

COUNCIL:

24 SEPTEMBER 2020

CABINET PROPOSAL

LOCAL AUTHORITY SOCIAL SERVICES REPORT 2019/20

Reason for this Report

1. The purpose of this report is for the Cabinet to receive the 11th Annual Report of Local Authority Social Services (Appendix 1) as required under Part 8 of the Social Services and Well-Being (Wales) Act 2014 (SSWB Act).

Background

2. From 2009/10, each Director of Social Services in Wales has been required to produce and publish an Annual Report as part of an Annual Council Reporting Framework (ACRF) for Social Services.

Issues

3. This is the 11th Annual Report of Local Authority Social Services, and the fourth such report since the implementation of the SSWB Act in April 2016.
4. The Report will be submitted to the Care Inspectorate Wales (CIW). The Regulation and Inspection of Social Care (Wales) Act 2016 places the Annual Report on a statutory footing and CIW no longer produce an individual performance evaluation report for each council.
5. CIW do, however, send each local authority an annual letter which:
 - a. Provides feedback on inspection and performance evaluation activity completed by CIW during the year.
 - b. Reports on progress the local authority has made in implementing recommendations from inspections and/or child and adult practice reviews
 - c. Outlines their forward work programme.

The 2019/20 letter is attached at Appendix 2.

6. The priorities for action identified in the Annual Report will be reflected in the Directorate Delivery Plan for Social Services for 2020/21.
7. Unfortunately, due to the unprecedented circumstances relating to COVID-19, we were unable to undertake the usual level of engagement with staff, managers and stakeholders during the completion of the report. We did, however, undertake surveys with children and young people, their families and staff following the COVID-19 lockdown and we will use the feedback from these surveys to shape our restart plans.

Scrutiny Consideration

8. The Annual Report will be scrutinised by the Adult Services Scrutiny Committee on 14th September and Children and Young People's Scrutiny Committee on 15th September.

Reasons for Recommendations

9. To receive the Annual Report of Local Authority Social Services for 2019/20 in order to fulfil the responsibilities required by the Welsh Government in the document entitled 'Part 8 Code of Practice on the Role of the Director of Social Services (Social Services Functions)'.

Legal Implications

10. The reporting requirements for local authority social services have been placed on a statutory footing by Part 8 of the SSWB Act and Regulations and Codes issued thereunder. The new legal provisions came into effect in September 2017.
11. Each local authority is required to produce an annual report on the discharge of its social services functions during the previous financial year (pursuant to s.144A of the SSWB Act), which must include:
 - i. an evaluation of the performance in delivering social services functions for the past year, including lessons learned;
 - ii. how the local authority has achieved the six quality standards for well-being outcomes;
 - iii. qualitative and quantitative data relating to the achievement of well-being outcomes;
 - iv. the extent to which the local authority has met the requirements under Parts 3 and 4 of the SSWB Act;
 - v. objectives for promoting the well-being of people needing care and support and carers needing support for the following year including those identified by population needs assessments under section 14 of the SSWB Act;
 - vi. assurances concerning:
 - structural arrangements enabling good governance and strong accountability;
 - effective partnership working via Partnership Boards; and
 - safeguarding arrangements;

- vii. the local authority's performance in handling and investigating complaints;
 - viii. responses to any inspections of its social services functions;
 - ix. an update on Welsh language provision; and
 - x. how the local authority has engaged people (including children) in the production of the report.
12. The report must be:
- i. published as soon as practicable after 31st March of the year to which it relates;
 - ii. presented to the council by the director;
 - iii. copied to Welsh Ministers; and
 - iv. made available on the local authority's website.
13. The Local Authority Social Services Annual reports (Prescribed Form) (Wales) Regulations 2017 prescribe the format and headings of the report, which must be followed.
14. Non-statutory guidance has been issued by the Association of Directors of Social Services and Welsh Government <file:///C:/Users/c052208/AppData/Local/Microsoft/Windows/INetCache/IE/T6Z6BOT7/Guidance-for-local-authority-annual-social-services-reports.pdf> which provides guidance on the statutory requirements and best practice. The guidance states that: 'Although the report must be delivered to the council by the director, it is the local authority's report on the performance of its social services functions. It needs to explain how the wider functions of the local authority such as transport, housing, education and leisure have contributed and will continue to contribute to the achievement of individuals' well-being outcomes.' (paragraph 4.13)
15. The decision maker needs to be satisfied that the Annual Report for 2019/20 meets the requirements set out in Part 8 of the SSWB and the Codes and Regulations issued thereunder, and complies with the non-statutory guidance, as referred to above.
16. Under executive arrangements, social services functions are the responsibility of the Cabinet (pursuant to section 13(2) of the Local Government Act 2000 and Regulations made thereunder, SI 2007/399), which means that the Cabinet is authorised to approve the Local Authority's Social Services Annual Report, prior to submission of the report by the Director of Social Services to full Council.

Financial Implications

17. There are no direct financial implications arising from this report.

HR Implications

18. There are no direct HR implications arising from this report.

CABINET PROPOSAL

Council is recommended to approve the Local Authority's Social Services Annual Report for 2019/20

The Cabinet
17 September 2020

The following Appendices are attached:

Appendix 1: Director of Social Services Annual Report 2019/20

Appendix 2: CIW Performance Review Letter 2019/20

The following Background Papers have been taken into account:

Part 8 Code of Practice on the Role of the Director of Social Services (Social Services Functions)

The Local Authority Annual Social Services Reports - Guidance