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**UPDATE ON THE IMPLEMENTATION OF THE SOCIAL SERVICES and WELL - BEING (WALES) ACT 2014**

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**Purpose of Report**

1. This report provides Committee with an update on the progress being made to ensure the Council is prepared to implement the Social Services and Well-being (Wales) Act 2014. It sets out the regional governance structure monitoring the preparatory work, including the specific work streams that are being delivered as part of the Sustainable Social Services Programme.

**Background**

2. The Committee has previously received briefings in January 2015 and July 2015 providing an update on progress with the preparations for the Act. These briefings included:
  - an implementation timeline and self- assessment of readiness,
  - information on the implications of the Act for Social Services and the wider Council,
  - details of the advice and support available to assist Councils in implementing the Act,
  - detail on the various statutory codes of guidance and regulations that Welsh Government were enacting to support the primary legislation, and
  - the Cardiff and Vale Social Care and Workforce Development Plan, which will ensure the workforce receive the information they need to deliver the changes the Act requires.

3. A Regional Steering Group has been established to oversee and monitor the preparations for implementing the Act and reports to the Integrated Health and Social Care Governance Board, so that all partners are kept up to date on progress.

### **Update and Issues**

4. An updated Regional Implementation Plan, attached at **Appendix 1** has been developed in a more user friendly format. It was submitted to Welsh Government on 16<sup>th</sup> October 2015. The Plan reflects the nine work streams being delivered through the Sustainable Social Services Programme and includes a risk assessment of the tasks required to implement the Act.
5. The governance structure for this Programme is contained in **Appendix 2**. Regional task and finish groups are in place for each work stream and lead co-ordinating officers have been assigned to each task and finish group. These groups are developing more detailed local action plans for implementation.
6. Four national work groups have been established to share best practice and produce consistent material on an all Wales basis. Cardiff and the Vale region have appointed officers to contribute to each of these groups. They are helping with the development of national checklists and, where possible, avoidance of duplication.
7. One of the key work streams is the provision of an Information, Advice and Assistance Service. The First Points of Contact being developed in Cardiff for Childrens and Adults will form an important part of this service. One of the ways the Council will ensure that officers and service users can access up to date information is through a national directory of services. Officers have recently received a demonstration of a new national directory of services, Dewis Cymru, which has been developed by the Social Services Improvement Agency and piloted in North Wales. It provides a national solution for supporting the requirements of the Information, Advice and Assistance Services part of the Act. Dewis can be accessed via this link [www.Dewis.Wales](http://www.Dewis.Wales) and the Council is are working with partners to make sure this is available for services in the Cardiff and Vale region.

8. Content on the site is organised under a range of themes, which were developed in consultation with citizens. These are:

- Being well
- Being at home
- Being social
- Being safe
- Managing your money
- Children and families.

9. The Care Council for Wales has established a Communication Hub which sets out the updated versions of the Regulations and Codes of Practice pages. This can be accessed via this link: <http://www.ccwales.org.uk/regulations-and-codes/> These Codes and Regulations support the primary legislation and provide the detail on the changes required with the new Act. Some of these Codes were only laid before the National Assembly for Wales in November/December so the timescales for implementation are challenging. The task and finish group approach being taken is vital in making sure all aspects are considered. The Minister has recently acknowledged the work in progress to ensure all are ready to implement the Act **(Appendix 3)**.

10. A Code of Practice setting out in more detail the responsibilities of the Director of Social Services was issued for consultation in October. Subject to feedback and any proposed revisions, the final Code of Practice will be placed before the Assembly in February 2016 and come into force from April 2016.

11. Workforce development continues to be a high priority and additional resources are being provided to assist staff in their preparation for implementing the Act. The Cardiff and Vale of Glamorgan Regional Social Care Workforce Development Partnership Mid-Year Monitoring Report and updated Plan, submitted to Welsh Government on 25<sup>th</sup> September 2015.

12. The national training materials for four core modules are still being finalised.

These modules are:

- General Functions

- Eligibility and Assessment of Need
- Looked After and Accommodated Children
- Safeguarding.

13. External trainers have been assigned through the national call off arrangements, to deliver this workforce development on a prioritised basis in February and March. A training plan is being developed to include the period prior to implementation and the months after. Additional resources are also available to help deliver awareness training to elected Members and to provide support for the new Regional Partnership Board which will be established under Part 9 of the Act. The Minister has written to Health Board Chairs and Chief Executives; Cabinet Members for Social Services; Directors of Social Services and Regional Chairs to emphasise the importance of workforce development in the lead up to the Act implementation date. A copy of the letter is appended to this report (**Appendix 4**).

14. The Care Council (in conjunction with the All Academy Wales, Learning Pool and Skills for Justice) has developed an interactive e-learning module, based on the Information and Awareness pack. This is designed to give users a clear and simple overview of the Act. The module can be viewed via the link below:

<http://www.ccwales.org.uk/learning-resources/>

15. Four Welsh voluntary organisations have received funding to enable them to develop learning materials to support implementation. Age Cymru, Tros Gynnal Plant, Disability Wales and Hafal were each awarded the funding through the second round of the Co-production Grant Fund, created by the Care Council to draw upon the expertise of other organisations in developing resources for the Act. All learning materials developed by these organisations will be available by the end of March. Some of the third sector bodies will develop their materials themselves; others will take a partnership approach with various other organisations contributing to the final output.

## **Further considerations for Scrutiny**

16. The Governance Structure contained in **Appendix 2** sets out nine work streams. Committee is asked to consider receiving further reports giving more detail on the preparatory work for implementation on the areas of the Act that will introduce the greatest change:

- Information, Advice and Assistance Service
- Financial Assessment and Charging
- Planning and promoting Preventative Services
- Eligibility/Assessment of Need
- Performance Measures
- Advocacy.

## **Scope of Scrutiny**

17. The scope of this scrutiny is to consider the implementation of the Social Services and Well Being (Wales) Act 2014, and to pass on any observations, comments or recommendations to the Director of Social Services, and cover:

- the progress being made to undertake the Actions identified in the Implementation Plan;
- any identified risks and the appropriateness of any proposed countermeasure;
- The effectiveness of the implementation plan in addressing the requirements of the Social Services and Well Being (Wales) Act 2014.

## **Way Forward**

18. Tony Young (Director of Social Services) and Nichola Poole (Regional Lead – Sustainable Social Services) have been invited to Committee present the briefing and answer any questions Members may have.

19. 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.

## **Legal Implications**

20. 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.

## **Financial Implications**

21. 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 financial implications at this stage in relation to any of the work programme. However, financial implications may arise if and when the matters under review are implemented with or without any modifications. These financial implications will need to be considered before any changes are implemented. Any report with recommendations for decision that goes to Cabinet/Council will set out any financial implications arising from those recommendations.

## **RECOMMENDATIONS**

The Committee is recommended to:

1. Consider this briefing paper and provide comments or advice to the Cabinet Member and Director of Social Services.
  
2. Receive further update reports at the next 6 Committee meetings with more in depth information on the following areas of change:
  - Information, Advice and Assistance Service
  - Financial Assessment and Charging
  - Planning and promoting Preventative Services
  - Eligibility/Assessment of Need
  - Performance Measures
  - Advocacy.

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**6 January 2016**