

## Deferrals, withdrawals and fails

This guidance is for employers and assessors who are managing a deferral, withdrawal or fail situation with a newly qualified social worker (NQSW). It's also for NQSWs who are in this situation.

Its purpose is to outline the circumstances in which:

- an ASYE programme can be postponed or suspended
- a NQSW may withdraw from the ASYE
- a NQSW has failed the ASYE.

It covers the employer's responsibilities in these circumstances but does not include the impact on NQSWs.

### Deferrals/pause of the programme

The ASYE is a 12-month programme of learning and development. A deferral is a postponement of the ASYE that provides a break in the process.

It's expected that a NQSW will be able to demonstrate their professional development within 12 months. As such, capability is not grounds for a deferral.

The grounds for deferral are limited. They include:

- long-term sickness
- parental leave
- circumstances when the employer is temporarily not able to put the required levels of support and assessment in place for the NQSW. Examples include:
  - appropriate support for someone with neurodivergence, such as dyslexia
  - appropriate support for English as an additional language
  - problems in obtaining team support e.g. finding a new supervisor where the original one is no longer available
  - in the case of a NQSW transferring into the team midway through the ASYE to allow time for an induction period
  - other exceptional circumstances.
- other exceptional circumstances. Examples include:
  - a formal investigation into an allegation relating to poor behaviour by the NQSW
  - the institution of fitness to practise procedures.

In the above circumstances the deferral may also include an agreed period for the increased levels of support to be established.

The length of the deferral period should be agreed between the NQSW, the assessor and the ASYE programme lead.

Once the ASYE recommences the amount of time outstanding should concur with the outstanding period of the programme (e.g. seven months if the deferral is agreed at five months into the programme).

Prior to deferring:

1. Undertake a review of the NQSW's progress to date. You might want to consider undertaking a formal summative review and update the assessment documentation accordingly.
2. Record the deferral on the registration portal.

Before resuming the programme:

1. Undertake a review meeting between the NQSW, the assessor, the team manager and the ASYE co-ordinator. The purpose of the meeting would be to agree a plan to support the NQSW's resumption of the ASYE programme.
2. Depending on the length of the deferral the employer may provide a period of time for the NQSW to feel comfortable with their role again before recommencing the ASYE.
3. Undertake a review of the NQSW's learning and support needs and update their professional development plan.

On the NQSW resuming the programme:

1. Update the registration portal.

Multiple deferrals for different reasons are at the discretion of the employer.

Employers should have performance management and other HR policies in place to cover these eventualities.

### **Withdrawals**

A withdrawal is a decision on the part of the NQSW to opt out of the ASYE. This typically occurs if the NQSW leaves their job. It can sometimes be a sign that the NQSW is struggling and may signal a need for additional support.

If the NQSW is still in post, the implications of the withdrawal on the NQSW's employment status are the employer's responsibility.

Where possible the employer should find out the reason for the withdrawal. It may be the result of the NQSW realising that they are not in the right profession. It's very important that the employer updates the registration portal information outlining the reason why the NQSW is a withdrawal. This will alert the system if a new employer seeks ASYE funding on their behalf.

### **Fails and appeals**

A fail is a formal decision made by the employer on the recommendation of the assessor.

In making this decision the employer should be confident that:

- all the relevant support options have been provided to the NQSW
- the assessment documentation has been fully completed
- the decision has been ratified by the internal moderation panel. Any learning for the organisation should also be identified at the stage.

It's very important that the employer completes the registration portal and records the fail decision. This will alert the system if a new employer seeks ASYE funding on their behalf.

The ASYE is most effective when it is embedded within HR performance management policies and procedures. Complications can occur when the organisation's probation period does not align with the 12 months of the ASYE. An appeals process, aligned with HR should be in place.

Skills for Care does not intervene in appeals. There is however a [protocol that is adhered to in the event of a NQSW bringing a grievance to our attention](#).

Please note - it is the employer's responsibility to notify Social Work England (the regulator) if they believe that the reason for the fail decision breaches the [professional standards](#).

Last reviewed: January 2024