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Executive summary

Social Services and Well-being (Wales) Act 2014 –
Consultation on the Regulations and statutory
guidance in relation to Part 9 (Co-operation and
Partnership) of the Act

Date of issue: **8 May 2015**

Action required: Responses by **31 July 2015**

The Social Services and Well-being (Wales) Act 2014

The Social Services and Well-being (Wales) Act 2014 forms the basis for a new statutory framework for social care in Wales.

Ministers have made it clear that they wish the core elements of this framework to be in place for April 2016, when the Act will be implemented.

The framework will consist of three main elements, the Act itself, regulations made under the Act, and codes of practice/statutory guidance. These three elements work together to form the framework within which social services will operate from April 2016.

The process of making codes and regulations under the Act

The regulations, codes and statutory guidance have been developed through a consultative process with key stakeholders and are now presented to stakeholders across Wales for their input.

The consultation on and laying of the Regulations to be made under the Act will be conducted principally in two tranches. The first tranche was made available for a 12-week public consultation starting in November 2014. This second tranche consultation exercise will run from May to July 2015. The intention is to lay this second tranche of regulations before the Assembly in November 2015, which will provide the health and social care sector the maximum amount of time to adjust to the new requirements ahead of implementation in 6 April 2016.

What the second tranche of regulations and codes of practice covers

The second tranche will create a system that secures outcomes for looked after and accommodated children, drives regional collaboration, and puts in place a system of charging, financial assessment and paying for care. It will also support the provision of advocacy.

Coverage of the statutory guidance and regulations in relation to Part 9 of the Act

Co-operation and Partnership

Part 9 of the Social Services and Well-being (Wales) Act 2014 (the Act) contains a number of regulation-making powers under the broad heading of co-operation and partnership.

The focus of the regulations will be on improving outcomes and the well-being of people. The regulations will also be used to improve efficiency and effectiveness of service delivery. The starting point for this is through section 14 of the Act, which requires local authorities and Local Health Boards to jointly undertake an assessment of needs for care and support, support for carers and preventative services and the range and level of services in place to meet these needs.

The regulation making powers within Part 9 of the Act enable Welsh Ministers to ensure the appropriate structures (partnership arrangements and partnership boards) and resources (including staff/multi-disciplinary teams and pooled budgets) are in place to enable the provision of integrated services to respond to the joint assessment.

Regulation making powers will be used to:

- Establish partnership arrangements between Local Authorities and Local Health Boards;
- Establish regional partnership boards (six boards covering North Wales, Mid and West Wales, Gwent, Cardiff and Vale, Cwm Taf and Western Bay);
- Determine the objectives and membership of the regional partnership boards;
- Require regional partnership boards to prepare a report setting out the extent to which they have achieved the specified objectives; this report will need to be submitted to Welsh Ministers;
- Establish pooled funds; and
- Establish integrated family support teams and the arrangements for referrals.

The statutory guidance will set out the requirement for Regional Partnership Boards to prioritise the integration of services in relation to:

- Older people with complex needs and long term conditions.
- Integrated Family Support Services.
- Learning disabilities.
- Children with complex needs due to disability or illness.
- Carers.

The Regional Partnership Board will also need to determine other priority areas where integrated services are required to respond effectively to the joint population assessment.

People who use services must be actively involved and engaged in the work of the Regional Partnership Boards and the role of the lay member will be to ensure the voice of people is heard. The lay member could be a member of the Citizen Panel, if not, the Regional Partnership Board will need to ensure there are alternative arrangements for considering the views of the Citizen Panel.

The Regional Partnership Board will determine the most appropriate structures for ensuring the provision of these integrated services. This could include the establishment of management or operational groups, as well as integrated teams for specific service areas. Written agreements will need to be developed for any partnership arrangements which involve a delegation of functions.

The statutory guidance will also include more detail in relation to formal partnership arrangements and the underpinning governance arrangements.