

July 2017

Archwilydd Cyffredinol Cymru  
Auditor General for Wales

# Findings of our Call for Evidence on Social Services and Well-being (Wales) Act 2014



WALES AUDIT OFFICE  
SWYDDFA ARCHWILIO CYMRU



The Wales Audit Office study team who delivered the work comprised Nick Selwyn, Emily Owen, Gareth Jones and Duncan Mackenzie, under the direction of Jane Holownia.

**Huw Vaughan Thomas**  
**Auditor General for Wales**  
**Wales Audit Office**  
**24 Cathedral Road**  
**Cardiff**  
**CF11 9LJ**

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**Mae'r ddogfen hon hefyd ar gael yn Gymraeg.**

# Summary report

- 1 The Auditor General for Wales undertakes a programme of local government studies. These studies focus on a single issue or policy area and review performance and use of resources by public bodies across Wales. The Auditor General consulted on his local government studies programme in December 2015 and adopted a three year provisional programme – **Exhibit 1**. The three studies selected for 2018-19 focus on service areas where new legislation has recently been introduced.

## Exhibit 1: Auditor General's programme of local government studies 2016-17 to 2018-19

2016-17	2017-18	2018-19
How local government manages demand: Homelessness services	Integrated Care Fund	Tackling violence against women, domestic abuse and sexual violence
Strategic commissioning of learning disability services by local authorities	Using data effectively	Value for money of planning services
Improving wellbeing through housing adaptations	How well do public services provide services to rural communities	Social Services and Well Being Act 2014

Source: Wales Audit Office

## Purpose of the call for evidence

- 2 In setting his programme in March 2016 the Auditor General notified local authorities that he intended to undertake a small evidence gathering exercise to determine the focus for his work but also gather evidence that can be used to judge how well public bodies are performing when conducting these reviews in 2018-19. In conducting the call for evidence the Auditor General sought responses on a series of questions focussed on:
  - current approaches;
  - the risks and opportunities presented by the recent changes in legislation and policy; and
  - how these are anticipated to influence and improve service delivery for citizens and service users.
- 3 We will conduct further work to develop ideas and themes for the study during 2018-19. The findings from this report will feed into this process and form part of our evidence base, from which we will produce our project brief outlining the scope and remit of the study. We will test progress by public bodies in addressing issues raised in the call for evidence.

# Detailed report

## Findings of our call for evidence on the Social Services and Well-being (Wales) Act 2014

- 1.1 The Welsh Government introduced new legislation, the [Social Services and Well-being \(Wales\) Act 2014](#) (the 'Act') to reform and simplify the law relating to social services. The Act built on the White paper, [Sustainable Social Services for Wales: A Framework for Action](#), which called for modernisation of the law relating to care and support. The Act introduced new duties for local authorities, local health boards and other public bodies and covers adults, children and their carers and came into force on 6 April 2016. Our call for evidence gathered information from relevant parties about the current approaches; the risks and opportunities presented by the recent changes in legislation and policy; and how these are anticipated to influence service delivery and improve outcomes for those covered by the Act. Below we set out the findings of this exercise.
- 1.2 The Act places the concept of wellbeing at its centre and there is a duty on local authorities to promote the wellbeing of people who need care and support and carers who need support. The Welsh Government has defined well-being as eight common aspects that apply to all people of all ages; these being:
  - a physical and mental health and emotional well-being;
  - b protection from abuse and neglect;
  - c education, training and recreation;
  - d domestic, family and personal relationships;
  - e contribution made to society;
  - f securing rights and entitlements;
  - g social and economic wellbeing; and
  - h suitability of living accommodation.
- 1.3 In 2018-19, the Auditor General will carry out a national study of how authorities and their partners are implementing the Social Services and Well-being Act 2014. We envisage that the proposed study in 2018-19 will review progress by authorities in delivering their new duties under the Act and help to identify opportunities for improving current management and delivery arrangements.

- 1.4 Our call for evidence gathered information from relevant parties about the current approaches; the risks and opportunities presented by the recent changes in legislation and policy; and how these are anticipated to influence service delivery and improve outcomes for those covered by the Act. Below we set out the key findings from this exercise. We will judge progress by public bodies in addressing these issues, risks and challenges when undertaking our review in 2018-19.

### **Well-established partnerships are supporting implementation of the Social Services and Well-Being Act but further work is required to ensure all partners play their role to realise the ambitions of the Act**

- 1.5 Public bodies are mostly positive about current working arrangements and believe the requirements of the Act will be building on generally sound partnerships across Wales. In particular, participation from statutory partners is seen as growing and becoming increasingly effective which will place the governance of the new partnership arrangements on a sound footing.
- 1.6 However, given the relative early stages of implementation of the Act, public bodies have identified that translating strategic partnership commitments into integrated models of service delivery and ensuring that there is sufficient capacity to enable this transition remain as key challenges. Partners acknowledge that further work is also required to develop greater integration of services across health, local authorities and the third sector going forward and that communicating widely and effectively to ensure that the key messages from the Act are understood by all will be an ongoing priority.

- 1.7 Respondents to the call for evidence identified some further areas where additional support from the Welsh Government would be helpful to strengthen the new requirements and arrangements resulting from the Act. These include
- a specialist policy and technical support – for example development of pooled funds, support for Regional Partnership Boards and pan-Wales dissemination of policy and legal matters that are common to all public bodies;
  - b on a more practical level a number of respondents also identified that they needed to create a dedicated project manager to oversee the agreement to pool budgets and concerns on how best to manage reductions in the integration grants provided by the Welsh Government to support implementation of the Act; and
  - c finally, a number of respondents also raised some concerns that more policy and guidance work was required by the Welsh Government to better align the requirements of the Act with the different areas of working that require a partnership response – for example, integrating social care and housing; the links with the Well-Being of Future Generations Act; and anti-poverty initiatives such as Communities first, Families First and Flying Start.

## Public bodies have mixed views on the effectiveness of training to support implementation of the Social Services and Well-Being Act and highlight further work is required to support its roll out

- 1.8 Equipping people to do the best the job they can is critical to improving the wellbeing of vulnerable people and their advocates. In developing and introducing the Act, the Welsh Government recognised the importance of adequate and effective training being provided to the range of organisations charged with making the ambitions of the legislation a reality. Overall, public bodies were positive about their good progress in delivering the initial Care Council for Wales’s national training programme for the Act, although for some the lateness of the training coincided with implementing the Act, which was challenging.

- 1.9 Respondents also noted some operational concerns in respect of training. For example:
- a the specialist nature of some of the training, particularly where a qualification is required to undertake a particular role in the Act, or to comply with recognised qualifications (eg the Care Council for Wales Social Services Practitioner Programme). Respondents noted that training is currently heavily oversubscribed and the supply of places is insufficient to meet the level of demand.
  - b the roll out of core training is expensive because of the range of agencies and numbers of people requiring training. A number of respondents to our call for evidence felt that it would have been preferable to target key staff, such as senior practitioners, to better understand the application of these skills in practice and use coaching and supervision to support teams to up skill.
  - c some respondents felt that the training did not include enough information on how to interpret the eligibility criteria, and that more clarity was needed on important matters such care and support plans.
  - d whilst codes of practice and training materials are generally viewed as being of a good quality and providing a sound basis for introducing the Act to staff, the lateness of their availability limited their impact and usefulness. A number of respondents to our call for evidence noted that guides were needed well in advance of the implementation of the Act and their late availability was unhelpful.
- 1.10 A number of respondents also noted a difference in interpretation by the Welsh Government and by other organisations such as the Care Council for Wales about aspects of the legislation, which causes difficulties in embedding the changes. In light of this, more effective communication between the Welsh Government and the Care Council regarding the expectations of the local authority would be welcomed by public bodies.



## Public bodies have mixed views on the quality and effectiveness of current services and recognise they need to address some significant challenges in implementing the Act

- 1.11 Our call for evidence included a number of closed questions with standard responses on arrangements to identify current standards of performance and areas for improvement. These covered the range and scope of current services and how well public bodies perform against some of the key standards in the Act. The responses we received highlights that there is a mixed picture of current performance and future challenges facing organisations.
- 1.12 The majority of call for evidence respondents noted that the range and level of current provision, whilst adequate, require additional development to truly make it fit for purpose and deliver the aspirations of the Act. In particular further work is needed in respect of support to service users to live as independently as possible, help prevent abuse and neglect and to ensure systems work quickly to reduce potential delays in the provision of support and care.
- 1.13 Looking at the duties of the Act on local authorities, respondents mostly felt they already had adequate arrangements to deliver their responsibilities in relation to the following:
- a assess the needs of adults and children for care and support;
  - b providing care and support to meet the needs of children; and
  - a financial assessments.
- 1.14 The main areas where public bodies felt further work is required was in relation to:
- a meeting the support needs of adult and children carers;
  - b securing sufficient accommodation for looked after children;
  - c promoting greater diversity of delivery models including social enterprises, co-operatives, user-led services and the third sector; and
  - d ensuring that service users are helping to design and participate in the operation of the services they receive.

## Public bodies recognise the positive support provided by the Welsh Government and the Care Council for Wales but more work is required in key areas to ensure the cultural changes needed to make the Act a reality are delivered

- 1.15 Overall, public bodies recognised the support work provided by the Welsh Government and its partners in developing and implementing the Act. For example, the codes of practice and guidance that have been issued are seen by the majority of public bodies as useful and clear and all respondents commented on usefulness of the [Care Council for Wales's website](#). The website is viewed as a good resource which is easy to navigate and contains a range of useful and accessible information in one place. However, some noted the website is not always updated as quickly as public bodies would like.
- 1.16 Respondents also felt more work was required from the Welsh Government in respect of the following:
- a development of training and information relating to social enterprises and preventative service to ensure these are fully understood and the commitments required from partners clearly stipulated;
  - b ensuring aligned legislation is effectively integrated to ensure the intended benefits are realised – the Well-Being of Future Generations was most commonly identified as the key policy link that needs strengthening;
  - c recognition that the culture change in the implementation of the Act is significant and there will be a transition period before the benefits wished for are realised;
  - d further financial support would be welcomed, especially ensuring there is adequate funding for the new posts and teams required to deliver the Act's ambitions;
  - e continued Welsh Government leadership to promote policy development and practice guidance following implementation; and
  - f more effective communication to ensure all agencies and services who have a remit under the Act step up and play their part – a number of respondents highlight disjointed communication by the Welsh Government with different organisations receiving different messages, as a risk to implementation.

# Appendix 1

## Distribution list

The organisations we invited to contribute to this call for evidence were:

- All 22 local authorities
- All seven Local Health Boards
- Public Health Wales, the Welsh Ambulance Services NHS Trust and Velindre NHS Trust

We received responses from:

- 22 local authorities (individually or as part of regional partnership submissions)
- One Local Health Board

Wales Audit Office  
24 Cathedral Road  
Cardiff CF11 9LJ

Tel: 029 2032 0500

Fax: 029 2032 0600

Textphone: 029 2032 0660

We welcome telephone calls in  
Welsh and English.

E-mail: [info@audit.wales](mailto:info@audit.wales)

Website: [www.audit.wales](http://www.audit.wales)

Swyddfa Archwilio Cymru  
24 Heol y Gadeirlan  
Caerdydd CF11 9LJ

Ffôn: 029 2032 0500

Ffacs: 029 2032 0600

Ffôn Testun: 029 2032 0660

Rydym yn croesawu galwadau  
ffôn yn Gymraeg a Saesneg.

E-bost: [post@archwilio.cymru](mailto:post@archwilio.cymru)

Gwefan: [www.archwilio.cymru](http://www.archwilio.cymru)