



Llywodraeth Cymru  
Welsh Government

PUBLICATION

# Social Care Fair Work Forum: annual progress update 2023

The Forum's progress against its fair work priorities in the social care sector during 2021 and 2022.

**First published:** 23 March 2023

**Last updated:** 23 March 2023

**This document was downloaded from GOV.WALES and may not be the latest version.**

Go to <https://www.gov.wales/social-care-fair-work-forum-annual-progress-update-2023-html> for the latest version.

Get [information on copyright](#).

# Contents

[Our vision: working in social partnership](#)

[Our progress against our Fair Work priorities](#)

[Emerging priorities for the Forum in 2023](#)

[Further information](#)

**This document was downloaded from GOV.WALES and may not be the latest version.**

Go to <https://www.gov.wales/social-care-fair-work-forum-annual-progress-update-2023-html> for the latest version.

Get [information on copyright](#).

# Our vision: working in social partnership

The Social Care Fair Work Forum was established in September 2020, bringing together government, employers and unions to work in social partnership to look at how the definition of fair work should be applied for social care workers in Wales. Throughout 2022 and through collective partnership discussions, the Forum has continued its work to set out what good working practices and fair work should look like in social care.

The Forum is clear that improving pay, terms and conditions for care workers is not only beneficial for workers but also for employers and people who receive and rely on care and support. It is also vital in tackling recruitment and retention issues which lead to improved quality of care.

There is a clear moral case for improving terms and conditions in the sector. Those who care for our loved ones through the most difficult of times should not be amongst the least valued and rewarded in our society.

This report provides a progress update against the Fair Work priorities we had established as well as highlighting the emerging issues the Forum will aim to address in 2023.

## Our progress against our Fair Work priorities

### Parity on terms and conditions through collective bargaining

While some sections of the social care workforce benefit from terms and conditions that have been agreed by collective bargaining arrangements, many social care workers are based in the independent sector and are not covered by

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/social-care-fair-work-forum-annual-progress-update-2023-html> for the latest version.

Get [information on copyright](#).

these arrangements.

A Forum Task and Finish Group has been considering how a unique model of collective bargaining could be developed for the independent social care sector in Wales. This model would ultimately incorporate many Fair Work elements currently being progressed by the Forum, such as the recognition and progression framework or sick pay outlined below, for example.

During 2023, the group will agree and establish its broad principles and vision for collective bargaining and provide initial options for voluntary membership. It will then engage with the sector ahead of a phased approach to implementing and testing a voluntary collective bargaining arrangement for social care in Wales.

## **A fair recognition and progression framework for the whole sector**

The Forum has been working to clarify what good practice terms and conditions should look like for those delivering social care and has made progress in beginning to develop a related reward and recognition framework.

Focusing on direct care within the sector in the first instance, a Task and Finish group has worked with HR experts across the sector to develop a draft Framework which has been scrutinised and endorsed by the Forum. This framework sets out a series of role descriptors for social care and outlines the responsibilities associated with these.

Social Care Wales has been working on behalf of the Forum with Hugh Irwin Associates to lead a sector-wide engagement and consultation exercise that will take place in March 2023. The framework will be adjusted in light of the engagement exercise before being included in the forthcoming Welsh Government consultation on national commissioning guidelines which will be

**This document was downloaded from GOV.WALES and may not be the latest version.**

Go to <https://www.gov.wales/social-care-fair-work-forum-annual-progress-update-2023-html> for the latest version.

Get [information on copyright](#).

launched in April 2023.

## **Fair reward**

### **Tackling low pay in the commissioned independent sector**

Current commissioning arrangements tend to result in pay levels that remain at the statutory minimum rather than enabling uplifts to the Real Living Wage. This means people who work in the sector experience low pay and often variable contractual arrangements which conveys an impression that caring is not a role that is valued or one to aspire to.

Forum members worked together to prepare a detailed case for the introduction of the Real Living Wage across social care in Wales and in April 2022, the Welsh Government responded with £43m of funding to local authorities and Health Boards for 2022 to 2023 to introduce the Real Living Wage to social care workers in Wales.

The Forum is pleased to note that Welsh Government has announced further funding of around £70m to be made available to local authorities and Health Boards for 2023/24 to uplift the wage of social care workers to meet the Living Wage Foundation's recommended rate of £10.90 per hour from April 2023.

During 2023, the Forum will continue to make the case for an extension of the Real Living Wage beyond social care workers to include all ancillary employees working in care homes. It will also observe implementation and examine the outcomes of an independent evaluation which is currently being commissioned.

**This document was downloaded from GOV.WALES and may not be the latest version.**

Go to <https://www.gov.wales/social-care-fair-work-forum-annual-progress-update-2023-html> for the latest version.

Get [information on copyright](#).

## **Sick pay**

Many social care employees in the independent sector do not receive sick pay. The Forum sees this as another indication of the inequalities between social care workers directly employed by Local Authorities and the NHS and their counterparts employed in the independent sector and Personal Assistants employed through direct payments. Besides the negative impact this situation has for social care workers, the lack of sick pay provision also presents a risk for those receiving and relying on care.

The Forum sees sick pay as an urgent priority for staff working in the independent sector and has already provided advice to Ministers mindful of the cost-of-living crisis and winter pressures. In 2023, the Forum will continue to look at how improvements can be made to the provision of sick pay.

## **A safe, healthy and inclusive work environment**

The Forum's task and finish group will continue its work examining the extent to which social care workers have access to safe and healthy working environments. It will consider evidence of the need for action in this area, whether further steps need to be taken to improve the working environment, and the extent to which worker voice might have a role to play in supporting a safe, healthy and inclusive working environment.

## **The experience of Personal Assistants in the social care sector**

Personal Assistants are an important part of the social care workforce and the Forum has been keen to ensure that Personal Assistants are reflected in the scope of the Forum's activities.

**This document was downloaded from GOV.WALES and may not be the latest version.**

Go to <https://www.gov.wales/social-care-fair-work-forum-annual-progress-update-2023-html> for the latest version.

Get [information on copyright](#).

Research commissioned by the Forum to better understand the roles and experiences of Personal Assistants has now been completed and is available on our website. The findings are being considered by a Task and Finish Group which includes partnership representation from the Forum, Welsh Government and across the social care sector, including employer and employee partners, as well as service users. In 2023 the Group will recommend actions to improve the experience and support for Personal Assistants and Direct Payment Recipients and help clarify their respective roles and responsibilities.

## **Emerging priorities for the Forum in 2023**

### **A new Task and Finish Group focused on Equality, Diversity, and Inclusion**

This task and finish group will work to support the implementation of recommendations related to the social care workforce emerging from the Anti-Racist Wales Action Plan. It will also consider actions needed in response to the Equality and Human Rights Commissions inquiry into the experiences of lower paid ethnic minority staff in health and social care.

### **A focus on employee rights, voice and representation**

The Forum has received repeated evidence that suggests that there is a lack of awareness of workforce rights within the social care sector. This will be considered a priority for the Forum and we will explore how best to do this during 2023 alongside a campaign to promote and raise awareness of the benefits of trade union membership.

### **Commissioning research and engagement work on the**

**This document was downloaded from GOV.WALES and may not be the latest version.**

Go to <https://www.gov.wales/social-care-fair-work-forum-annual-progress-update-2023-html> for the latest version.

Get [information on copyright](#).

## provision of micro-care services

There has been a growth in the number of micro-carers in the social care sector. Micro carers are individuals or small businesses providing care, support, or well-being services and can include personal care, respite, domestic tasks, companionship, etc. Micro-care services can be paid through a Direct Payment, through people's own funds or commissioned by a local authority.

Micro carers are not always included in social care sector provisions or arrangements – for example, if micro-care services are providing care to four or fewer individuals at any one time, they may be considered exempt from the requirement to register as a domiciliary support service with Care Inspectorate Wales.

This is a further change in the social care landscape which has fair work implications. In 2023, the Forum will consider fair work principles for micro-carers to feed into a Welsh Government stakeholder engagement exercise and inform policy development.

## Highlighting contract security and flexibility

In 2023, the Forum will work to better understand the impact of non-guaranteed hours, or 'zero-hour' contracts, on workers. Particularly, the extent to which workers are aware of their rights, and how successful the requirement placed on regulated providers of domiciliary support services has been, to offer workers on zero-hour contracts guaranteed hours, after 3 months of employment.

We will seek to accelerate the impact of the research Welsh Government has commissioned into the use of zero-hour contracts in social care in Wales. The research aims to gather further intelligence on the use of zero-hour contracts for social care workers and assesses how COVID-19 and Brexit have impacted on

**This document was downloaded from GOV.WALES and may not be the latest version.**

Go to <https://www.gov.wales/social-care-fair-work-forum-annual-progress-update-2023-html> for the latest version.

Get [information on copyright](#).



the use of these types of contracts.

## Further information

The **Social Care Fair Work Forum** was established in September 2020 following recommendation of the Fair Work Wales Commission and is independently chaired by Professor Rachel Ashworth, Dean and Head of Cardiff Business School.

The Forum is a social partnership group consisting of employers, employees, stakeholders and Government on an equal basis.

The members are:

- Association of Directors of Social Services Cymru
- Care Forum Wales
- GMB
- National Provider Forum
- Royal College of Nursing
- Social Care Wales
- Wales Trades Union Congress
- Unison
- The Welsh Government
- Welsh Local Government Association

**This document may not be fully accessible.**

For more information refer to our [accessibility statement](#).

**This document was downloaded from GOV.WALES and may not be the latest version.**

Go to <https://www.gov.wales/social-care-fair-work-forum-annual-progress-update-2023-html> for the latest version.

Get [information on copyright](#).