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Llywodraeth Cymru
Welsh Government

Welsh Government
Consultation Document

Code of Practice in relation to measuring Social Services performance

Date of issue: 13 May 2019

Action required: Responses by 5 August 2019

Mae'r ddogfen yma hefyd ar gael yn Gymraeg.
This document is also available in Welsh.

Overview	We want your views on the revised code of practice on measuring the performance of social services.
How to respond	<p>You can respond to this consultation by completing and returning, by midnight on the closing date, the consultation response form at the back of this document. The response should be sent to:</p> <p>Well-Being & Improvement Branch Social Services & Integration Directorate Cathays Park Cardiff CF10 3NQ</p> <p>Alternatively the consultation response form is available on our website http://wales.gov.uk/consultations/?lang=en and can be returned to us, by midnight on the closing date, via e-mail to: SocialServicesImprovement@gov.wales</p>
Further information and related documents	Large print, Braille and alternative language versions of this document are available on request.
Contact details	<p>For further information:</p> <p>Well-Being & Improvement Branch Social Services & Integration Directorate Cathays Park Cardiff CF10 3NQ</p> <p>e-mail: SocialServicesImprovement@gov.wales</p>

General Data Protection Regulation (GDPR)

The Welsh Government will be data controller for any personal data you provide as part of your response to the consultation. Welsh Ministers have statutory powers they will rely on to process this personal data which will enable them to make informed decisions about how they exercise their public functions. Any response you send us will be seen in full by Welsh Government staff dealing with the issues which this consultation is about or planning future consultations. Where the Welsh Government undertakes further analysis of consultation responses then this work may be commissioned to be carried out by an accredited third party (e.g. a research organisation or a consultancy company). Any such work will only be undertaken under contract. Welsh Government's standard terms and conditions for such contracts set out strict requirements for the processing and safekeeping of personal data.

In order to show that the consultation was carried out properly, the Welsh Government intends to publish a summary of the responses to this document. We may also publish responses in full. Normally, the name and address (or part of the address) of the person or organisation who sent the response are published with the response. If you do not want your name or address published, please tell us this in writing when you send your response. We will then redact them before publishing.

You should also be aware of our responsibilities under Freedom of Information legislation

If your details are published as part of the consultation response then these published reports will be retained indefinitely. Any of your data held otherwise by Welsh Government will be kept for no more than three years.

Your rights

Under the data protection legislation, you have the right:

- to be informed of the personal data held about you and to access it
- to require us to rectify inaccuracies in that data
- to (in certain circumstances) object to or restrict processing
- for (in certain circumstances) your data to be 'erased'
- to (in certain circumstances) data portability
- to lodge a complaint with the Information Commissioner's Office (ICO) who is our independent regulator for data protection.

For further details about the information the Welsh Government holds and its use, or if you want to exercise your rights under the GDPR, please see contact details below:

Data Protection Officer:
Welsh Government
Cathays Park
CARDIFF
CF10 3NQ

e-mail:

Data.ProtectionOfficer@gov.wales

The contact details for the Information Commissioner's Office are:

Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Tel: 01625 545 745 or
0303 123 1113

Website: <https://ico.org.uk/>

Foreword

This consultation is seeking views on what should be included in the **Code of Practice** and the supporting **Technical Guidance for the Quantitative Metrics**. The aim is that the Code of Practice and guidance support local authorities and the wider sector to deliver the Act effectively so that the well-being outcomes of people who need care and support and carers who need support can improve.

Specifically, this consultation seeks views on how local authorities' performance should be measured, the draft Quality Standards that all local authorities should be working towards, introduces the new Performance and Improvement Framework and sets out the quantitative data that local authorities will be required to collect.

Background

The Social Services and Well-being (Wales) Act 2014 ('the Act') came into force in April 2016. The Act provides the legal framework for improving the well-being of people who need care and support, and carers who need support, and for transforming social services in Wales. The Act builds on The White Paper Sustainable Social Services for Wales: A Framework for Action that was published in 2011.

The Welsh Government is responsible for monitoring the impact of the Act on people who need care and support and carers who need support. In order to achieve this, a range of outcome indicators and performance measures have been put in place. These include:

- The National Outcomes Framework¹
- The Performance Measurement Framework for Local Authorities²
- The Local Authority Activity Data
- Personal Well-being Outcomes

The current Performance Measurement Framework for Local Authorities was published in 2016 as a Code of Practice³. This framework focuses on three key areas – quality standards, qualitative measures and quantitative measures – and requires local authorities to gather data in relation to these areas.

Feedback from local authorities and other partners regarding the quality of the submitted data has demonstrated that the current model for the framework is not working as intended and requires refining. This feedback has been consistent across the sector and includes issues such as:

- the current performance measures provide activity data rather than measure performance
- the measures do not accurately reflect the range of support that local authorities are delivering in relation to the Act
- the measures do not stretch the local authorities or provide them with a framework which supports their improvement

¹ <https://gov.wales/topics/health/socialcare/well-being/?lang=en>

² <https://gov.wales/topics/health/socialcare/well-being/performance/?lang=en>

³ <https://gov.wales/docs/dhss/publications/160401codeen.pdf>

- the qualitative element of the framework – the Citizen Survey – is not of a high enough quality and has generated a low response rate
- the quality standards do not set a strong enough vision for social care in Wales

To address these issues, a range of workshops were held with local authorities and other key stakeholders.

Through the workshops, it was suggested that a wider and more comprehensive Performance and Improvement Framework should be developed and should be linked to the Well-being of Future Generations (Wales) Act 2015 as well as the Social Services and Well-being (Wales) Act 2014.

The new approach

The new approach has been developed to focus on performance **and** improvement equally. It includes the development of new Quality Standards alongside a new Performance and Improvement Framework.

Quality Standards:

The Quality Standards are set out in full in the draft Code of Practice.

The Quality Standards set out the requirements that local authorities must undertake in relation to the Act. They set out Welsh Government's expectations at a national level of the quality of support that local authorities must be providing.

Local authorities will be expected to demonstrate their progress against the Quality Standards annually via the Director's Report. This evidence must be a combination of the data and evidence gathered through the Performance and Improvement Framework, alongside any local data or other approaches that the local authorities consider to be appropriate to them.

Performance and Improvement Framework

The Performance and Improvement Framework is set out in detail in the draft Code of Practice

The Performance and Improvement Framework has been designed to support local authorities to evidence their progress against the Quality Standards. The data and evidence gathered through the framework will provide local authorities with a range of data and evidence that they must use to measure their performance in relation to the Act and to inform their improvement activities.

The Performance and Improvement Framework contains three component parts. These are:

- Quantitative data
- Qualitative data
- Research and evidence

New Documentation

To support this new approach, two new documents have been produced:

- a new Code of Practice; and
- new Technical Guidance for the Quantitative Metrics.

Code of Practice

The draft of the new Code of Practice is set out in Annex A.

The Code of Practice sets out the Quality Standards and the Performance and Improvement Framework as the two primary accountability methods that will be used by Welsh Government to monitor local authorities' performance in relation to the Act.

The Code of Practice also sets out the importance of ongoing improvement and how local authorities should use the accountability methods that are set out in this Code to inform their own improvement as organisations and inform the improvement in outcomes of people in need of care and support and carers who need support.

Technical Guidance for the Quantitative Metrics

The draft Technical Guidance is set out in Annex B.

The Technical Guidance sets out the Quantitative Data that will be gathered as part of the wider Performance and Improvement Framework. The guidance specifies the metrics that will be used to reflect the wide range of activity undertaken by local authorities in relation to the Act.

Separate guidance will be developed for the Qualitative Data and the Research and Evidence components of the framework and are not included in this consultation.

Consultation Questions

Q1. To what extent do you agree that the **Code of Practice** (set out in Annex A) will support local authorities to measure performance and inform improvement in relation to the social services functions placed upon them under the Act?

Q2. To what extent do you agree that the **Quality Standards** (as set out in the Code of Practice) enable local authorities to measure performance and inform improvement in relation to the social services functions placed upon them under the Act?

Q3. To what extent do you agree that the **Performance and Improvement Framework** (as set out in the Code of Practice) enables local authorities to measure performance and inform improvement in relation to the social services functions placed upon them under the Act?

Q4. To what extent do you agree that the metrics within the **Technical Guidance** demonstrate the full range of activities that local authorities are required to deliver in relation to the social services functions placed upon them under the Act?

Q5. Considering the metrics that are set out in the **Technical Guidance**, do you have any specific comments in relation to the metrics that are being proposed? Please include the metric reference in your response.

As part of the proposed Performance and Improvement Framework, it is suggested that local authorities gather data and evidence in relation to three specific areas. These are – quantitative data, qualitative data and research and evidence. The aim of this approach is to ensure that local authorities are able to gather a full and holistic picture of their performance and improvement in relation to the Act and understand the impact that they are having on the well-being outcomes of people who need care and support and carers who need support.

The aim of the qualitative data is to provide local authorities with information on people's experiences of social care, as well as how and if they are achieving their well-being outcomes.

The intention is to develop a new approach to the Citizen's Survey to gather survey data from adults, children, carers and parents and to explore how qualitative data can be gathered more effectively to understand people's experiences of care and support and carer's experiences of support.

Q6. The qualitative component of the Performance and Improvement Framework is still under development. Thinking specifically about **Qualitative Data**, what, in your view, should be included in this component so that we are able to understand and improve people's experiences of care and support and carer's experiences of support?

The intention of the Research and Evidence component of the Performance and Improvement Framework is to enable local authorities to understand the wider social care context and how their provision and practice can be improved. Local authorities will be expected to use research evidence to inform their services, to drive improvement and highlight best practice. Local authorities will also be expected to commission or undertake their own research in the areas that are most important to them.

Q7. The Research and Evidence component of the Performance and Improvement Framework is still under development. Thinking specifically about **Research and Evidence**, what, in your view, should be included in this component so that we are able to understand and improve people's experiences of care and support and carer's experiences of support?

As part of the current arrangements, local authorities are required to submit annual data for the Children Receiving Care and Support Census, the Looked After Children Census, the Adults Safeguarding return and the Staff of local authority departments return. These approaches are well-established and provide local authorities, Welsh Government and other key partners with a range of high-quality data that applies to children receiving care and support. It is proposed in this consultation that the Children Receiving Care and Support Census and the Looked After Children Census should not be changed and should be included as they are in the new Performance and Improvement Framework. The census' are included in Annexes C and D for reference.

Q8. To what extent do you agree that the Children Receiving Care and Support Census, the Looked After Children Census, the Adults Safeguarding return and the Staff of local authority departments return are fit for purpose and should be included as they are into the new Performance and Improvement Framework?

Welsh Government are considering the development of an Adults Receiving Care and Support Census in addition to the data gathered through the Performance and Improvement Framework. This would replace the Adults Receiving Care and Support return and enable data to be monitored at an individual level and provide richer and more accurate picture of the impact that the Act is having on adults who are in need of

care and support. This would be in line with the current Children Receiving Care and Support Census and the Looked After Children Census.

Q9. To what extent do you agree that Welsh Government should develop an annual census for Adults Receiving Care and Support?

Welsh Government recognises that the proposed Code of Practice and Performance and Improvement Framework provide a very a different approach to data and improvement. Local Authorities may need to access additional support to help with the preparation and implementation of the new framework.

Q10. What, if any, additional support does Welsh Government need to put in place to support local authorities to implement the new Code of Practice and the Performance and Improvement Framework?

It is anticipated that the proposed Performance and Improvement Framework will need to continue to develop as the Act becomes more embedded. As a result of this, it is expected that ways to measure integrated working will need to be developed in order to measure the progress of integration. It is likely that these joint metrics will focus on the interdependencies between social services, health, education and housing. Joint metrics will not be included in the Performance and Improvement Framework for its launch in April 2020, they will be developed for implementation at a later date.

Q11. What metrics should be developed to measure the impact and effectiveness of integration and ways of integrated working?

The Welsh Government is interested in understanding whether the proposals in this consultation document will have an impact on groups with protected characteristics. Protected characteristics are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex, and sexual orientation.

Q12a. Do you think that the proposals in this consultation will have any positive impacts on groups with protected characteristics? If so, which and why/why not? Please explain:

Q12b. Do you think that the proposals in this consultation will have any negative impacts on groups with protected characteristics? If so, which and why/why not? Please explain:

We would like to know your views on the effects that these proposals would have on the Welsh language, specifically on

- i) opportunities for people to use Welsh and
- ii) treating the Welsh language no less favourably than English.

Q13a. What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?
Please explain:

Q13b. Please also explain how you believe the proposed policy could be formulated or changed so as to have:

- i) positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language, and
- ii) no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.

Consultation Response Form

Consultation response form

Your name:

Organisation (if applicable):

e-mail/telephone number:

Your address:

Responses should be returned by **05 August 2019** to:

Well-Being & Improvement Branch
Social Services & Integration Directorate
Cathays Park
Cardiff
CF10 3NQ

or completed electronically and sent to: SocialServicesImprovement@gov.wales

Q1. To what extent do you agree that the Code of Practice (set out in Annex A) will support local authorities to measure performance and inform improvement in relation to the social services functions placed upon them under the Act?

Strongly Agree	Agree	Disagree	Strongly Disagree

Comments:

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Q2. To what extent do you agree that the **Quality Standards** (as set out in the Code of Practice) enable local authorities to measure performance and inform improvement in relation to the social services functions placed upon them under the Act?

Strongly Agree	Agree	Disagree	Strongly Disagree

Comments:

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Q3. To what extent do you agree that the **Performance and Improvement Framework** (as set out in the Code of Practice) enables local authorities to measure performance and inform improvement in relation to the social services functions placed upon them under the Act?

Strongly Agree	Agree	Disagree	Strongly Disagree

Comments:

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Q4. To what extent do you agree that the metrics within the Technical Guidance demonstrate the full range of activities that local authorities are required to deliver in relation to the social services functions placed upon them under the Act?			
Strongly Agree	Agree	Disagree	Strongly Disagree
Comments:			

Q5. Considering the metrics that are set out in the Technical Guidance , do you have any specific comments in relation to the metrics that are being proposed? Please include the metric reference in your response.			
Strongly Agree	Agree	Disagree	Strongly Disagree
Comments:			

Q6. The qualitative component of the Performance and Improvement Framework is still under development. Thinking specifically about Qualitative Data , what, in your view, should be included in this component so that we are able to understand and improve people's experiences of care and support and carer's experiences of support?			
Strongly Agree	Agree	Disagree	Strongly Disagree
Comments:			

Q7. The Research and Evidence component of the Performance and Improvement Framework is still under development. Thinking specifically about **Research and Evidence**, what, in your view, should be included in this component so that we are able to understand and improve people's experiences of care and support and carer's experiences of support?

Comments:

Q8. To what extent do agree that the Children Receiving Care and Support Census, the Looked After Children Census, the Adults Safeguarding return and the Staff of local authority departments return are fit for purpose and should be included as they are into the new Performance and Improvement Framework?

Strongly Agree	Agree	Disagree	Strongly Disagree

Comments:

Q9. To what extent do you agree that Welsh Government should develop an annual census for Adults Receiving Care and Support?

Strongly Agree	Agree	Disagree	Strongly Disagree

Comments:

Q10. What, if any, additional support does Welsh Government need to put in place to support local authorities to implement the new Code of Practice and the Performance and Improvement Framework?

Comments:

Q11. What metrics should be developed to measure the impact and effectiveness of integration and ways of integrated working?

Comments:

Q12a. Do you think that the proposals in this consultation will have any positive impacts on groups with protected characteristics? If so, which and why/why not?

Please explain:

Q12b. Do you think that the proposals in this consultation will have any negative impacts on groups with protected characteristics? If so, which and why/why not?

Please explain:

Q13a. What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?

Please explain:

Q13b. Please also explain how you believe the proposed policy could be formulated or changed so as to have:

- i) positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language, and
- ii) no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.

Please explain:

Responses to consultations are likely to be made public, on the internet or in a report. If you would prefer your response to remain anonymous, please tick here: