

## **General information and frequently asked questions about fair pay agreements in adult social care**

### **General information**

- Fair pay agreements will set minimum pay and other terms and conditions for workers specifically in the adult social care sector. Fair pay agreements will be agreed through a form of sectoral collective bargaining. The government will set up a new 'Adult Social Care Negotiating Body' (the Negotiating Body) which will bring together employers, worker representatives, and others to negotiate pay, and terms and conditions for adult social care workers in England.
- This will be the first ever agreement of its kind in the adult social care sector, and the government anticipates this collaborative approach will help to address the recruitment and retention crisis in the sector; in turn, it will support the delivery of high-quality care and recognise care professionals for the important work that they do.
- The Employment Rights Bill (the Employment Rights Act 2025) provides the legislative framework for fair pay agreements. The Act includes a wide range of measures that will affect all employment sectors, such as changes to the zero-hour contracts, statutory sick pay, and parental leave.
- The government plans to introduce the first fair pay agreement in the adult social care sector in 2028, backed by £500 million. This funding will be given to local authorities to support adult social care providers to improve pay, and terms and conditions through the fair pay agreement. It represents the most significant investment in improving pay and conditions for the adult social care workforce to date.
- Negotiations between worker and employer representatives will shape how this funding will be used to enhance pay, and terms and conditions.

## Frequently asked questions from engagement with the adult social care sector

### Funding

**Q: Is £500 million enough funding to meet the policy intent of improving pay, and terms and conditions? What period of time will this funding cover and will it ever increase?**

- The government is making around £4.6 billion of additional funding available for adult social care in 2028/29 compared to 2025/26, to support the adult social care sector in making improvements.
- This includes other sources of income available to support adult social care, additional grant funding, and an increase in the NHS's contribution to adult social care via the [Better Care Fund](#). This £4.6 billion of additional funding includes £500m to begin implementing the fair pay agreement in 2028/29.
- This is the first ever fair pay agreement and the biggest ever direct intervention into the adult social care workforce's pay, and terms and conditions.
- The government's vision is that the fair pay agreement in 2028/29 will be the first of many negotiated in future years and it will develop over time.

**Q: How is the government going to ensure this money is allocated for care workers and not absorbed by local authority budgets?**

- Fair pay agreements will be legally enforceable. The new [Fair Work Agency](#) will help to ensure that funding backing the fair pay agreement is spent on improving pay, and terms and conditions for workers in accordance with the terms of the agreement, rather than being absorbed by local authority budgets.
- The government recognises that in preparation for the first fair pay agreement, adult social care providers and commissioners will need time, support, and guidance to navigate this sector reform initiative. The government is committed to publishing guidance to support the sector during the process.

**Q: How will the funding for the fair pay agreement account for changes in the National Living Wage up to and including 2028/29?**

- The government considered the increased cost pressures, including expected National Living Wage pressures, facing adult social care and local authorities as part of the Spending Review.

## **Consultation and engagement with the adult social care sector**

### **Q: How is the government engaging with the adult social care sector?**

- The government has been working closely with the sector since November 2024 to shape its policy thinking through the following ways:
  - **The ‘Fair Pay Agreement Working Group’**
    - A senior stakeholder group made up of trade unions, employer representatives, local government, government officials, and others. The purpose of the group is to agree aspects of policy design ahead of public consultation. This group is distinct from the ‘Adult Social Care Negotiating Body’ [or the Negotiating Body].
  - **‘Task and Finish’ sub-groups**
    - Deep-dive sessions looking at specific policy issues. The attendance of these meetings is broader than the ‘Fair Pay Agreement Working Group’ and involves subject matter experts from across the sector.
  - **Wider engagement**
    - The government has been using webinars, Q&As, and other meetings/sessions to promote the policy, raise awareness, and seek broad input to further develop policy thinking.
- In September 2025, the government launched a public consultation on the design of the fair pay agreement process – a major step towards implementing it by autumn 2028. This includes coverage and remit of who and what is in scope of fair pay agreements, the negotiating body, and process, dispute resolution, implementation, and compliance and enforcement.
- Alongside the consultation, wider engagement has occurred to ensure the government has a full cross-section of respondents across the sector.
- The public consultation closed on 16 January 2026, with an easy read version open until 6 March 2026.

## Impact assessment

### Q: Will the government undertake an impact assessment?

- The government recognises the importance of providing the sector and stakeholders with a clear understanding of the potential impacts of the proposed policy.
- The government has published an [impact assessment](#) which outlines the best current summary of the evidence on potential impacts, costs, and benefits of the fair pay agreement policy. It also includes costs associated with setting up the Negotiating Body and enforcement of a fair pay agreement.
- The impact assessment does not set out the government's position, rather it highlights the potential benefits, impacts, and key considerations that will shape the fair pay agreement process.

## Implementation

### Q: What are the timelines for implementation?

- In September 2025, the government published its public consultation and at the end of 2025, Royal Assent of the Employment Rights Act 2025 was achieved. A roadmap for implementing the Act is available [here](#).
- By autumn 2026, the government aims to complete the public consultation and finalise policy design. The government intends to draft and lay regulations in 2026 to establish the 'Adult Social Care Negotiating Body'.
- The government would expect negotiations to begin in 2027, with enough time to allow for implementation of the first fair pay agreement by autumn 2028.
- For an illustrative example of the timelines for implementation, please refer to the end of this document.

### Q: Why is it not possible to implement an agreement sooner than 2028?

- The government believes that a phased approach to implementing fair pay agreements is essential to getting this right – ensuring meaningful reform for the adult social care sector, while complementing the wider programme of workforce reforms already underway. These include changes to zero-hour

contracts, statutory sick pay, and the National Living Wage, all of which are expected to have significant impacts from 2026/27 onwards.

- The adult social care sector is one of the largest workforces in the country, comparable to the NHS. But unlike the NHS, it is made up of thousands of different employers which make it diverse and fragmented in nature – so getting this right is vital and it will take time.

## **Dispute resolution**

### **Q: Why are you proposing to use Acas for dispute resolution?**

- In its public consultation, the government sets out its proposal to use [Acas](#) for resolving any disputes that arise. This is because it believes it's important to use an independent organisation with substantial experience of collective bargaining – which Acas is.

### **Q: What about other kinds of disputes? What if there is a strike?**

- The government knows that to get fair pay agreements right, it needs to work closely with the whole sector, including trade unions.
- By working hand in hand with the trade unions, and other partners including employers and local government, the government hopes to design a process that works for everyone, and results in successful negotiations, therefore avoiding the need for a strike.

## **Adult Social Care Negotiating Body**

### **Q. Why are you saying trade unions will represent the workforce? What about people who aren't in a union?**

- The fair pay agreement will apply to all workers in scope of the agreement, whether they are a member of a trade union or not.
- The government has already outlined in legislation its commitment to have trade union representatives and people who represent adult social care employers as members of the newly established Negotiating Body.
- Beyond this, the exact details of who will be involved in the Negotiating Body have not yet been decided.

- More widely, through the Employment Rights Act 2025, the government is modernising trade union legislation to give trade unions greater freedom to organise, represent, and negotiate on behalf of workers.

**Q. Who will represent employers in negotiations?**

- The government has already outlined in legislation its commitment to have people who represent employers in the sector and trade union representatives as members of the Negotiating Body.
- The way in which employers in the sector are represented was part of the public consultation and will be considered further.

**Q. Why does the consultation say local government isn't represented on the Negotiating Body when local authorities are the ones responsible for adult social care services?**

- The government knows that local government will play a vital role in implementing the fair pay agreement given their responsibilities for the delivery of adult social care services and their role in negotiating provider fee rates and contracts, which ultimately influence workforce pay.
- The government therefore knows it is important that local government have a clear role in the fair pay agreement process.
- The public consultation set out a range of options for how local government can be involved and consulted in negotiations. Final decisions on the membership of the Negotiating Body and the role of local government will be an outcome of the public consultation.

**Q. What funding is available for the Negotiating Body to operate?**

- The government is considering the administrative support required for the Negotiating Body to operate effectively and will determine the final approach later in 2026, following the outcomes of the public consultation.
- Any funding associated with operational and administrative costs would be separate to the £500m earmarked for improving pay, and terms and conditions for the first fair pay agreement in 2028/29.

**Scope of fair pay agreements**

**Q: What is in scope of a fair pay agreement?**

- The scope of fair pay agreements is yet to be determined. Details of fair pay agreements for the adult social care sector will be subject to the negotiation process.
- The Negotiating Body's remit will include pay, and other terms and conditions of employment for adult social care workers.
- It will be possible for the scope of negotiations to be set differently each time negotiations happen to help ensure the process and resulting agreement best meet the needs of the sector at the time.

**Q: Will the fair pay agreement apply to all workers in adult social care?**

- The definition of an adult social care worker is determined by the Employment Rights Act 2025. This legislation uses a broad definition and includes anyone who spends most of their working time providing adult social care or working in connection with adult social care in England.
- The remit of the Negotiating Body might be narrowed down to different types of adult social care workers, after further consultation with the sector. Negotiations could also further narrow down which roles are in scope of the final agreement.

**Q: The agreement cannot cover self-employed workers; is this not an oversight? Will this lead to a two-tiered system?**

- This is not an oversight. Self-employed individuals set their own terms and conditions, including pay, and therefore would fall outside the scope of a negotiated agreement.
- The government understands there are concerns about the potential for self-employment models to be used in ways that may not serve those workers' best interests. The government is continuing to explore ways to avoid this.
- The government also understands that individuals may be incorrectly classified as self-employed and, therefore, may still be able to benefit from a fair pay agreement. Issues relating to self-employment will be considered in the public consultation on employment status and the government will also look at enhancing protections for self-employed workers.

## Devolution

### Q: The consultation was for England; what about fair pay agreements in Scotland and Wales?

- The Employment Rights Act 2025 enables Scottish Ministers and Welsh Ministers, respectively, to establish negotiating bodies in Scotland and Wales, recognising that social care is funded and delivered separately in each nation.
- Children's social care will also be in scope for Scotland and Wales, as this is integrated with the delivery of adult social care in those nations.
- It will be for the devolved governments to set out their own arrangements for their own fair pay agreements.
- In England, Scotland and Wales, there are some care workers who operate across borders, for example providing care to people in both England and Wales. These workers could therefore be covered by more than one fair pay agreement. The government intends to clarify this in secondary legislation, and the consultation has asked questions around this.

### Fair pay agreement public consultation and implementation timeline

