

Modernising Social Services- the package

Sustainable Social Services- a
Framework for Action (2011) and the
Social Services (Wales) Bill 2012

Sustainable Social Services: A Framework for Action: background

- No Social Services White Paper since 1999
- Social Services is big business and growing- 11.5 million hours of home care delivered each year; 70,000 staff, £1.4bn net expenditure by LAs in Wales
- In general, notable story of improvement over last 10 years in: profile, leadership, range of services, innovation, collaboration, workforce competence and confidence, measures of user satisfaction (eg evidenced in Chief Inspector reports)

Challenges

- BUT in general (not necessarily in Denbighshire)
- Higher spend/head than in England
- Balance of care shift from institutional to community based slower
- Variability in quality
- Service delivery model has been national strategic framework driven locally- not fast enough?

Challenges continued

- PLUS changing social context
 - families
 - communities
 - voice and control
 - rights
 - fragmentation

And DEMOGRAPHY, demand and resources,
inconsistency = UNSUSTAINABILITY

Sustainable Social Services: a Framework for Action

- Agreed by WG Cabinet- high profile collective commitment reflected in “A Programme for Government”
- Consistent with strategic direction for public services in Wales

Some new “gamechanging” principles

- A strong voice and real control for service users. Co-production, service user led services, social enterprises
- Mutuality- social services is about us, not them and is not a safety net service
- Recovery, restoration and reablement- children and families as well as adults
- Simplicity- being able to find out about getting help in the most straightforward way possible
- *Good principles. Will they deliver sustainability?
Significant act of faith*

What will be different? (1)

- “New accord” between national, regional and local (Simpson/Compact context)
- New structures- National Partnership Forum, National Leadership Group, driving progress nationally and via regional collaboratives. Risk of democratic deficit
- “Local government” action plan required- 1st iteration by March 2012, detailed and costed by October 2012 (via WLGA/ADSS)

What will be different (2)

- Major emphasis on collaboration- Directors across more than one area, regional footprint
- Integration within local government
- Major profile for integrated multi-sector delivery- frail older people, families with complex needs
- National Outcomes Framework and standards for social services
- Citizen centred services- getting it right first time, “personalisation”
- *Obvious links to Denbighshire priorities- customer experience, closer to the community*

What will be different (3)

- Simpler access to information- integrated information and advice services
- National eligibility framework and portable assessment of need for adult social care
- Realising the potential of technology; easier cross agency sharing of personal information
- *Strong synergy with generic “modernisation” agenda*

What will be different (4)

- Full ownership of safeguarding delivered by all partners
- More robust statutory framework for adult protection
- 22 Local Safeguarding Children Boards not sustainable- “public service footprint” preferred
- Changes to role of regulation, inspection and workforce development bodies

Social Services (Wales) Bill

- The aspects of SSSFFA where primary legislation is required; consolidation of legislation; distinctive Welsh context
- “for the first time, a coherent Welsh legal framework for social services that is based on principles we hold dear in Wales. It will ensure a strong voice and real control for people, of whatever age, enabling them to maximise their wellbeing. It will set the legal framework and infrastructure to transform services to meet changing social expectations and changing demography”
- (12th July 2011- First Minister’s announcement on the Welsh Government’s legislative programme 2011/16)

What is in the Bill?

- The Bill is made up of six main areas:
- 1- Maintaining and enhancing the wellbeing of people in need
- 2- A stronger voice and real control
- 3- Strong national direction and local accountability for delivery
- 4- Safeguarding and protection
- 5- Regulation and inspection
- 6- Services (Adoption and Transitions for Disabled Children and Young People)

Social Services is/remains key local government function

Maintaining and enhancing the wellbeing of people in need

- Introduces a general duty on both local government (not just social services) and the NHS to maintain and enhance the wellbeing of “people in need” in their families and communities
- New legal definition. Pros/cons
- Local “people in need” needs assessments will be required
- Duty to encourage and publicise a suitable range of services to meet needs
- Supports the delivery of services to people of all ages- “age blind” concept

Implications

- Intentions clear and laudable
- Name is misleading- it should really be the Health, Social Care and Wellbeing Bill?
- Do we need this in legislation in light of general wellbeing power in LG Act 2000?
- Does age blind work?
- Risks pulling people into services
- No costing- bland impact assessment throughout assumes costs of early intervention will be offset by savings in escalation of need.
Discuss

A stronger voice and real control (1)

- New duties to promote access to services (including to self funders)
 - Duty to publish information and provide advice and assistance
 - Come together with other local authorities and work with other advice agencies where that assists in efficient delivery
 - Other statutory bodies eg NHS will have duty to co-operate
 - Welsh Language as a care need

Implications

- Welcome- people do find it hard to navigate what's available
- How to develop this linking to corporate infrastructure eg website, Customer Services Team and First Contact
- Plus Single Point of Access with the NHS and Family Information Service
- Impact assessment costs- same point as above

Stronger voice (2)

- National eligibility framework
- Statutory right to assessment- integrated assessment across all ages- adults and children, right to be consulted, proportionate approach, duties on key partners to contribute
- Portability
- Streamlining of care and support planning

Implications

- National eligibility framework could/will reduce local discretion- cost impact?
- Designed to deal with perceived inconsistencies/”postcode lottery”
- Risks being process heavy. Preoccupation with assessment rather than effective delivery? IT systems will need to be developed to match
- Portability is complex right eg cross border issues. Service provision to meet assessed need will not necessarily be identical

A stronger voice and real control (3)

- Rights of carers- consolidation of rights
- Single definition
- Additional groups of carers (may) be included
- Duty on local authorities to publish information on carers' rights and the services offered to carers in their local area
- Implications: Single definition might negatively impact young carers. Implications for Education and NHS

A stronger voice and real control (4)

- Direct Payments/personalisation- separate consultation due
- Extension of range of services for which a Direct Payment can be paid
- Cornerstone of Welsh co-production model
- Implications: modest use of DPs in Denbighsbire compared with some authorities- development area. Different issues/implications for adult/children's services

Strong national direction and local accountability

- Review of social services complaints- greater alignment with general public sector process or NHS process, extension of PSOW scope
- Outcomes Frameworks, standards and PIs- needs legislation to do this? Outcome focus good; risk of becoming performance factory?
- Directors of Social Services- explicit power to share a Director across more than one LA; potential new competency areas (family focus)
- Collaboration in integrated services- more use of flexibility and pooled budgets. Ministerial power to direct integration. How will powers be used?

Safeguarding and protection

- National Independent Safeguarding Board (QUANGO/ASPB type status)
- Safeguarding and Protection Boards x 6 (?)
- New legal framework for Adult Protection; closer links between adult and child protection
- Implications: how does governance work with one Regional Safeguarding Board and six accountable DoSS? Still room for manoeuvre in North Wales? Children/adults safeguarding-pause for thought

Regulation and inspection (1)

- Further professionalisation of workforce. Workforce registration to be maintained and extended to new types of social care workers. Regulations to reserve certain occupations to those with specified qualifications. Care Council also to approve all courses for social care workers
- Service registration. Regime of regulation to reflect modernised services more flexibly. More streamlined process
- Onus of responsibility for meeting standards to be on providers- organisational governance and QA- requirements to report publicly against defined factors

Regulation and inspection (2)

- Greater focus on financial viability of providers.
- Time limited registrations?
- Social work to be a service to be registered with the regulator. Registered manager will be required to be registered in the Care Council social work register
- More transparent information for the public about regulated services and providers
- *Welcome aspects. Burden shifted or reduced?*

Services

- Establishment of a National Adoption service. *Fit with North Wales regional service?*
- Transitions for disabled children and young people- potential extension of duties to age 21 for those with complex needs and for appointment of personal advisor at age 17/18. *Good to smooth out eligibility issues but cost implications?*

Process

- Consultation summary produced Summer 2012
- On Denbighshire Intranet. Scrutiny May.
WLGGA/ADSS response obo local government
- Bill drafted taking into consideration consultation responses (summer 2012)
- Introduction of Bill to NAW (Autumn 2012)
- Scrutiny by NAW (Autumn 2012 – Spring 2013)
- Royal Assent (Summer 2013)
- Implementation including Regs and Code of Conduct (13/15)

Denbighshire Modernising Social Services Board?

- Part of Modernising the Council- officer and member Board and not just SS?
- Essential it fits with local, regional and national work programmes
- Building on Adult Services CSSIW Inspection findings but focus across Adults and Children's Services
- Prioritising and delivering key development areas for Denbighshire eg joining up across adults and children's services, Direct Payments, embedding early intervention/reablement approaches, communities and wellbeing, information and advice, ECH Phase 3, co-production of day services/social enterprise models