
SOCIAL SERVICES and WELL BEING ACT (WALES) 2014 IMPLEMENTATION

Purpose of Report

1. As part of the Children & Young People Scrutiny Committee 2014-15 Work Programme, which was agreed at Committee in September 2014, the Committee requested a briefing paper on the Social Services and Well Being Act (Wales) 2014. The Committee received a briefing at its meeting in January 2015 and requested further updates on the implementation of the Act. This report provides an update on the progress being made to prepare for the implementation of the Act, in April 2016

Policy Context

2. The implementation of the Act has been highlighted in the Corporate Risk Register in that “The implementation of the Social Services and Wellbeing (Wales) Act will place new duties and responsibilities upon already pressured services”.
3. The Director of Social Care’s Annual Report also highlights this as one on the key challenges for this year, namely:
 - a. Ensure strategic and operational alignment with the requirements of the Social Services and Wellbeing (Wales) Act, paying particular attention to improved outcomes for citizens, children and young people.
 - b. Sustaining and developing an effective workforce that is able to respond to the expectations associated with the Social Services and Wellbeing (Wales) Act.
 - c. Training to deliver on requirement of the Social Services and Wellbeing (Wales) Act.

Update on preparations to ensure readiness to implement the Act

4. The first tranche of regulations and guidance on parts 2, 3, 4, 7 and 11 of the Act were issued by Welsh Government in November 2014 and the results of the first public consultation which closed in February have now been published. Tranche 1 regulations and codes were refined as a result of the initial consultation and are now in the process of being laid in the National Assembly for Wales.

5. The second tranche of the public consultation was issued on 8 May 2015 and will close on 31 July 2015. Details of this tranche are set out below, together with the links to the web site which sets out more detail on the consultation process:

- Consultation on the regulations and code of practice in relation to part 5 (Charging and Financial Assessment) of the Act
www.gov.wales/consultations/healthsocialcare/part5/?lang=en
- Consultation on the Regulations and code of practice in relation to part 6 (Looked After and Accommodated Children) of the Act
www.gov.wales/consultations/healthsocialcare/part6/?lang=en
- Consultation on the regulations and statutory guidance in relation to part 9 (Co-operation and partnership) of the Act
www.gov.wales/consultations/healthsocialcare/part9/?lang=en
- Consultation on the code of practice in relation to part 10 (Complaints, Representations and Advocacy Services) of the Act
www.gov.wales/consultations/healthsocialcare/part10/?lang=en

Tranche 2 regulations and codes will go through the same legislative process as Tranche 1 in November this year.

6. To support the implementation of requirements of the Act the Welsh Government has made available the *Delivering Transformation Grant*, with an amount of £414,648 allocated to Cardiff and the Vale for 2015/16. This grant is managed by

the Vale of Glamorgan Council on behalf of the partner organisations with the Vale's Director of Social Services being the Regional Lead Director for implementation of the Act.

7. One of the requirements of the issue of Grant was to prepare a self-assessment of our readiness to implement the Act in consultation with partners. The local authorities, the Cardiff and Vale University Health Board, Cardiff Third Sector Council and the Vale Council for Voluntary Services took part in the self-assessment, which was submitted to Welsh Government on 30 January 2015. This is contained in **Appendix A**.
8. The Integrated Health and Social Care Partnership Governance Board oversees the implementation preparations and a Regional Implementation Plan has been developed (attached at **Appendix B**). The Regional Implementation Plan sets out the actions and timescales required to prepare for implementation. Councillors Bale, Elsmore and Lent represent the Council on this Board and Councillor Elsmore took over the Chair of this Board in June 2015.
9. The development of the Workforce is essential to ensure readiness for the changes required in April 2016. The Care Council for Wales have been funded through the Social Care and Workforce Development (SCWD) Grant to develop a new Information and Learning Hub which will be constantly updated with new information, learning and awareness materials. This will ensure all information on the Act can be readily accessed from one site. The hub can be found at www.ccwales.org.uk/gettign-in-on-the-Act-Hub.
10. The Regional Lead officer for Sustainable Social Services and the Social Services Training Manager attended a briefing session on 20 May 2015 and received information on the Social Services and Well-being (Wales) Act training resources, being developed by the Care Council for Wales. These are called "*Getting in on the Act*" and will be used to ensure key staff receive the information needed to keep them up to date. Staff will receive more detailed briefings once the regulations, guidance and codes of practice are available later in the year. This training will need

to be adapted to meet local needs and will take account of any specialist services and roles.

11. A Social Care and Workforce Development Plan has been submitted to Welsh Government on 29 May 2015. This sets the social care workforce development needs, including a summary introduction across Cardiff and the Vale. There is an expectation as part of the criteria for the SCWD grant that an updated regional plan will be submitted by 25 September 2015 with a move towards a fully integrated approach prepared as soon as possible.

12. Work is continuing on projects funded by the Regional Collaboration Fund and the Intermediate Care Fund to trial new models of working and put in place some of the essential elements required to take forward the Social Services and Well Being (Wales) Act 2014. The Intermediate Care Fund is now managed by the Cardiff and Vale University Health Board. The Integrated Health and Social Care Governance Board receives quarterly updates on progress. At the meeting on 26 June 2015 the Board allocated additional resources to priority projects which will help achieve prudent health and social care and trial new models of working.

Scope of Scrutiny

13. The scope of this scrutiny is to consider the implementation of the Social Services and Well Being Act 2014, and to pass on any observations, comments or recommendations to the Director of Social Services, and cover:
 - a. the progress being made to undertake the Actions identified in the Implementation Plan.
 - b. any identified risks and the appropriateness of any proposed countermeasure;
 - c. The effectiveness of the implementation plan in addressing the requirements of the Social Services and Well Being Act 2014.

Way Forward

14. Councillor Sue Lent (Cabinet Member for Early Years, Children & Families) has been invited and may make a statement. Tony Young, Director of Social Services and Nichola Poole Regional Lead – Sustainable Social Services have been invited to Committee to answer any questions members may have.

15. Members are invited to consider the information set out in this report and to identify any issues on which they would wish to receive further information.

Financial Implications

16. There are no direct financial implications arising from this report. However, financial implications may arise if and when the matters under review are implemented with or without any modifications.

Legal Implications

17. The Scrutiny Committee is empowered to enquire, consider, review and recommend but not to make policy decisions. As the recommendations in this report are to consider and review matters there are no direct legal implications. However, legal implications may arise if and when the matters under review are implemented with or without any modifications. Any report with recommendations for decision that goes to Cabinet/Council will set out any legal implications arising from those recommendations. All decisions taken by or on behalf of the Council must (a) be within the legal powers of the Council; (b) comply with any procedural requirement imposed by law; (c) be within the powers of the body or person exercising powers on behalf of the Council; (d) be undertaken in accordance with the procedural requirements imposed by the Council e.g. Scrutiny Procedure Rules; (e) be fully and properly informed; (f) be properly motivated; (g) be taken having regard to the Council's fiduciary duty to its taxpayers; and (h) be reasonable and proper in all the circumstances.

RECOMMENDATION

The Committee is recommended to consider the information provided, including **Appendices A and B** and consider the future scrutiny of this item.

MARIE ROSENTHAL

**Director Governance and Legal Services
Cyfarwyddwr Llywodraethu a
Gwasanaethau Cyfreithiol**

8 July 2015

TONY YOUNG

Director of Social Services