief executive of the new college, with all the importance attached to that, would not be gained through an open, competitive process. This is one of the examples.

Q58 Tessa Munt: It strikes me that both of you have claims against each other about the issue of competition and who is open to what. I do not want to deal with that right now.

Maurice Bates: My point is that this is one of the examples why and how BASW were not able to accept the basic tenets of corporate governance. It is one of the main reasons why negotiations have not been fruitful over the last few months.

Q59 Tessa Munt: I repeat my assertion. I am not going to come back to you right now, because I think there is going to be an opportunity to speak about this a bit later, but all of you have complaints about competition against each other as far as I can see. There is a bit of a bun-fight coming and I am not going to deal with that at this moment. The Government chose to ask the Social Care Institute for Excellence, which is of course SCIE, to take forward the recommendations of the Social Work Task Force in developing the College. Was it appropriate for the Government to choose SCIE?

Allan Bowman: I suppose that is a question you have to ask the Government, but to put it in context, the Government established SCIE 10 years ago as an independent charity. Don’t ask me to explain all the mechanics of that.

Q60 Chair: Or even philosophically whether it is possible for the Government to set up an independent charity.

Allan Bowman: Believe me, that is a question that has arisen, but the fact is that we are a charity, we cover the whole of the United Kingdom, and the Government established us in 2001 as part of a range of reforms around social work and social care. The Government have from time to time asked us to undertake a number of tasks, one of which, for instance, was the creation of the National Skills Academy for Social Care. So we have this kind of midwife role, where we help organisations develop

and we establish them independently in their own right. We also have a major programme of some £20 million called Get Connected to distribute money to enable small providers and users of services to go online and get a better deal. We have a history of managing the Government’s programmes.

Q61 Tessa Munt: Sorry, can you just say that again? How much?

Allan Bowman: There is £20 million in the Get Connected programme. That effectively is to equip people to be connected to the net with hardware and software.

Q62 Chair: What is the difference between you and a quango, apart from your charitable status?

Allan Bowman: I can be independent.

Q63 Chair: How?

Allan Bowman: I can be independent in the sense that if as an independent charity I need to be critical of Government, I can be.

Q64 Chair: Theoretically, so can the leader of a quango.

Allan Bowman: But put it this way: the leader of a quango could probably be dismissed by the Government. I think it would be for my board to dismiss me. That is an appropriate distinction. But to come back, let’s be realistic. If we depend on Government funding, there is a degree to which we need to deliver what Government pays us to do. They pay us to do a number of specific tasks, which we start by doing. One of the reasons I think they do use us—although again, you would need to ask—is we are very good value for money. We deliver things very cost effectively. I think our track record on all that we have done for the Government would stand scrutiny.

Q65 Tessa Munt: Very quickly, then, could I ask you to clarify for the record what support SCIE is giving the College at present and what will happen after 3 January? Then, looking at the long-term relationship between SCIE and the College and the service level agreement, can you clarify those stages for me?

Allan Bowman: Initially we have employed the interim staff who have been working for the College; they are employed by SCIE. We have managed the money for them and have accounted for that to Ministers. We have in a sense provided what you would call back office functions: personnel, all the mechanics, the IT and various other things. We have also managed the process of servicing their meetings, the administration and all that goes with that. Effectively we have been helping them move forward to the point where they could be independent. That stage was reached in September when they sought permission to establish themselves as an independent entity. They have now done that. The next milestone will be in January, when they open their doors for business as a college in their own right. I anticipate that between January and 31 March we will formally conclude SCIE’s oversight and handling of them. Then from 1 April onwards, any relationship between SCIE and the College would have to be in the form

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of a service level agreement, specifying exactly what we will provide for them and what they will pay for it.

Q66 Tessa Munt: You must have an idea of what that is going to include and the value of it.

Allan Bowman: Yes. Some of it would be open to negotiation, but essentially there is no point in creating another whole IT system if we have something that can deliver that for you very effectively. The same goes for the question of personnel, HR and finance functions—managing the money, accounting and all of that. There is a range of things that we would negotiate. Each of these is quantifiable. I do not have a figure yet for what we might anticipate charging the College, but as I said before, we are very cost-effective.

Q67 Tessa Munt: Has the College got an idea of what it might be spending?

Allan Bowman: I think the issue would be a straight negotiation between the College and us. Maurice may or may not have a figure in mind, but some of it may depend on the size of their membership; it may be a rolling service level agreement in terms of growing services if the College grows and grows.

Q68 Damian Hinds: I think many people will welcome the establishment of a college as a professional body, to elevate the status, role and image of the profession and to be an independent voice, as Charlotte was saying, by social workers for society. In the wake of Baby Peter and other cases, that is probably long overdue. I think many people would also say that it is understandable to have seed funding from Government—not long-term funding but seed funding to get the thing going. But what many people not just would but I know do find absolutely bizarre is that it is a joint venture with a trade union. We have got used to not using the phrase “closed shop” in this country; I have to remind people what it means. But that does sound very much like what this is. I wonder which one of you has the figures. It may be that it is in one of your written submissions and I missed it, but so that we know what we are talking about, can someone just say briefly how many social workers there are in this country in total and of those how many are members of a) Unison, b) BASW, c) both or d) neither?

Hilton Dawson: Working on the basis that there are 100,000, which I think is a decent rough estimate, yesterday morning 14,050 of those were members of BASW.

Q69 Damian Hinds: Sorry, let me stop you there. And how many in Unison?

Helga Pile: Can I clarify that this is England we are talking about?

Q70 Damian Hinds: Try to agree among yourselves on this. I do not mind which way it is.

Hilton Dawson: I gave figures for the UK.

Q71 Damian Hinds: Okay, that was for the United Kingdom. Helga?

Maurice Bates: For the UK it is actually much higher than that. It is just over 120,000. For England, if you count students, it is about 102,000 or 103,000.

Q72 Damian Hinds: A minute ago you said it was much higher than 100,000 because it was 120,000; then it was 102,000. That is not much higher than 100,000.

Allan Bowman: Can I be a pedant and give you the latest verified figures?

Q73 Damian Hinds: Yes, please do. If you have accurate numbers, that is not pedantry; it is accuracy.

Allan Bowman: For England there are 103,129 social workers and social work students. For Wales the combined number is 6,445; for Scotland 12,767; and Northern Ireland 6,055, making a grand total of 128,396.

Q74 Damian Hinds: I am going to call that 130,000 if I may. Of those, how many are members of Unison?

Helga Pile: About 43,000 on the last figures I looked at.

Q75 Damian Hinds: And how many are members of BASW?

Hilton Dawson: 14,050.

Q76 Damian Hinds: 14,000. Do you between you have any idea how many are members of both?

Helga Pile: We do not. There are a considerable number but we have never been able to quantify that. So yes, there would be some overlap.

Q77 Damian Hinds: But would it be fair to say that there are probably about 80,000 who are members of neither, roughly speaking?

Allan Bowman: Including 22,000 students.

Q78 Damian Hinds: And people called Dave and all sorts of other things I’m sure.

Hilton Dawson: There are an awful lot who are not members of anything, and that is a very serious concern.

Q79 Damian Hinds: So somewhere round about two-thirds of the target population is currently a member of neither of your organisations. Maurice, defend your decision to make this a closed shop with Unison.

Maurice Bates: It is not a closed shop in any shape or form. The public money we have received is for setting up the College, not for running the College after April next year. The reason why we hope to agree a contract with Unison is because they have 40,000 members and we are going to where the members are in order to build the College as fast as possible.

Q80 Damian Hinds: When does it stop being a JV with Unison?

Maurice Bates: First of all, it is not a closed shop. It is not true that people have to be a member of Unison if they are a member of the College. People can join

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the College and decide to opt out of Unison membership.

Q81 Chair: They will actively have to opt out in order not to become a member?

Maurice Bates: Yes. I am happy to come back to the detail of that.

Chair: It is a bit like going through the difficulty of opting out of Unison's political levy. It is theoretically in place but not practical. Sorry, go on.

Q82 Damian Hinds: But is the intention to stop that after, say, one, three or five years?

Maurice Bates: The agreement will have review triggers in it. Most importantly, as I have said before, when our membership elects its board, that board will begin to set the strategic direction for the next three to five years.

Q83 Damian Hinds: But you have set some policies in place already; there are some processes happening now. Yes, of course when there is a new generation of management they may change things; that happens in any organisation. But as of now, what is your plan with regard to the relationship with Unison?

Maurice Bates: The plan is to recruit as many of those 43,000 social workers who are also Unison members into the College as fast as possible in order to build the College quickly so we can achieve a majority of the profession being part of it.

Q84 Damian Hinds: If I was your marketing person, I would of course want to attract 43,000 Unison members. I would probably also want to attract his members and I would want to attract the other 80,000 as well. My question is not, "Are you going to try and recruit people?"; my question is about the default membership of Unison and if and when you plan to stop that.

Maurice Bates: The default membership?

Q85 Damian Hinds: As I understand it from reading the MOU and the moves towards a service level agreement, if you are joining your organisation, the assumption is you will be joining Unison as well if you are not already. Have I got that wrong?

Maurice Bates: Yes, to the extent that members have the option of not joining Unison at the point when they join the College if they are not already a Unison member. That will be made very clear.

Q86 Damian Hinds: But what is the default assumption? Is it that when you join your organisation you will also join the union, or is it not?

Maurice Bates: Yes, it is.

Q87 Damian Hinds: It is? That was my question. So I have not got that assumption wrong. Can I come back to my main question, which was at what point, if any, do you plan to stop that default double membership arrangement?

Maurice Bates: As I have explained, the agreement will have and has had reviews and trigger points.

Q88 Damian Hinds: What are those trigger points?

Maurice Bates: It would be reviewed, for example, after 12 months.

Q89 Damian Hinds: That is a review, but what is the trigger? You said there were trigger points. A review point is different from a trigger point. Yes, Helga?

Helga Pile: In the agreement that we are working on, the idea would be for an initial period of 12 months, but within that there will be trigger points around whether recruitment is building up as we expected.

Q90 Damian Hinds: What are the trigger points?

Helga Pile: This is not finally agreed yet; we are working on them. Can I just come back? I do not see it as a joint venture, because that implies that we are somehow setting something up together. We are not. It is a dual membership scheme and it is very similar to one we have with the College of Occupational Therapists. One of the benefits of joining the College will be a Unison membership. If people do not want to take it up, they do not need to, but it is offered as a membership benefit. Our relationship with the College of Occupational Therapists has been running since 1993 on that basis. Clearly, that is reviewed. It was initially set up for a shorter period; now it is reviewed every five years, and if the College continues to be satisfied—they survey members to make sure they are satisfied with the services—then it is renegotiated. For this, we are starting off with a 12-month period because it is uncertain.

An earlier question was around what the challenges are. I think the challenges are that there is great support in the profession for the functions of the College—people are very supportive of having a strong voice—but there is a difference between supporting that generally and being willing to pay up from your own money. Clearly we are in very difficult times of pay freeze and all the rest of it. We are confident that this is going to appeal to social workers, but ultimately we do not know, so we need to have trigger points from both parties' points of view to make sure that it is delivering.

Q91 Damian Hinds: Speaking of paying up, what is the average membership subscription to Unison paid among the population of social workers?

Helga Pile: Our subscriptions are banded by income. If we are assuming it is a full-time social worker, the average salary is around £29,000, so it falls into our band that works out at about £207 a year.

Q92 Chair: Hilton?

Hilton Dawson: Chair, everyone who joins the College of Social Work from January will automatically be joined as a member of Unison. What is not easily appreciated is that in the MOU they have with Unison, there is also the provision that even if you join the College and opt out of membership and still pay the same fee, you would be required to use the services of a Unison official if you get into trouble. You can join the College and say, "I don't want to be a member of Unison. I'm going to pay my £270 but I only want to be a member of the College," but if you get into trouble with your employer or with the Care Council, you are required, unless you have a separate

membership with somebody else, to be represented by a Unison official. You are tied hand and foot.

Q93 Chair: Who would like to come back on that?

Helga Pile: Could I come straight back on that? If they do not take up the Unison membership, they will not be entitled to services from us because we only provide services to members. If they are not on our database and not a member, we will not be providing any representation.

Hilton Dawson: That is not what it says in the memorandum of understanding. We have only seen a redacted version, but in the bit that we have seen, it does make plain exactly what I have just said.

Q94 Damian Hinds: Just to be clear, there are two options to join. One is that you pay £270 and get all the benefits including representation at tribunals, employment advice and so on. That is option A. Option B is you pay £270 and get some of them. Can I just check with Maurice? Is that correct? The same price, two different bundles of services.

Maurice Bates: Could you repeat that?

Q95 Damian Hinds: You either pay £270, get membership of the College and Unison and get the full range of services including representation at tribunals and typical trade union benefits, or you pay exactly the same amount of money and, I think as Helga was just saying, you get some benefits but not the ones that would come in employment tribunals and so on. Is that correct? In other words, who in their right mind would say, "Can I please pay the full amount but get not quite all the benefits?"

Helga Pile: If for some reason somebody does not wish to take up Unison membership—that is theoretically possible, although I hope they will not—then they could say, "No, I don't want the Unison membership."

Q96 Damian Hinds: But they would be paying the same amount of money?

Helga Pile: Yes.

Q97 Charlotte Leslie: Can I ask one question of each of you? If you could, just one word answers. What is most important in the setting up of this Royal College? Is it speed or credibility of the entity you are setting up? Maurice, speed or credibility?

Maurice Bates: I am afraid it is both.

Q98 Charlotte Leslie: I want one word, because sometimes things are not always coming together.

Maurice Bates: In that case it is credibility.

Q99 Charlotte Leslie: Helga?

Helga Pile: Credibility, I would say.

Q100 Charlotte Leslie: Allan?

Allan Bowman: Credibility.

Q101 Charlotte Leslie: Hilton?

Hilton Dawson: Credibility. We have unanimity.

Q102 Charlotte Leslie: Fantastic. I have an e-mail from a social worker that talks about the widespread despair that is felt across the profession, calls for a unified voice, and questions—these are the words of the e-mail I received from a social worker—the "big P Political trade union Unison link". Whatever the rights or wrongs of what has happened, that does not seem to be an organisation that is gaining respect and credibility from its outset. One of the things that seems to be an issue here—we have heard a reference to it—is the relationship with a trade union and the fact that the memorandum of understanding has not been seen in full and has only been seen redacted. Can I ask two questions about that? Firstly, is this the case? Is there information about an agreement with the trade union Unison that is not completely in the public domain? Secondly, if that is the case, may it be published fully?

Maurice Bates: There is information; you are perfectly correct. The reason is that it has not yet been agreed between Unison and the Transitional Board and obviously with our connection with SCIE. When that agreement has been finalised, we will be in a better position to make everything public in terms of the figures.

Q103 Charlotte Leslie: What is apparent, though, from your answers to Damian's questions is that systems are in place and we only have six weeks. Given the importance of gaining consensus from across the social work profession—because this is the social work profession we are talking about—is there any more you can do to publish agreements that have already been set out? You must be budgeting on numbers, and the numbers you are budgeting on must be based on some assumptions that, six weeks before opening time, must have been made. Is there more information you can provide for the Committee to begin to allay the fears that many people have about the relationship between the College and the union?

Maurice Bates: We have an awful lot of information already on our website, and for some time we have been talking publicly about what is going to be a commercial arrangement with Unison. As soon as the agreement is finalised and agreed between both parties, then of course we will want to be as public and as open as possible.

Q104 Chair: But you have signed a memorandum of understanding; you have put a truncated version of it on your website. Can you supply this Committee with a full copy of that signed memorandum of understanding and can it be put in the public domain? If £5 million of public money has been used to set up an independent professional College of Social Work, how can it be right that there is a shadowy, secret agreement that you cannot publish in full?

Maurice Bates: It is not a shadowy, secret agreement, with respect, Chair.

Q105 Chair: It is a shadow board with a secret agreement that you are refusing to put in the public domain. It looks like it to me.

Maurice Bates: Nearly all of that agreement, Chair, is in the public domain.

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Q106 Chair: That is not full disclosure. That is not transparency.

Damian Hinds: That is nearly full disclosure.

Chair: It is nearly full disclosure, yes. It is a new definition of transparency. Our duty on this Committee is to scrutinise Government and where Government funding goes in this field. Are you refusing to supply this Committee with a copy of the full memorandum of understanding that you signed with Unison?

Maurice Bates: No, of course not.

Helga Pile: Can I just clarify? The memorandum of understanding is a document that sets out what the talks between the two organisations will cover. Nothing in it is binding.

Q107 Chair: So why not publish? Why have you refused up to now? I think Maurice has just conceded that he will because we are demanding it, but before now he has refused to make public that memorandum of understanding, which, as you say, will set out the areas for future negotiation. What on earth could be secret about that?

Helga Pile: Because when you do these kinds of things, you do not normally negotiate in public. What you do is set out a range of things that you are going to talk about. Some of the information may be commercially sensitive in terms of membership information and so on. Most of it is public—I think all the stuff about what the costs will be—but I have to stress we have not signed an agreement yet. We are committed to making the agreement that we do sign—

Q108 Chair: Maurice, can you provide this Committee with a full copy of the memorandum of understanding within the next 24 hours?

Maurice Bates: Yes.

Q109 Charlotte Leslie: Hilton, did you want to come in quickly?

Hilton Dawson: Thank you very much, Charlotte. I am really surprised that Maurice tried to say that the redacted bits were bits that were not agreed. During the mediation session in August, the mediator read out to us the non-redacted bits of the MOU. If she or anyone had said at that time, “There are other bits that are not agreed,” that might have changed the whole complexion. We have heard a discussion about how difficult it is to publish a memorandum of understanding. I would say that both we and the College published our memorandum of understanding on our website, I think on the day that it was signed. The other point I really must make is that we have been negotiating to transfer the entire undertaking of BASW into the new joint College as envisaged under our memorandum of understanding. How on earth were we and our members expected to go ahead with that when we were not told the full detail of what we were expecting to transfer the whole of our assets into? Our Council are company directors and carry a personal liability for the proper discharge of their functions. How on earth could they have been expected to carry out those duties responsibly?

Q110 Charlotte Leslie: I am delighted that it seems that we have agreed in this session that we will have in the public domain everything that has not yet been in the public domain. Moving from those particulars to a more general point, again, in the research and my questioning of members of other Royal Colleges, it has emerged that there is great value in the profession and the credibility of a Royal College in not being one and the same thing as a union and having a degree of separation between the union and the Royal College. One thing that has struck me particularly in my dealings with social workers is that social workers are extremely professional, and their main source of care and concern is their patients. Given the questions hanging over the Royal College and the relationship between Government funding and the set-up of the Royal College that leads many to question its independence, are you concerned that a particularly close relationship with not only the trade unions but one particular trade union firstly blurs the distinction between whether the Royal College is there for the people who the social workers are caring for—the patients—and whether it is there for the social workers themselves and the things that unions can provide for social workers? Secondly, are you concerned that the College will automatically, because of the nature of those the unions represent, focus on the delivery mechanism of social care through a local authority and public service structure and not the elements of professionalism of social care itself—the elements of best practice? I would like Maurice, Allan, Hilton and Helga to answer those two questions.

Maurice Bates: I think in your question you have pointed to the answer, which is the reality that it is important for the College, for Unison, and for Government in fact, to be completely independent. That is what we will do and that is what we will aim for.

Q111 Charlotte Leslie: With respect, looking at the relationship between other colleges, the College of Occupational Therapists is not quite analogous to the Royal College, because it says it is a fully owned subsidiary of the British Association of Occupational Therapists, which does not seem likely to happen here. One issue that does hang over the College of Nursing and some colleges is that there is a blurred relationship between union involvement and concerns and Royal College concerns, which is not helpful to that Royal College itself. That distinction does need to be made more fully.

Maurice Bates: It will and it is. They will be two completely independent organisations.

Q112 Charlotte Leslie: Given the funding details that we have heard, how can that be the case if you are tied into such a funding agreement as Damian has been talking about?

Maurice Bates: Because we will be inviting and recruiting members from right across the social work profession, outside our commercial agreement with Unison. It is individual social workers themselves, not Unison as an organisation, that will decide whether they join the College or not. They will be two

completely independent organisations with their own forms of governance and, in terms of the College, with its own elected board, driven by its members, setting its own policies and in charge of its own affairs.

Q113 Charlotte Leslie: For that reason, you believe that the concerns that have been widely expressed by social workers themselves about the credibility of the College from its very outset are simply wrong?

Maurice Bates: I do not think it is widespread concern. Certainly in our consultation and among our almost 7,000 prospective members there is a range of views, not helped by misinformation about the arrangement that we are trying to embark on. But no, I think social workers will support this. As soon as we have a college that is seen to be operating and encouraging social workers to stand up for the profession and employing the sort of professional leadership that the profession needs, people will join and help to shape the future nature of the organisation. It will be completely independent.

Helga Pile: I think you mentioned that there are a number of different models adopted by different colleges. The Royal College of Nursing and the Royal College of Midwives of course have the professional body arm and the trade union arm. Indeed BASW now has a trade union arm itself. However, the College of OTs did have a trade union—the British Association of OTs; but it found that it was quite difficult to operate as a trade union in its size, and to have the influence that it needed. That shapes its decision to in effect outsource that element to Unison, which has the size and strength to do that properly. I think there are many great strengths in having it separated through entirely separate organisations, because you do not have the blurring that you referred to when you have the trade union arm and the professional arm in the same organisation.

I do not think there is widespread concern, certainly in terms of the feedback I get—the Reform Board; I think generally people see the logic of it. Clearly there are individuals who have raised these concerns, but generally I think people understand and appreciate the fact that there is an effort being made to make something that is cost-effective for them in terms of how much they have got to pay, because bear in mind they also have to pay professional registration fees, which are due to increase by two and a half times when the GSCC is transferred. I think people appreciate the effort that has been made.

Q114 Chair: Helga, tell us about the finances. You pay your £270 on 3 January and you become a member of the College of Social Work, and you are told, “By the way, you get free membership of Unison and you can opt out and lose all those benefits if you want.” The money will be paid to the College of Social Work, which will have a gleaming new bank account. How much money is paid to Unison?

Helga Pile: Those are the details we are finalising at the moment.

Q115 Chair: We are six weeks away after two years and £5 million of public money, and we do not know what the deal on the money is with the key partner of

a new institution. That sounds peculiar, doesn't it? How do you do a budget? Who is the finance head of this new organisation? I would be pretty horrified if I did not know how much money I was going to get from members. Okay, you do not know how many members you are going to get, but at least you would like to know how much you are getting for each one. Roughly what are we talking about? You charge on average £200-odd to existing social workers, and the College is going to get £270. Are you getting £200 and they are getting £70? Is it the other way round? It sounds like this sector is small beer for you overall, because it is only going to be about 3% of your members, but it is going to be pretty critical for the College, isn't it?

Helga Pile: The assumptions that are being worked on at the moment are to have a roughly 50/50 split, but as I say, that has not been through our governance processes yet so it is still to be finalised. The existing members of Unison are going to pay £60 to the College.

Q116 Tessa Munt: What happens to the student fee? What would you normally charge a student?

Helga Pile: We charge £10; it is a nominal fee.

Q117 Tessa Munt: How does that work? Are you going to get a top-up of something like £100 for the student membership?

Helga Pile: The College will also charge £10 for students.

Q118 Tessa Munt: So there is only a £20 fee and you get Unison membership.

Helga Pile: It will be £10.

Q119 Tessa Munt: You are getting £10, which is the full fee for Unison membership as a student, and the College is getting £10 for registration at the College. That is clear. You have worked that one out but you do not know yet what you are going to be taking from the fee for the Unison fee for a non-student member?

Helga Pile: As I said, what we are working on at the moment is a 50/50 split, but it has not been finally agreed yet.

Q120 Tessa Munt: So £135 to you and £135 to you. How do you justify charging less to people who are members of the College than every other Unison member in the country?

Helga Pile: This is part of a commitment—the fact that we have not got more than about 40% of the profession, so clearly if we are going to build our membership, we are going to need to offer them more. The professional services that they can get through the College will be a benefit.

Q121 Tessa Munt: Are you going to be doing this with colleges everywhere else?

Helga Pile: As I said, we do have a number of agreements of this nature with professional organisations.

Q122 Tessa Munt: Which other organisations? Which other colleges?

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Helga Pile: I have mentioned the College of Occupational Therapists. We also have an arrangement with the British Association of Prosthetists and Orthotists, which is a very small professional body. There are different models. We have a joint venture called Managers in Partnership, which is for NHS managers. That is a joint venture with the FDA. We have a number of different models and ways of doing these partnership arrangements, which are about bringing together the strengths of the trade union with professional support.

Q123 Chair: What do you hope you can take your membership to with this deal? The aim of the Social Work Task Force was to get as close to 100% as possible. Are you hoping effectively this is going to take you to 90% of the profession as members of Unison?

Helga Pile: I think that is ambitious.

Q124 Chair: I am sure you are, Helga.

Helga Pile: Well, there is no harm in being ambitious. It clearly needs to get to a majority in the first instance to be able to say that it can speak for the majority of the profession. I would benchmark it with the College of Occupational Therapists, which is about 80% membership, I think.

Q125 Chair: You would hope for at least 80%?

Helga Pile: I think that is something to aim for.

Q126 Chair: But Unison would have become the dominant provider of trade union services to an entire profession as a result of this deal, of which we are only just now getting a copy.

Helga Pile: I think we already are.

Q127 Tessa Munt: If you are seeking not only recognition within the profession but public recognition of the profession, as in the social part, don't you think that this will dramatically undermine the entire college's entity if the public, whose interests are nothing to do with Unison or a union, see it as an interest group for a trade union? If you look at the Royal Colleges that are very established, which are the models we are hopefully basing our aspirations for professionalism for social care on—the old medical Royal Colleges—you will note that they are very dislocated from a union body for that very reason. One of the reasons why the public trust them is because they see that their interests and the professionalism of the colleges come first, and not what they see as an interest group that they have very little interest in.

Maurice Bates: That is precisely why it is so important that we achieve our absolute aim of being an independent organisation, which we will.

Q128 Tessa Munt: Don't you think it has been clouded already slightly?

Maurice Bates: No. This is a commercial arrangement, of which there are many examples in both the public world and the private world.

Q129 Damian Hinds: Name a few of those many examples for us just to help us understand.

Maurice Bates: The College of Occupational Therapists is the obvious one in terms of colleges.

Q130 Damian Hinds: We have heard a couple. We heard about the prosthetic association. Which others of the many do you want to tell us about?

Maurice Bates: Well, I was using that as a description of commercial arrangements in general where organisations share membership.

Tessa Munt: But that conflicts entirely, does it not, with independence? I do not understand how you feel that your registration fee is worth £270 to someone who is not wishing to be a member of Unison and it is worth half of that to someone who does. That compromises your position. I return to the fact that your initial statement was one of defensiveness about the profession. It seems to me that it is utterly inappropriate—that is my personal view—for you to value people at £135, perhaps, and £270.

Q131 Lisa Nandy: I remind the Committee that trade unions are a collection of individuals who work for them to represent themselves, and to that end have a legitimacy that I think has been entirely missing from this debate so far. One of the tragedies of all of this is that the social work profession only ever hits the headlines when something goes wrong, and yet up and down this country there are people doing one of the most difficult jobs, stepping in where nobody else will because they have to in the most difficult circumstances—circumstances that are only getting more difficult. The real tragedy of all of this is that the very initiative that was meant to give them the strong voice and the support that they deserve in doing that job has been marred by the most appalling publicity, which I suspect after today is only going to get worse. I understand that there are real issues and that a lot of this discussion, debate and argument is driven by a desire on everybody's part to achieve some level of credibility and success for the College, but do you accept that the ongoing bad publicity around this is putting in jeopardy the success of the College? Can all of you, therefore, tell me what you are going to go away and do after today that will make the College a success?

Hilton Dawson: Can I answer that, Chair? I think it is an excellent point. I want to emphasise to Lisa that there are at least seven trade unions in the UK with social workers in their membership, all of whom want to be part of this process on equal terms. It is shameful that we are in the position we are in today.

I work for an organisation that is highly principled and ethical. We are determined to do everything we can to put the College of Social Work on a proper footing and to transfer the entirety of our assets, without fear or favour about people's individual positions, into a college that will work. But it must be a college that is founded on a proper basis, because social work needs that; the people who receive social work services need that; and frankly the public purse requires that as well. We are utterly committed to making this work. We will work with anyone who

shares our intentions to create an effective College of Social Work on a proper and sustainable basis.

Q132 Lisa Nandy: The trouble with that, Hilton, is that what I have just heard you say is that you will work with anyone and you will transfer assets, but you will only do it if it meets the vision that BASW has set out. The trouble is that we have been sitting on this Committee for the last couple of hours and we have heard completely different visions of what the College of Social Work ought to be.

Hilton Dawson: Actually no, because in the memorandum of understanding that Maurice and our Chair Fran Fuller signed only six months ago, in May, and on which, despite all this, we have done a huge amount of work, there is set out very clearly an agreed vision for the College of Social Work. We can act on that now; our members have given us the permission to act on that now. We can make it work if we can tackle some of the issues that have been faced today. Frankly, we will do anything; I think it is down to the College, SCIE and Government to show that they can make some moves in this.

Q133 Lisa Nandy: Allan? Maurice?

Allan Bowman: Hilton used words like “principled” and “ethical”. I have to say I have not found BASW’s behaviour to be either throughout the whole process, to be clear.

Q134 Chair: They have been unprincipled and unethical in their behaviour?

Allan Bowman: Yes. I also believe that we need to push ahead to establish the College in order to give the profession what it needs and then to discuss with BASW how they might join.

Q135 Lisa Nandy: That seems quite difficult if, in a public setting, you have just accused them of being unprincipled and unethical.

Allan Bowman: Yes, I have. I have been quite clear.

Q136 Lisa Nandy: It seems quite difficult to see how that union is going to take place.

Allan Bowman: Let me take the famous American jurist, Oliver Wendell Holmes. He said that, “Even a dog distinguishes between being stumbled over and being kicked”. When I was chairing the development group, BASW called a referendum on setting up their own college; in the middle of discussions with the College, BASW said, “We are going to set up our own trade union.” You have rhetoric on one side; you have actions on the other. The actions from BASW stand in complete contrast to everything they have said. That is why I say unethical and unprincipled.

Q137 Lisa Nandy: But my question was what are you going to do to resolve the situation? I appreciate that there has been an enormous public row about this issue, but there are social workers outside here who need the College to succeed, so my question is, what are you going to do to resolve it?

Allan Bowman: What we are going to do about it is what we are doing. The College has come to us; we have supported them in going ahead to become an

independent body and getting established in January; and we will ensure before we float them off as an independent that all the arrangements—the things you are concerned about; the costings, whether they are ready and whether everything is in place—are in place and we will support the College to go ahead. At some point in the future I hope BASW members will want to rejoin the College discussion, but we have to get the College set up otherwise we will still be here next year.

Q138 Lisa Nandy: Maurice?

Maurice Bates: I would agree with that. Throughout the whole of this process, despite its incredible difficulties, particularly in terms of our attempts to negotiate with each other, I have always held the view that we have to strive for a united profession and a single college. We will continue to do that regardless of the difficulties that we are going to face. We are at a point now—the Chair has already alluded to this—when we have a limited amount of time to do what I was tasked to do and what our Transitional Board is tasked to do, which is to have an independent, strong college in operation by January next year.

Q139 Lisa Nandy: It does seem quite baffling that with just a few weeks to go until the College is set up, after several years of negotiations, the conversation and the dialogue could possibly be in this state. Have you had conversations with the other trade unions that represent social workers? Can you tell me what their role will be in this?

Maurice Bates: Yes, we have and they are ongoing. We have written to all the other trade unions and suggested a trade union forum, which we hope will meet early in the new year. We have had some very positive responses from that.

Q140 Lisa Nandy: I notice Hilton shaking his head at that point.

Hilton Dawson: We know for a fact that Unite and the GMB, for instance, have complained to the TUC about Unison’s behaviour with regard to the College. Those might be ongoing discussions, but they are not at a great stage.

Q141 Lisa Nandy: Helga, do you want to respond to that?

Helga Pile: Most of the members who are social workers are in Unison; that is just a fact. It is historical and goes back to our predecessor union, which was the main union for social workers. The fact is that most social workers who are members of a union are in Unison. I think the trade union forum will be a good forum, and we have, again, similar types of forum in other sectors that allow the professional body to liaise with the trade unions on policy issues and whatever else they want to raise, but that will be convened by the College.

Q142 Lisa Nandy: A final question from me. What role has the Government had in stepping in to try to resolve some of this?

Maurice Bates: Senior officials from the Department for Education and Department of Health facilitated

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our earlier discussions and helped to get us to the point of being able to sign a memorandum of understanding.

Q143 Lisa Nandy: Have you had any recent discussions with Government Ministers?

Maurice Bates: We have officials as observers at all our board meetings.

Q144 Lisa Nandy: But not Ministers?

Maurice Bates: No.

Allan Bowman: Not directly.

Maurice Bates: Not directly.

Hilton Dawson: Ministers directly intervened to bring us together in February and supplied civil servants to chair the very successful negotiations that resulted in our memorandum of understanding. Unfortunately, since then I think they have stopped listening to BASW anyway. When the college made their announcement on 21 September that they were going ahead without us, we wrote to Tim Loughton and Paul Burstow and asked them to get us back round the table, knock our heads together and get on with the process. Very unfortunately we got a letter back from both Tim and Paul rejecting that approach and saying that they wanted to follow the line that Maurice has been describing to you.

Since then, under freedom of information, a member of the public has found the risks document that was presented to the Interim Board meeting on 12 September, which went to the SCIE board meeting and which I believe has influenced the view of Ministers. Frankly, that document is a disgrace. It has lies in it.

Q145 Chair: Could I ask all the witnesses to express themselves as fully as they wish but in a suitable tone? Could you briefly substantiate the untruths that you think were in that document?

Hilton Dawson: I would be delighted to go through them. I will go through them now.

Q146 Chair: Just for the record, your belief is that this particular document was presented to Ministers and has helped make them close ranks behind going ahead as planned?

Hilton Dawson: Yes. It has been used to mislead Ministers. The document makes no mention of the fact that the College have refused to disclose to us the detail of the agreement with Unison.

Q147 Chair: Not making a mention is not in itself an untruth; it is an omission, which is slightly different. Being economical with the truth, as we famously know, is slightly different from lying.

Hilton Dawson: I will go through every—

Q148 Chair: Just one glaring example.

Hilton Dawson: “The College has been working hard to achieve a merger with BASW in the interests of the social work profession as a whole.” No it has not, simply because of what they have said to you. It has not given us the proper information to enable us to make a decision. It has disrupted meetings by the chairman walking out. They talk about a lack of trust

and inconsistency in approach by BASW. That is simply pejorative; it is wrong.

Q149 Chair: Okay, thank you. That gives us a flavour, Hilton, if I may interrupt you there. Maurice, do all social workers work in the public sector?

Maurice Bates: Approximately 70% work in local government, although that number is changing as we speak.

Q150 Chair: In which direction is it changing as we speak?

Maurice Bates: Given the economic climate around local government, I would think it is becoming lower, but I do not have any up to date figures. The last figures I looked at showed that 70% worked in local government.

Q151 Chair: So towards one third work outside the public sector?

Maurice Bates: That is right.

Q152 Chair: The Task Force said the central important quality for the College was independence, and it also said that it should seek to have a pretty well universal membership if at all possible. Independence and universality are the two key requirements of the College that you, as the interim Chair, were asked to take forward. If up to one third of social workers do not even work in the public sector, how can you square the aspiration for universal membership of the College among social workers with what is, in effect, obligatory membership of Unison, a self-styled public sector union?

Maurice Bates: It is not, with respect Chair, obligatory membership of Unison.

Q153 Chair: I do not think there would be anyone on this Committee who would think it was other than a de facto connection.

Damian Hinds: It is like saying the Coke is optional in your extra value meal. Yes it is, but you will pay for it anyway; it is part of the package.

Chair: Not many people don't take the fries in the value meal either.

Helga Pile: The 70% that you mentioned was local government. The other places where social workers are employed are the NHS, CAF/CASS and Ofsted, and the voluntary sector probably makes up a large proportion of that. There are also self-employed social workers, who would not be eligible for Unison membership so would not be part of this.

Q154 Chair: All those who work in the private sector are going to have to pay the £270 and, unlike everyone else, they are not going to get all the benefits of trade union membership. Is that right?

Helga Pile: There are very few social workers who work in what you would call private companies. The voluntary sector is an area where we organise anyway and the self-employed obviously work for themselves; there is a different membership category that the College will offer them.

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Q155 Chair: Maurice, I still wonder how you can square the aspiration of universal membership if there are social workers who work in the private sector—I do not know what the right term is, or the term you would accept—but it is pretty much de facto membership of Unison, the public sector union.

Maurice Bates: We would very much hope to attract social work membership from right across the spectrum.

Q156 Chair: But you are building your plan on the basis of working in conjunction with Unison, so in effect, from a policy perspective, the minority of social workers in this country who have chosen to join Unison are going to be the dominant force in the early elections, policy setting and flavour and character of the new College.

Maurice Bates: I think we need to see what the membership of the College is in 12 months' time.

Q157 Chair: Do you expect most of the members will be existing Unison members?

Maurice Bates: We will certainly start to recruit social workers who are also members of Unison as soon as possible after 3 January.

Q158 Chair: Would you expect a majority to be Unison members now?

Maurice Bates: I do not know. None of us can predict with certainty how many social workers and from which sectors will join the College. The important point that is in danger of being lost in all this, Chair, is that the College will not have the credibility that you referred to unless it secures a majority of the profession in membership. After 41 years, despite all the good things that BASW have done, they still only have a fraction of the profession in membership. For a college to be successful and influential, we have to reach a point where we have the majority of the profession.

Q159 Chair: Are you sacrificing your independence for the sake of expediency? It sounds like it.

Maurice Bates: No. We will never sacrifice the independence of the College. More importantly, the members who elect the board will not sacrifice it either.

Q160 Chair: Saying it does not make it happen. If you are tied in with a firm joint venture with Unison, I can see the benefit for Unison. Helga and her colleagues deserve a great deal of credit, because her hope and expectation based on firm experience is that 80% of the profession will be brought into Unison membership and be secured by the very independent college that is supposed to secure the professional status of the profession. It is a brilliant move from Unison's point of view. I can understand why GMB, Unite and the other unions are less thrilled about it. Can you see that they have a case?

Maurice Bates: The important thing is that if all 43,000 social workers who are also Unison members join, they are social workers first and foremost. They are professional social workers. They will be joining a college and helping us to reach a position where we

do become credible and can exercise that professional leadership of the profession.

Chair: The majority of social workers have chosen not to be members of Unison. Sorry, Damian?

Q161 Damian Hinds: This is going to appear as a case study in *Marketing Week*; it is brilliant. Yes, of course you will go to the biggest pool of existing social workers. Of course you will. You are an intelligent person; that is the natural thing to do. The key question is what about the next 43,000 people who are not members of Unison? That is where the genius marketing comes in. I do not speak for the union movement, clearly, but I can understand why some of the others would feel a little bit frozen out.

Maurice Bates: I think the others, as you put it, will soon realise over the next few months the importance of the College in terms of the professional standards that it is going to help to govern and the professional leadership across all those areas crucial to social work—we can go right back to Baby P on this—in terms of continuing professional development, having the first professional framework for social work skills and qualifications, having partnerships between higher education institutions, employers, service users, carers, etc. The College is going to be the organisation that is exercising that leadership, and I am sure the social work profession, as it sees this develop, will want to join it and be a part of it. That is the task; we have to wake up the profession to what is a completely new order of things.

Q162 Charlotte Leslie: In terms of credibility—because as Lisa says, this is massively important and too important an opportunity to be squandered—what I am hearing is that it is bums on seats in the College at any cost. Do you not think that the price in terms of credibility of the way of getting those bums on seats is massive? It is not just bums on seats; it is how you get those people there. Wouldn't it be a tragedy if the College shot itself in the foot through the mechanism by which it shoved a whole lot of people initially into a structure that everyone looks at and thinks, "That is not the model of integrity, transparency and professionalism that I want from my college"? Do you not think it is important to get the brand right first, with all the values that encompasses, and then the people will come?

Maurice Bates: I come back to my point. It is up to social workers to join the College. We cannot shove them through, as you put it. It is up to social workers, whether they are trade union members or not, to decide to join the College, and we will do our utmost to encourage people to do that.

Q163 Lisa Nandy: Maurice, does that include talking to BASW? It seems to me that after today that aspiration is becoming even dimmer. It is hard to see, as someone sitting on this Committee, why social workers would want to be associated with it. That is a real tragedy, I think, and arises from the very public dispute that has happened over its formation. Can we have a commitment from everybody sitting in front of us giving evidence that there will be a proper, decent dialogue that you will all engage in constructively?

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Maurice Bates: I have to say that the tone and content, particularly of Mr Dawson's public statements and articles over the last few weeks, is not helping that process.

Q164 Lisa Nandy: So that is a no from you, is it?

Maurice Bates: No, I am coming to a definite yes. What I said before is that the profession is going to be making a huge mistake if it does not grasp the opportunity to have a united profession and a single college. We will continue, despite all, to try to make sure that happens. But what we have to do is go ahead now and make sure that the College is established.

Q165 Lisa Nandy: Is that a yes from other members of the panel?

Allan Bowman: I think we have to establish the College and then discussions should be opened with BASW.

Q166 Lisa Nandy: So that is a no from you, Allan?

Allan Bowman: It is effectively a no in my view.

Q167 Chair: A Unison profession, perhaps, rather more than a united one. Hilton?

Hilton Dawson: We will get round a table with anybody. We want to make this work. We must be treated better than we have been, and this must go ahead on the basis that all trade unions and professional associations have a part to play in this College or else the foundation is skewed and wrong. But we will sit and talk and argue it out with Maurice, with Allan, with anybody until the cows come home.

Q168 Lisa Nandy: Well not with Allan, because he has just told us that he is not going to.

Hilton Dawson: We do not give up just because somebody says no. We were told no by them and our members have said, "Yes. We have the resource here; we are going to make this work." We are determined to make this work. All we need is for people to get around the table and work with us to the ends that you have identified very well today.

Chair: Thank you all very much for coming and giving evidence to us this morning. We appreciate you giving up your time.

Written evidence

Written evidence submitted by Social Care Institute for Excellence (SCIE)

1. The Social Care Institute for Excellence (SCIE) is an independent charity that improves the lives of adults and children who use care services by identifying and spreading knowledge about what works and by supporting the delivery of transformed, personalised social care services. We recognise the central role of people who use services and their carers, and we aim to ensure that their experience and expertise is reflected in all aspects of our work.

2. SCIE has previously hosted the creation of the National Skills Academy for Social Care and supports social worker education through the provision of online knowledge and practice resources.

3. SCIE is pleased to have the opportunity to contribute to the Committee's meeting held to take evidence on the development of the College of Social Work.

SUMMARY OF KEY POINTS

4. The establishment of a College of Social Work was a recommendation of the Social Work Task Force in its report published in 2009.¹

5. On 26 November 2009 the Department of Health contacted SCIE asking for its support in taking forward the development of the College by enabling the resolution of:

- the exact purpose and remit of the College;
- legal status, and
- Interdependencies with other bodies.

SCIE was also asked to host the College of Social Work during its formative period.

6. Both the Department of Health and Department for Education committed £2.5 million each to support the development of the College over the two years to March 2012. SCIE accounts to both departments for the expenditure of this funding in accordance with a grant agreement with the Department for Education and a remit letter from the Department for Health. The funding is managed through a specific restricted fund and can only be used for the purposes set out by the funders. No funding has been provided from any other organisation to support the creation of the College of Social Work.

7. SCIE convened a development group consisting of all key stakeholders which met from the 26 January to the 23 June 2010. All minutes of these meetings are published on the website of the College of Social Work.

8. The Development Group completed the following key tasks:

- The recruitment through open competition of interim Co-chairs of the Interim Board of the College. The interview panel was independently chaired.
- The recruitment of members of the Interim Board.
- Consultation with social workers and key stakeholders on the role and function of the College.

9. The Interim Board of the College has met from October 2010 and accounted to the Social Work Reform Board for its work to build a College of Social Work and to SCIE for its expenditure. Reports have been provided by the College of Social Work to the SCIE board to enable oversight to be provided by our trustees. SCIE was represented as an observer on the Interim Board

10. On 15 September 2011 the Interim Co-chairs of the College of Social Work attended a meeting of the SCIE board who endorsed the recommendation of The College of Social Work Interim Board that it should put its entire efforts behind the establishment of a new College of Social Work by 3 January 2012 and then seek to merge BASW into it.

11. An independently chaired Nominations Committee, of which SCIE was a member, met on 11 October to appoint a Transition Board. The Transition Board met on the 24 October and has enabled the College of Social Work to be created as a separate legal entity. Between 1 November and 31 March 2012 the College will build its organisation to enable it to fully separate from SCIE. From 1 April 2012 any relationship between SCIE and the College of Social Work will be through a formal Service Level Agreement.

November 2011

¹ Building a safe confident future: final report of the Social Work Task Force 1 December 2009

Written evidence submitted by The College of Social Work (TCSW)

1. INTRODUCTION

1.1 The College of Social Work (TCSW) is being established following the recommendations of The Social Work Task Force in November 2009.

1.2 The Task Force noted that there is currently no “locus of responsibility for promoting the [social work] profession, improving public understanding, spreading best practice and driving up standards.” In recognition that no such body existed it recommended the establishment of a new organisation to “articulate and promote the interests of social work...[and] give the profession strong, independent leadership...and strong ownership of standards to be upheld.”

1.3 TCSW is being incubated by the Social Care Institute for Excellence (SCIE) with start up funds from the Departments of Education and Health of £5 million over two years (and ending March 2012). TCSW reports to the Social Work Reform Board (set up to oversee the implementation of the Task Force recommendations), and is a key part of the Reform Programme being overseen by that Board. TCSW has recently inherited an important range of standards from the Reform Board for further development and implementation.²

1.4 TCSW will be an independent membership body, funded largely through membership subscriptions, and will be a college for the profession like colleges for other professions. It is being established as a not for profit company limited by guarantee, and will gain independence from SCIE at the end of March 2012. TCSW has 6,415 prospective members on 3 November 2011, who are actively involved in co-creating college services and voice. It will begin its membership recruitment drive in January 2012, when it opens its doors to members with an initial suite of membership services.³

1.5 We are grateful for this opportunity to provide evidence to the Select Committee about the development of a new organisation that will enable and support social workers to work to the highest possible professional standards and improve the service provided to some of the most vulnerable people in our society.

2. MISSION, VISION AND STRATEGIC AIMS

2.1 The College of Social Work exists to ensure that social workers are able to work to the highest possible standards, engage as effectively as possible with people who use social work services and their carers, and allow children and adults to achieve their full potential.

2.2 The mission of The College is to develop a strong profession, confident about the unique contributions it makes to the individuals, families and communities it serves, with a clear sense of its identity, values, ethics and purpose.

2.3 The College’s strategic aims for the first three years to establish and develop The College of Social Work are:

- to provide strong leadership for the profession;
- to be a powerful voice for the social work profession, in discussions with the public, policy makers and the media;
- to work closely with people who use social work services and carers, ensuring that their views are incorporated into the overall development of The College; and
- to be an international centre of excellence for the social work profession.

2.4 These ambitions form the basis to drive forward all the work of the small development team charged with establishing The College.

3. GOVERNANCE

3.1 SCIE established a Development Group of key stakeholders (including BASW), whose task was to develop initial thinking for such a College, to enable consultation with the profession and to recruit Interim Chairs and Board members. The Development Group met monthly from January–June 2010.

3.2 An open recruitment process was used to recruit Interim Co-Chairs and members of the Interim Board. Co-Chairs began work in August 2010, and the Interim Board met for the first time in October 2010.

3.3 All agendas and minutes of the Development Group and Interim Board are published on The College website.

² Social work has not had agreed professional standards to date, and this is a very significant development, particularly because the regulation of the profession is moving from the General Social Care Council to the Health Professions Council in July 2011 (subject to legislation). The GSCC model of regulation included professionalization, but the HPC is focussed entirely on public protection. The GSCC will close when regulation transfers, and TCSW will be the legacy body for its professionalization work. Social work is a protected title, and anyone working as a social worker must be registered, and can only be registered if they meet the agreed entry standards (relevant degree qualification). Social workers are required to engage in continued professional development to maintain their registration. This has been an hours based system, but will change to an outcomes based system when registration moves to the HPC.

³ Appendix 1 gives an overview of the sector and Appendix 2 lists membership services that will be available to College members.

3.4 A Business development process and plan for the set up of The College as a separate legal entity was approved by the first meeting of the Interim Board. This is also available on The College website.

3.5 The Interim Board published its Strategic Vision for The College in December 2010. This is available on The College website.

3.6 The Interim Board followed its development process, and attempted to work with BASW to build a unified college across the UK.⁴ TCSW has a clear vision of what the college is for, how it will function, why it is needed and a plan to move that forward. TCSW has a clear remit from government and the Social Work Reform Board. BASW has its own vision of what a professional body should do on the basis of why it had been set up and how it has operated over the past 41 years. We spent 21 months negotiating with BASW to build a joint united college. By September 2011 it was imperative that we proceeded to establish the college as a legal entity, implement the vision of the college, and begin the essential work to embed professional standards developed for the Reform Board and now handed to TCSW. We had public funds to deliver within a timeframe, and we were too far apart to be able to delay and negotiate over an extended period. The door remains open for further discussions once TCSW is established.

3.7 The Interim Board therefore continued with its plans to establish TCSW as a legal entity. Given that as a legal entity the Board would have significantly more legal duties and responsibilities, the Interim Board established a Nominations Committee to screen applications from Interim Board members who wished to become Transition Board members. (It is a Transition Board because it will give way to an elected Board once TCSW has paying members).

3.8 The Transition Board has now agreed the Articles of Association, and these plus the names of the first Directors have been lodged with Companies House. Governance, organisation and staff policies have been agreed. The Transition Board will shortly agree financial policies and procedures.

3.9 The Interim Board also decided to separate corporate governance from professional leadership, and to establish a Transition Professional Assembly, initially comprised of those Interim Board members not part of the Transition Board. The Transition Professional Assembly will be recruiting additional members, and expects to meet for the first time in December or early January.

3.10 When TCSW has paying members, elections will be held for the Board and Professional Assembly. The Professional Assembly will be made up of elected Chairs of faculties and communities of interest. A Nominations Committee will scrutinize and support the process of elections to both the Board and the Assembly.

3.11 Accountability for the start up funds rests with SCIE, who have chosen to work through the Interim Board and now the Transition Board to exercise this accountability in order to ensure professional engagement and leadership from the outset.

4. THE RELATIONSHIP WITH UNISON

4.1 As the professional college, TCSW will exist as the professional voice of social work, setting professional standards and supporting and empowering members to adhere to them. Other professional colleges exist to do this, such as the RCN, and TCSW is modelling itself on colleges for other professions.

4.2 Other colleges for other professions operate as trade unions and as professional bodies, but we did not see the benefit of setting up a new trade union as UNISON already has almost half of all social workers in membership.

4.3 A collaboration with UNISON will enable us to be a professional body, to separate workplace representation and support from professional information and advice that the college will offer, and to offer membership benefits valued by members. Other colleges have told us that this, along with professional indemnity insurance, is the most valued membership benefit. It will not be compulsory to join UNISON when joining TCSW, but we expect most members in employment to benefit from the workplace protection offered by trade union membership. This is a similar arrangement to that of the College of Occupational Therapists with UNISON. It is like the range of commercial arrangements that other organisations offer, for example, applying for a passport through the post office. We will remain entirely separate organisations.

4.4 TCSW needs to build a large membership base quickly, in order to achieve long term sustainability. As almost half of all social workers are in membership of UNISON, a collaboration to offer joint membership provides the opportunity to build a membership base speedily which will provide a sustainable future for TCSW.

5. ENGAGEMENT WITH THE PROFESSION AND THOSE IT SERVES

5.1 A major consultation exercise was carried out in 2010, which included:

- 12 events for social work practitioners and managers were held across the country between May and September 2010. The topline findings have been published on The College website;

⁴ A detailed chronology can be supplied and is publicly available

- 20 events for service users and carers, commissioned from Action for Children, User Voice, Social Care Association, University of Sussex, Innovations in Dementia, and NCIL. Reports from the events were written up, and findings presented to the Interim Board, and are published on our website; and
- an online consultation questionnaire: 920 people responded to the questionnaire. The findings from the consultation have been drawn together and presented to the Interim Board. The topline findings have been published on The College website.

5.2 Detailed information was provided to the Interim Board on workforce data and on current and likely developments. This information, combined with the consultation results, has been the reference point for the development of the strategic and business planning of The College.

6. IMPACT

6.1 Our job is to make sure that social work is effective and works. We will uphold standards of entry, training, continuous professional development and career development. We will make sure that social workers can exercise professional judgement with confidence and competence.

6.2 At times, social workers need to assert their professional judgement to their employers. Social workers have told us that in complex case conferences, colleagues from other professions turn to their college to seek advice on how to apply their professional standards. TCSW will provide that advice to social workers.

7. MEMBERSHIP SERVICES DEVELOPMENT

7.1 We have begun to pilot new services for members. This includes a pilot to provide an online professional practice “helpdesk” and information service, the development of a mentoring scheme, and the development of work to enable members to access journals online so that they can easily obtain information on evidence based practice. A pilot e-portfolio is being developed and tested to establish social workers’ needs in relation to CPD, and how we can support these.

7.2 All pilots are being evaluated in order to ensure robust plans for roll out.

8. BUSINESS MODEL

8.1 TCSW will be funded by;

- Membership subscriptions.
- Management fees to undertake a range of assignments, including the distribution of the Social Work Education Grant.
- Consultancy fees to employers and HEIs.
- Grants.
- Income from advertising, sponsorship and events.

8.2 It is expected that all sources of income will take some time to develop. In order to gain a critical mass of members, provide appropriate trade union support to members and ensure that TCSW is viable, we are developing an agreement for a joint membership arrangement with UNISON, which has approx 40,000 social workers in membership.

9. THE SOCIAL WORK EDUCATION GRANT

9.1 This is a grant from the Department of Health distributed by the General Social Care Council, (GSCC) which funds practice placements for social work students. As the GSCC is to close, and the HPC will not take on the distribution of this grant, the Department of Health has asked TCSW to undertake this work. We are pleased at the opportunity that this will provide to drive up quality of practice placements, and so assist our work to improve standards in the profession.

9.2 As in any other arrangement of this type, a management fee will be taken from the grant in order to cover the organisational costs of distributing it. This is normal practice in business and charities. The grant will be held in a restricted fund and used solely for the purposes for which it is intended.

10. RELATIONSHIP WITH OTHER TRADE UNIONS

10.1 TCSW has contacted all Trade Unions recognised to the TUC and with social workers in membership to invite them to join a Trade Union forum which would meet regularly to exchange information about shared policy concerns. We remain committed to collaborative working with all recognised Trade Unions.

11. UK DISCUSSIONS

11.1 Meetings have taken place in Scotland. A meeting in Northern Ireland is scheduled for early December, with key stakeholders, and the Care Councils have written jointly to the Co-Chairs to propose a meeting to explore the implications of the closure of the GSCC for issues of shared concern with TCSW. The College is

committed to working across the UK in accordance with devolution and the wishes of social workers in each of the devolved countries.

APPENDIX 1

SECTOR OVERVIEW

TCSW has worked hard to establish productive and collaborative working relationships right across the sector, and this has been very successful in all but one instance (with BASW). There is no other college in the sector, and few bodies that focus specifically on social work.

The social work and social care sector landscape comprises:

- (a) Sector Skills/employer bodies—Skills for Care (adults) and CWDC (children’s)—closing in 2012—these bodies cover social care and include social work. They have developed programmes of support for Newly Qualified Social Workers, and programmes of investment for local authorities to recruit, support and develop social workers. TCSW is establishing a programme of employer support and challenge. TCSW is also establishing a process to provide national quality assurance to newly qualified social workers, when the Assessed and Supported Year of Practice is introduced by the Reform Board (expected to be in 2012–13).
- (b) Regulators—CQC, Ofsted—who regulate provision, and GSCC (transferring to HPC) who regulate individuals.
- (c) Developers—Research in Practice, SCIE and a range of smaller organisations, who collect and disseminate good practice in social care, including in social work; HEIs and other research institutions who undertake relevant research.
- (d) Professional associations⁵—the largest is BASW, but there are many other smaller professional associations, focussed for example on particular specialisms (eg Guardians ad Litums, or Palliative Care).
- (e) Providers—CAFCASS employs more social workers than any other agency, but many other providers right across the social care sector employ social workers.
- (f) Local Authorities—the majority of social workers are employed by local authorities, so LGA, SOLACE and ADASS/ADCS are crucial networks.
- (g) User and Carer Led organisations—there are a number of national and local organisations with whom TCSW has built relationships. TCSW will set up a Service User and Carer forum, from whom it will draw service users and carers to sit on its governance and working group structures.
- (h) HEIs—currently 83 Universities in England provide the initial education qualifying course for social work. Practice placements are a vital part of this qualifying course, as is service user engagement. The Social Work Education Grant, currently distributed by the GSCC, will pass to TCSW in July 2012 for distribution. The HEI community share practice via SWAPbox which will pass to TCSW in autumn 2012. TCSW will be endorsing initial and post qualifying education and training from autumn 2012. Criteria are currently in development.

APPENDIX 2

MEMBERSHIP SERVICES

TCSW will provide the following range of membership services, in line with other colleges for other professions.⁶ Membership subscriptions will attract tax relief. Membership is likely to cost £270 a year for full members, £10 a year for students (affiliates) and £60 a year for associate members. Those social workers already in membership of UNISON will pay TCSW the difference between their current union dues and the full price of membership (likely to be about £60 a year). These subscription rates will be confirmed by the Transition Board in the near future.

MEMBERSHIP SERVICES AVAILABLE FROM JANUARY 2012:

- A monthly eMagazine.
- Access to a range of online journals, including peer reviewed journals.
- Professional Indemnity Insurance (£2 million cover).
- Public Liability Insurance for self employed members (£5 million cover) and access to specialist legal advice for conduct/fitness to practice and ISA hearings at no extra cost.

⁵ The difference between a college and a professional association is fundamentally that a college holds and upholds standards for the profession. Colleges do this by endorsing initial education courses, by setting and charging for examinations, by supporting cpd, etc. Colleges act as the voice of their profession, and provide a range of membership benefits to attract and retain membership subscriptions.

⁶ We have had considerable advice and support from a number of colleges/Royal Colleges about valued functions and membership services, and undertook an extensive consultation with the profession in 2010 to inform our plans.

- Representation and employment advice from joint membership with UNISON for employed members.⁷
- Professional practice information and support via an online helpdesk service.
- Peer mentoring support.
- Membership of communities of interest and online forums (continued development with the full involvement of members).

AVAILABLE FROM APRIL 2012

- Access to an ePortfolio (developed by members) to keep track of CPD and support re-registration requirements, including signposting to learning resources and access to online journals.
- Practical tools and resources.
- Discounts to conferences and events.

AVAILABLE FROM JUNE 2012

- A directory of endorsed education and training providers.

January 2012

Supplementary written evidence submitted by The College of Social Work

Thank you for inviting Maurice Bates, Interim Co-Chair to give evidence to the Education Select Committee.

1. Following the hearing on 8 November 2011, we are pleased to attach the following documents. We are also making these public on our website.

- 1.1 The full Memorandum of Understanding with UNISON. Please note that this document is an agreement that forms the basis of talks between The College and UNISON and is not binding on either party.
- 1.2 The letter from Hilton Dawson to Maurice Bates of 4 May that was referred to during the hearing. You have a paper copy of this; an electronic copy is attached and we have redacted Mr Dawson's private address and the name and address of his personal lawyer in this electronic version, to protect privacy.
- 1.3 We also thought that it might be helpful to you to have a copy of the Risk Assessment that was referred to at the hearing, and this is attached.
- 1.4 Finally, we attach a copy of the advice we received from the independent facilitator who was working with BASW and The College, following the letter from BASW to SCIE proposing to move straight to establishing a legal entity with three members of their Council and nominees from SCIE from the Interim Board of The College.

2. We noted that the Select Committee asked about the numbers of social workers and where they are employed. This was the information that we provided:

- 2.1 According to The General Social Care Council's register, there are currently approximately 102,000 registered social workers in England of whom approx 18,000 are students (June 2011).
- 2.2 Figures for the UK suggest a total of 128,000 registered social workers, around 22,000 of these are social work students (May 2011).
- 2.3 BASW has 14,500 members and UNISON has 43,000 social workers in membership.
- 2.4 Analysis of the register shows that 71% of social workers registered employed by local authorities, 6% by independent sector care providers, 6% by employment agencies and smaller proportions by a wide range of other organisations plus some self-employed. The figures are changing, and it is expected that more social workers will become self employed in the future.

3. The Committee also asked about the subscription rates for The College, and these are given below, along with membership categories and eligibility.

3.1 Membership categories:

- Registered member (ie a social worker registered with the GSCC).
- Member (ie a qualified social worker whose job does not require them to register with the GSCC).
- Affiliate member (ie social work student).
- Associate member (ie non qualified but interested people, such as service users, carers, managers of social workers or retired social workers).

⁷ There will be an opt out facility for social workers who do not wish to belong to a trade union

3.2 The proposed rates for these categories are:

- Registered member—new—£270 pa (likely to be shared 50/50 with UNISON but not for self employed members—see below).
- Registered member—existing UNISON members—£60 pa.
- Member—new—£270 pa (likely to be shared 50/50 with UNISON but not for self employed members—see below).
- Member—existing UNISON member—£60 pa.
- Associate member—£60 pa, or, for unwaged, £10 pa.
- Affiliate member (student)—£10 pa(likely to be shared 50/50 with UNISON).

3.3 *Self employed members*

College members who are self employed will be offered public liability insurance instead of trade union membership. (All members will be offered professional indemnity insurance).

3.4 *Opting out of UNISON membership*

College members who are employed will be offered joint membership with UNISON, and may opt out of that, for no reduction in fees. They can also decide to be associate members for £60 a year, which gives access to the membership magazine, some communities of practice and practice guidance, but not to insurance or individual practice advice.

January 2012

Written evidence submitted by The British Association of Social Workers (BSAW)

1. WHY DO WE NEED A COLLEGE OF SOCIAL WORK?

Social workers have the skills to reach out to the most vulnerable and excluded people in our society to work with them to transform and, sometimes, save lives. Yet our profession is not always well understood or recognised. While thousands of social workers do excellent dedicated work there have been well publicised occasions when social work, sometimes with better support and understanding, could do better.

As the professional association, BASW believes that social work will be improved when social workers themselves take greater responsibility for their own profession and, through their own organisation, set and maintain the highest standards of professional development.

The British Association of Social Workers (BASW) is built upon 41 years of the commitment and ambition of its now 14,000 members who remain true to the aspirations of its founders: to have a professional organisation with a similar standing and status as the well-known professional colleges associated with other professions. BASW's membership has been growing by more than 8% per annum for the past three years but we want to be part of a much larger body, funded by and accountable to 100,000 social workers across the UK, able to speak authoritatively to the public, to service users, to governments and to employers; independent yet powerful enough to make a real difference. BASW members reiterated this commitment at our Additional General Meeting on 1 November 2011.

In 2009, as members of the Social Work Taskforce, BASW proposed the idea of a College of Social Work and commissioned research which formed the basis of lobbying to try to ensure that the idea was approved.

2. CONFLICTING IDEAS OF HOW TO FORM A COLLEGE OF SOCIAL WORK

The Social Work Taskforce final report, published on 1 December 2009, identified the need for a strong single voice, giving unifying leadership to the profession, and proposed that there should be a National College, in accordance with its own remit, for England.

BASW had already approached the Secretaries of State for Education and for Health to offer to play a central but not dominating role in an inclusive UK-wide College, working closely with other membership and academic organisations to do so. *We never envisaged government money should be used to support this venture.*

Instead, a £5 million, two-year contract to “midwife” the College was given to the Social Care Institute for Excellence (SCIE), without a tendering process. The rationale was the perception of SCIE as having a track record of establishing new organisations, combined with it not being “a non-departmental body”, albeit it is funded almost entirely by public funding.

The College, established and supported by the departments of education and health, remains a project of the Social Work Reform Board (SWRB), which was itself set up to implement the findings of the Social Work Taskforce.

We strongly believe, and voiced at the time, that this is the wrong way to establish a College. No other profession has had its College established for it in this way.

3. A FLAWED VISION LED TO A FLAWED AND DUBIOUS IMPLEMENTATION

The role of central government

The government wanted a body which would meet the needs, in England, identified by the Taskforce. During 2011 this became more pressing, due to changes in policy, including:

- The planned closure of the General Social Care Council (GSCC) and the need to find a home for running the post-qualifying education system for social workers, since this does not transfer to the new regulator.
- The need of the Department of Health to reduce costs by finding a new organisation to disperse the £25 million Social Work Education Support Grant. BASW has raised with the Prime Minister its public probity concerns about gifting this contract, again without a tendering process, to the College with a £1.25 million management fee that is now crucial to the College's business plan.
- The need for the Social Work Reform Board to find a home for the “products” it has developed around education and careers development work.

A project that started out to represent the profession, to be run by members and paid for by their membership fees, has now become a body driven by the needs of the government to manage its social work programmes in England.

The UK dimension

Social work is a devolved function and is developing in different ways across the UK with considerable pride, much of it justified by the devolved nations supporting social work better than in England. There has been a consistent call from the profession, including BASW, that any College should be established as a federal UK organisation developing in accordance with devolved institutions in Scotland, Wales and Northern Ireland. The view that it should be established in England first and then opened up to the other nations has been loudly rejected by social workers and governments in those countries. The refusal of those currently promoting the College to take account of these demands undermines the future credibility and viability of the organisation.

The role of local government

The Social Work Taskforce focussed primarily on social work as practised within local authorities. This was because it was set up in the aftermath of concerns about child protection highlighted by the death of Peter Connelly. This focus has remained in the work of the SWRB and is prevalent in the planning for the College.

This mind-set already disadvantages the increasingly large numbers of social workers employed outside of local government. Social workers now work as independent consultants, in co-operatives, social enterprises and not for profit organisations, in private and voluntary organisations, as well as in the public sector.

Establishing a College based on the services provided by local authorities is not appropriate. Service delivery and local government provision models are changing rapidly.

The role of Unison

The decision by the Interim Board to work with only one organisation which represents social worker interests is extraordinary. For that organisation to be Unison—the main trade union representing local authority staff—confirms the view that this proposed College is a government/local government dominated body for England. The deal automatically makes all members of the College members of Unison, *which is helpful to Unison at a time of falling membership numbers.*

An exclusive and massive discount on College fees for Unison members has led to other trade unions complaining about Unison to the TUC and to BASW raising concerns with the Chair of the Public Accounts Committee and the National Audit Office. The Interim Board of the College is clear that its business model depends upon service and financial arrangements with Unison. This level of dependency, on a trade union where social workers form only 3% of its total membership, is unacceptable to many in the profession. The refusal of the Interim Board and SCIE to disclose the details of the arrangement is also wholly unacceptable when there has been no tendering process for trade union services.

The role of SCIE

The “midwife” relationship with SCIE has changed to co-dependency. The College is clearly working to a service level agreement which ties in SCIE services. None of this has been made transparent by the College or SCIE, but helps secure the future of SCIE itself.

4. QUESTIONABLE STANDARDS IN NEGOTIATIONS WITH BASW

Following a referendum of BASW members, which backed the Association's vision of a Social Work College, BASW re-entered discussions with SCIE in May 2010. In November 2010 BASW agreed with the

newly created Interim Board to enter into talks about a potential merger, identifying its interest in making an exclusive deal with Unison as a key issue.

On 3 December 2010 the College sent BASW a press release announcing that it had made an exclusive deal with Unison. To this day, even after repeated requests, both have refused to disclose the full details of this in public or in private.

BASW requested urgent meetings to discuss this matter but was repeatedly turned down. In response BASW launched itself as the College of Social Work across the UK in January 2011, utilising the company registration which we still legitimately retain. The response of Tim Loughton and Paul Burstow was to ask BASW to take part in discussions with the Interim Board. We were pleased to do so and were delighted that these meetings, chaired by civil servants, led to a Memorandum of Understanding (MoU) with the Interim Board which entirely incorporated our vision of a College and which recognised the aspirations of our members that the College should have its own trade union arm. It also declared that all negotiations with third parties would be a joint responsibility.

Once the MoU was signed the atmosphere changed

Joint Working Group meetings between BASW and the Interim Board were hampered by the absolute refusal by its co-chair, Maurice Bates, to allow any discussion of the proposed Unison deal. On one occasion he walked out of a meeting, bringing it to an abrupt end. BASW's requests to meet with Unison were rejected by the Interim Board and Unison.

The refusal to discuss the relationship with Unison undermined the good work we were doing jointly to develop a UK College of Social Work.

In early August 2011, we entered mediation to find a way through the impasse on the trade union issue and the associated distrust that had developed. The outcome was a renewed joint commitment to working together, including new arrangements that would improve upon the failed Joint Working Group structure. We jointly appointed an Independent Advisor to help us but, to our dismay, we later learnt that she provided a critical report to the Interim Board but not to BASW.

A joint staff initiative designed a new structure: a Transition UK Board of Directors, a Transition Professional Practice Assembly and a Transition England Council, with equal membership from both organisations. BASW Council agreed to this, identifying members for each transition body and making preparations for individual directors to stand down in order to avoid conflicts of interest. BASW understood that the Interim Board was also committed to these changes and wrote to SCIE to propose that we move to this new structure. BASW had also been informed, following the mediation meeting, that SCIE officials no longer had confidence in the Interim Board to fulfil its functions, so thought we were offering SCIE a helpful way of enabling it to fulfil its government contract. We received a reply indicating that this would be reviewed by the Interim Board and the SCIE Board.

On 21 September, we received notification from the Interim Board to say it had completely withdrawn from negotiations with BASW. Attempts to have dialogue with SCIE or the Interim Board since then have been refused.

Ministers, Tim Loughton and Paul Burstow, have also refused to help us to get back round the table. The rationale given is that the College must focus on getting up and running by 3 January 2012 and discussions with us are an unnecessary distraction. Speed, it seems, is now a priority over principles or anything else.

Freedom of Information requests

The secrecy surrounding the development of the College has prompted members of the public to issue numerous Freedom of Information requests to the College. Via their online publication we have seen a "Risk Assessment" of working with BASW that was presented to the Interim Board on 12 September, and subsequently to the SCIE Board. This document combines misinformation and lies. BASW is disturbed that members of the Interim Board, SCIE Board, Ministers and have been deliberately misled as to the outcome of Joint Working Group discussions, and given such a distorted picture of our organisation.

5. CURRENT SITUATION

The College of Social Work (registered company name of TCSW):

- Has no paid-up members, only prospective members who have joined a mailing list to be kept up to date on developments.
- Has two Memoranda of Understanding: one with Unison which it has only partially disclosed and one with BASW which it has breached by unilaterally withdrawing from negotiations.
- Has entered into a deal with Unison to provide College services to its members at fees of either £60 or £135, both of which seem to be unsustainable.
- Is about to utilise public funds to compete for members offering exactly the same services as an independent organisation funded by its members.

YET

- Government is giving it responsibility for running the post-qualifying education system for social workers left by the demise of the GSCC.
- Government is supporting its ownership of the “products” developed by SWRB in respect of professional practice and career development.
- Government has grafted-on administration of the £25 million Social Work Education Grant.

The current organisation is already discredited—through dubious deals between self-interested individuals and organisations behind closed doors, using public funds to deliver social work into the hands of Unison. Hidebound by allegiances to local government hierarchies and one huge trade union claiming to speak up for social work from SCIE’s expensive publicly-owned offices near Trafalgar Square, why is this the College being developed when what we need is a College which is ethical, transparent, independent, challenging and accountable only to its members?

6. SOLUTIONS

BASW has written twice to the Prime Minister to set out its concerns about the public scandal which has been allowed to develop and to explain the willingness of our members to transfer all of our 14,000 membership, our staff and millions of pounds of assets into a College which is founded upon ethical and sustainable principles.

BASW wants to work with all the social work membership organisations to create, together, a real member-led professional College of Social Work across the UK. We will form a College Board with representatives of all the organisations to develop this model. We will commit ourselves to working with all trade unions with social workers in membership, including the Social Workers Union and Unison, to form a Trade Union Forum with a constitutional link to the College.

Together, the new College Board can work with SCIE and the GSCC to ensure that their needs are met and that any good work done as part of the development of the current project is not lost.

We would want to discuss with government how it can develop a tender for the Social Work Education Support Grant which the College can monitor on its behalf but not run itself. This is likely to be cheaper than the current option.

We also want to explore with the GSCC and universities alternative funding mechanisms for the post-qualifying awards framework, so that the costs are not born by the College members to run academic programmes.

The College should never have been funded by Government. BASW remains as willing as it was two years ago to provide the secure sustainable, independent foundation that the College needs, to do it—literally—tomorrow, and to do it at no cost to the public purse yet to be held accountable for its success.

BASW would be grateful for the support of the Education Select Committee.

APPENDICES

Links to useful supporting evidence

Appendix 1: BASW’s rebuttal of the Interim Board’s Risk Assessment document
also available at http://cdn.basw.co.uk/upload/basw_103342-7.pdf

Appendix 2: Interim Board’s original Risk Assessment document
also available at http://cdn.basw.co.uk/upload/basw_103426-6.pdf

Appendix 3: 14 October letter to PM
also available at <http://labs.basw.co.uk/college/letter-to-pm>

Appendix 4: 2 November letter to the Prime Minister
also available at <http://www.basw.co.uk/college/letter-to-pm>

Full schedule of supporting documents also attached, and to be supplied separately.

Note: These appendices have not been republished by the Committee

January 2012

Memorandum of Understanding detailing formal discussions on a future Service Level Agreement between the College of Social Work and UNISON

INTRODUCTION

This memorandum of understanding describes the principal terms and agreed actions for discussions with a view to reaching a Service Level Agreement between UNISON and the College of Social Work. The Service Level Agreement will enable UNISON to provide trade union services to social workers recruited into membership by the College of Social Work, and encourage the social work membership of UNISON to join the College of Social Work. Both organisations believe that together we can make significant improvements to the profession, with the College of Social Work providing professional advice and UNISON providing employee representation services. UNISON and the College of Social Work are committed to supporting a strengthened social work profession, and to work together to achieve this.

1. Purpose of this memorandum

The purpose of this document is to identify the nature and scope of formal discussions between UNISON and the College of Social Work. The document also identifies a timeline within which these formal discussions will take place and the organisational processes for approval of the subsequent Service Level Agreement. Nothing within this memorandum of understanding is intended to be legally binding and it is confidential to the parties and their advisers. It is for the benefit of UNISON and the College of Social Work and is not intended to benefit, or be enforceable by, anyone else.

2. Nature and scope of formal discussions

This document confirms that both organisations enter formal discussions with the shared objective of: providing College members with trade union services through access to UNISON membership; and providing UNISON members with access to College membership for an agreed fee. To facilitate discussions the College of Social Work will supply its membership eligibility criteria to UNISON at the earliest opportunity.

The aim of the formal discussions will be to reach a Service Level Agreement which covers:

2.1 Local support

UNISON membership benefits include access to employment related advice at a local level while the College of Social Work membership benefits include provision of professional advice. Local support will include the implementation of standards in respect of workloads, skill mix, training, continued professional development, professional supervision and the management culture that employers should be working towards.

The Service Level Agreement will include a clear description of boundaries of professional advice from the College of Social Work and employment advice from UNISON and a protocol to ensure correct handling of all enquiries.

2.2 Representation

UNISON membership benefits cover:

- advice and assistance on pay, terms and conditions issues;
- workplace and legal advice and representation on work-related and other issues; and
- advice, support and representation for members referred to the social work professional regulator and/or the Independent Safeguarding Authority.

The following issues will form part of discussions on the Service Level Agreement:

The College of Social work will develop mechanisms around membership eligibility if a social worker is struck off the professional register which will include an agreed process with UNISON as the representative.

Proposals and costings for the provision of advice, support and representation by UNISON for self employed/independent members of the College who are referred to the social work professional regulator and/or the Independent Safeguarding Authority.

2.3 Collective bargaining

UNISON is a recognised union with national and local collective bargaining rights for local government. UNISON also has recognition and collective bargaining agreements with a range of other employers of social workers including in the NHS, CAFCASS and the voluntary sector.

2.4 Branch organisation

Members will be allocated to the appropriate UNISON branch as determined by the member's current employer. It is through the branch organisation that UNISON members have the opportunity to express their views, get advice and seek help and representation.

2.5 Reciprocal arrangements with other trade unions

It is intended that the Service Level Agreement will cover the development of dual membership schemes between UNISON and other trade unions for example UCU who represent social work lecturers.

2.6 Jurisdiction

The Service Level Agreement will cover England in the first instance. The Interim Board of the College of Social Work has agreed in principle that the College of Social Work is pursuing the potential to operate across the UK but not immediately. Further discussion will be required in the future should the scope of the College membership extend beyond England.

2.7 Membership and financial information

Discussions will take as their starting point that membership of the College of Social Work and UNISON will cost an individual £270. The following items will be resolved through detailed discussions to arrive at a service level agreement between UNISON and the College of Social Work:

- (i) Mechanisms to maximise take-up of College of Social Work membership from the existing UNISON membership of 40,000 social workers, with a working assumption that UNISON members will pay £60 a head for membership.
- (ii) Mechanisms for UNISON and the College to work together to ensure that a minimum of an additional 10,000 members are recruited to the College during its first year of operation, with subscription income split between UNISON and the College of Social Work on a 50:50 basis.
- (iii) Agreement on measures such as a phased payment schedule to assist the College manage its cashflow.
- (iv) Agreement of the membership subscription rate for students likely to be £10 per year.
- (v) Agreement on subscription fee levels for part-time workers.
- (vi) Mechanisms and a protocol to govern the exchange of appropriate membership information between the separate membership databases of UNISON and the College.
- (vii) Confirmation that subscriptions from members of the joint College of Social Work-UNISON membership scheme would not contribute to the Union's Political Fund.
- (viii) Confirmation that the College will be seeking an early agreement with HMRC in respect of tax relief on subscriptions and UNISON will assist in these discussions in any way we can.
- (ix) A joint UNISON and College of Social Work membership recruitment strategy.

2.9 Joint work on shared concerns

A work programme will be agreed between the College and UNISON to address areas of mutual concern. This will include the commitment of UNISON staff and resources.

2.10 Maintenance of separate identities and governance

UNISON and the College of Social Workers will develop protocols governing major policy issues. This will include recognition that the parties will collaborate wherever possible to formulate unified responses but that the positions of each party may be different and an agreement about how any differences will be handled in the media and in policy forums. Arrangements will be established to ensure that the College of Social Work is able to influence policy development by UNISON and vice versa at the early stages of policy formulation.

Reciprocal governance arrangements will also be agreed and will include consideration of UNISON participation on the interim Board of the College of Social Work and College of Social Work participation on UNISON's National Social Care Forum.

The College Chair(s) will be invited to attend UNISON's national events and conferences as appropriate.

3. *Negotiations leading to Service Level Agreement*

The discussions leading to a Service Level Agreement will take place with a view to having a draft service level agreement by June 2011 and final agreement by September 2011. The discussions will be non-prejudicial and all points will be subject to ratification by each organisation's democratic structures before agreement is reached.

The College of Social Work will not enter into any discussions with any other trade union in relation to the subject matter of this memorandum of understanding whilst these discussions are in progress.

Once discussions are concluded and agreed by both organisations a formal agreement and contract will be written forming a Service Level Agreement.

Each party is responsible for its own costs in connection with the preparation and negotiation of the Service Level Agreement (including the preparation and negotiation of this memorandum of understanding), and with any delays in agreeing and finalizing the Service Level Agreement.

UNISON will designate a National Officer (Helga Pile) as the liaison officer for the discussions. This officer will attend and report to the Board of the College of Social Work as required.

The College of Social Work will appoint a member of staff to undertake this role from their side of the relationship, (Dorit Braun). They will meet at regular intervals to monitor progress.

4. *Service Level Agreement*

The Service Level Agreement formed as the result of negotiations will be subject to English law and will include the following detail:

- Aims and objectives of the partnership between UNISON and the College of Social Work.
- Duration of the initial agreement and detail of rolling renewal.
- A continuous monitoring and an annual review clause.
- The notice period required if either party wishes to terminate the agreement.
- Post-termination consequences and obligations of expiry or termination.
- The process and requirements for terminating the agreement should either partner desire this.
- The categories of members covered by the partnership.
- Each organisation's rules for removal of members.
- A description of the trade union services that UNISON will provide to College of Social Work members.
- The financial formula and payment schedule for subscription income—frequency, provisions for late payment etc.
- Processes and frequency for exchanging, inspecting, auditing and reconciling membership records.
- A protocol for appropriate referral of employment and professional issues
- Provision and circulation of appropriate advice notes and reference material
- Reciprocal governance arrangements.
- Member complaints procedures.
- Data protection clause.
- Intellectual property clause.
- Confidentiality and publicity clause.
- Non-solicitation of staff clause.
- Dispute resolution clause.
- Assignment and novation clause.
- Limitations on liability.
- Appropriate warranties and representations.
- Costs clause.
- Notices clause.
- Waiver and accumulation of remedies clause.
- Entire agreement, variations and third party rights clause.

IN WITNESS THEREOF, the PARTIES hereto have accepted this Memorandum of Understanding.

By: _____

Name of College of Social Work representative

Title

Date

By: _____

Name of UNISON Representative

TITLE

DATE

January 2012

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