



Llywodraeth Cymru  
Welsh Government

**WG43879**

Welsh Government  
Consultation Document

# National action plan to prevent the abuse of older people

A consultation on actions the Welsh Government will take to prevent the abuse and neglect of older people in Wales

Date of issue: 8 August 2022

Action required: Responses by 17 October 2022

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

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## Overview

This consultation document seeks views on proposed actions the Welsh Government will take to prevent the abuse and neglect of older people in Wales. The proposals build upon work undertaken with the Action Group on Abuse established by the Older People's Commissioner for Wales in April 2020. It is a cross-government piece of work with a focus, not only on addressing abuse and neglect of older people, but on creating the circumstances in which abuse and neglect of older people is less likely to take place.

The Action Plan also flows from the Welsh Government's Strategy for an Ageing Society 'Age Friendly Wales: Our Strategy for an Ageing Society'<sup>1</sup> published in October 2021. The UN Principles for Older Persons<sup>2</sup> state that 'Older persons should be able to live in dignity and security and be free of exploitation and physical or mental abuse'.

As a government we are clear that abuse or neglect in any form against older people will not be tolerated. This includes financial scams, physical and mental abuse and neglect. Age does not diminish an individual's right to live with dignity and respect.

The Action Plan sets out a series of measures which the Welsh Government will put in place across Government to ensure that older people are protected from all types of abuse, and to prevent them from being at risk of abuse. It builds upon much good work done under the Social Services and Well-being (Wales) Act 2014, the Regulation and Inspection of Social Care (Wales) Act 2016, and the Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015.

## Further information and related documents

Large print, Braille and alternative language versions of this document are available on request.

## Contact details

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This document is also available in Welsh: [hyperlink](#)

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## **UK General Data Protection Regulation (UK 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.

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

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

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0303 123 1113  
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## Background

This plan sets out some measures which the Welsh Government will put in place across Government to ensure that older people are protected from all types of abuse, and to prevent them from being at risk of abuse. It builds upon much good work carried out under the Social Services and Well-being (Wales) Act 2014<sup>3</sup>, the Regulation and Inspection of Social Care (Wales) Act 2016<sup>4</sup>, and the Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015.<sup>5</sup>

It recognises that the overarching themes we are seeking to address require action across Government and that taking a preventative approach to safeguarding requires an effective and proactive multi-agency response. It seeks to turn strategy into action.

It is important to remember that older people are not a homogeneous group and the experience of each individual will be different. Age Friendly Wales; Our Strategy for an Ageing Society<sup>6</sup> acknowledges the corrosive impact of ageism and seeks to challenge negative stereotypes of older people as a “drain on society” that could be used to validate abuse. The United Nations Principles for Older Persons have informed the development of the strategy and will guide its implementation. By rejecting ageism and age discrimination, we aim to create a more equal society that enables people of all ages to fulfil their potential no matter what their background or circumstances may be.

Although stereotyping older people is to be avoided, experience shows that some older people may feel less able to access services; may be less aware than younger people of the services and options available to them; or may believe that services are designed only for younger people, or people with children.

Fundamental to an Age Friendly Wales is the elimination of ageism and age discrimination. As with other forms of discrimination, ageism has deep roots in our society’s cultural norms and practices, including in the language we use. We welcome the work of the Older People’s Commissioner to place a specific focus on ageism and will work to better understand its causes and impact in order to realise our aim of a more equal Wales

The Welsh Government also aims to identify the potential for ageist impacts and age discrimination via our policy assessment process. All Welsh Government policies are subject to a full Integrated Impact Assessment, which gives full consideration to the impact on all members of society.

Older people may be at greater risk of some forms of abuse because of social, financial or educational circumstances – health is more likely to be a factor than it is for younger people. They may, for example, have suffered abuse for many years from a family member and feel shame or embarrassment from years of accepting abuse without apparent complaint.

It can be more difficult for some older people to accept help – they may need more time, more reassurance and more confidence in what might happen and the services available, before they disclose abuse and accept help to move forward.

The Plan is also informed by the experiences of older people in Wales throughout the pandemic and draws from two significant reports published by the Older People's Commissioner - 'Leave No One Behind'<sup>7</sup> and 'Support Services for Older People Experiencing Abuse in Wales'<sup>8</sup>.

## **Objectives**

This plan has three overarching themes:

1. Older people are supported to live independently and with dignity and are able to access relevant support from safeguarding services where they are at risk of abuse or neglect.
2. Older people experiencing domestic abuse or sexual violence are able to access relevant support from Violence against Women, Domestic Abuse and Sexual Violence (VAWDASV) services when required.
3. Older people receiving care and support are protected from becoming at risk of abuse or neglect.

## **Self-Neglect**

Self-neglect has featured in around 40% (calendar year 2019) of adult practice reviews in Wales completed following the death of an adult with care and support needs.

We intend to develop new practice guidance on self-neglect to support practice across relevant settings. This will enable practitioners to better identify and act upon signs of self-neglect and prevent the harm to self and others that may arise when it is not sensitively addressed.

This will be a document that defines self-neglect for the purposes of safeguarding practitioners, sets it within the framework of the Social Services and Well-being (Wales) Act 2014 Act statutory framework and describes how it sits with the definitions of neglect used in that. The aim is to give practitioners a clearer idea of the relationship between their obligations under 2014 Act and the issues of consent and capacity addressed in the Mental Capacity Act 2005, as amended, and the Mental Health Act 1983<sup>9</sup>, when dealing with issues of self-neglect.

Adult practice reviews illustrate the complexity of practice with adults who self-neglect. The regularity with which safeguarding adults boards have felt it necessary to inquire into the outcomes of cases of adults who self-neglect, and to develop procedures in response, suggests strongly that there is a need for public sector staff

to have robust procedures to support them when they are attempting to work with people who self-neglect.

## **Older People and Domestic Abuse.**

Officials worked with the former Older People's Commissioner to develop "Information and Guidance on Domestic Abuse: Safeguarding Older People in Wales<sup>10</sup>," which was published in June 2017. This provides practical advice to staff and managers on recognising and understanding the context in which abuse of older people takes place. The guidance also raises awareness and understanding of some of the specific issues and risks faced by older people who are experiencing domestic abuse.

The Welsh Government commissioned the Wales Violence Prevention Unit to carry out research to establish what approaches may have been successful in preventing VAWDASV (Violence Against Women, Domestic Abuse and Sexual Violence), published in September 2021 (What Works to Prevent Violence against Women, Domestic Abuse and Sexual Violence?<sup>11</sup>). One of its conclusions was 'Further research is also urgently needed for the prevention of specific forms of VAWDASV including so-called honour-based abuse, exploitation and trafficking, and how prevention programmes intersect with the needs of individuals and communities who are LGBT+, BAME, and older age groups'.

The current Older People's Commissioner has met the Deputy Minister for Social Services and the former Deputy Minister and Chief Whip (now Minister for Social Justice) to raise some of the issues faced by older people seeking to escape from domestic abuse, made all the more urgent by the pandemic. Current Statutory Commissioning guidance for the commissioning of VAWDASV services in Wales states 'The guidance will ensure that commissioning considers the specific needs, issues and barriers that may be experienced by people with protected characteristics under the Equality Act 2010, and who may be marginalised or excluded, including women, BME people, children and young people, older people, migrants, refugees and asylum seekers, disabled people and those who are LGBT+<sup>1</sup>'.

We will work with the Older People's Commissioner to review the Information and Guidance on Domestic Abuse: 'Safeguarding Older People in Wales<sup>12</sup>'

We will continue to monitor VAWDASV Grants administered by the Welsh Government to regions and third sector organisations on an annual basis to ensure they are adhering to the Statutory Guidance for the Commissioning of VAWDASV Services in Wales<sup>13</sup>. They will be asked to provide evidence of how they have considered and met the needs of specialist groups including older people.

We will build upon the 'Home shouldn't be a place of Fear<sup>14</sup>' campaign to include a focus on violence against women in the street and workplace as well as the home. We will continue to work with agencies specialising in supporting older people to ensure that they are addressing issues that older people are disproportionately more likely to face.



Help can be given to assist people to remain in their own home, either with or without the perpetrator continuing to live there. There are services which can strengthen the security of property to offer greater protection (known as target hardening) to a person's property and housing related floating support can take place within their home. The Renting Homes (Wales) Act 2016<sup>15</sup> introduced a new approach to joint contracts which enables contract-holders to be added or removed from occupation contracts without the need to end the contract for all. When implemented, the new approach will help avoid the risk of homelessness and will also help victims of domestic abuse, by enabling the perpetrator to be targeted for eviction.

## **Mental Capacity**

### **Liberty Protection Safeguards**

Although the Liberty Protection Safeguards (LPS) are a policy where decision-making is reserved to the UK Government, Welsh Government is fully supportive of the reforms being introduced. We have welcomed the Mental Capacity (Amendment) Act 2019<sup>16</sup> and the regulation-making powers it provides for the Welsh Ministers. It is widely recognised that there are number of challenges associated with the current Deprivation of Liberty Safeguards (DoLS) system, particularly in light of the recent increases in the number of DoLS applications – in Wales, there were 631 applications for DoLS authorisations in 2013/14. In 2018/19, 10,311 applications were received by local authorities and 5,070 applications received by health boards. This created a significant increase of pending applications. Introducing the new safeguards will deliver improved outcomes for people deprived of their liberty and their families by creating a new simplified legal framework which is accessible and clear and compliant with Articles 5 (right to liberty) and 8 (right to respect for private and family life) of the European Convention on Human Rights<sup>17</sup>. In particular, the LPS will provide a more effective system which puts the person being deprived of liberty at the heart of the decision-making process. It will also better integrate the LPS into everyday care, support and treatment assessment, review and planning, thereby reducing the burden for those administering the LPS and those individuals who are protected by the safeguards.

We will continue to work jointly across all relevant partners including UK Government, health, care, education, justice to support consultation and implementation of revised Liberty Protection Safeguards in Wales.

### **Dementia**

The Welsh Government published 'Dementia action plan: strengthening provision in response to COVID-19<sup>18</sup>' in September 2021. This document is intended to complement the Dementia Action Plan<sup>19</sup> and to support implementation in light of the experience of the pandemic.

Of particular relevance to this action plan, the Dementia action plan identifies as one of the overall cross-cutting themes a 'Protecting rights / person centred approach'; support for care homes and support for unpaid carers. Within the document it states that we (Welsh Government) will:

- Provide a summary of outcomes reported through the Intermediate Care Fund (ICF) funded projects, which are being matched to areas of the Dementia Action Plan. This will include developments supporting the ‘teams around the individual’ approach, enabling families and carers to access respite care that is able to meet the needs of the carer as well as those of the person living with dementia.
- Continue to work with the care home sector to help support the rights based approach to care for people living with dementia and their families, and enabling access to the rehabilitation they require in response to COVID-19. This will include ongoing work supporting care home residents’ well-being, identified through the work of the Care Home Action Plan<sup>20</sup>.

## Care Homes

The Older People’s Commissioner has said that ‘many care home deaths during the Covid pandemic could have been prevented had there been a better understanding of the risks faced by care home residents and the action required to ensure they had the protection and support they needed. An action plan for care homes is therefore critical in this regard and the Welsh Government’s announcement of the development of a plan is welcome. This needs to ensure that lessons have been learnt from what has happened and that the right action is taken, at the right time, to ensure that older people living in care homes are safe, can access the wider health services and support they may need and are able to exercise their rights, all crucial to ensure they have the best possible quality of life. The experiences, views and voices of care home residents must be part of this.’ (Leave No One Behind – Action for an Age Friendly Recovery, OPC, August 2020).

The Care Homes Action Plan first published by the Welsh Government in July 2020 set out the Welsh Government’s support for the sector over the winter period in light of lessons identified from the first wave of COVID and a final update was issued in March 2021 (<https://gov.wales/care-homes-action-plan-final-update-html>). We have grant funded Age Cymru to continue its engagement with care home residents to gain a better understanding of their experience during the pandemic in order to inform policy development and develop good practice.

Inquests into the deaths of eight people whose cases were considered as part of Operation Jasmine<sup>21</sup> shone a light on the impact poor leadership and management has on the culture of an organisation and how this in turn impacts on the safety and well-being of people receiving a service. A negative culture in care home services creates the environment in which the neglect, abuse and breaches of people’s human rights can occur.

Following the outcome of the inquests Care Inspectorate Wales (CIW) worked jointly with Caerphilly County Borough Council, Aneurin Bevan University Health Board and Social Care Wales (SCW) to hold a reflection and learning event with stakeholders and partners in December 2021 to ensure the lessons identified from Operation Jasmine are not forgotten. A webinar has been produced and will be shared with all local authorities and health boards in Wales to further share learning. CIW and SCW

will take forward a programme of work focusing on leadership and management and cultures in social care services.

CIW has changed its recording of safeguarding concerns raised. Once embedded, this will enable information to be shared. The Care Inspectorate Wales Strategic Plan for 2020-25 commits to 'Publish ratings for care homes and domiciliary support services; and to further develop our approach to joint working and inspections to support improvement'.

Aligned to the local authority inspection team's review of services for older people, CIW's adult and children's services inspection team undertook a national review of care homes for people living with dementia. The review was prompted and informed by:

- Welsh Government's Dementia Action Plan for Wales 2018-22 which re-iterated that people have a right to live well in a care home;
- Welsh Speakers' Dementia Care – Alzheimer's Society Cymru and the Welsh Language Commissioner 2018 recommended that Care Inspectorate Wales and Healthcare Inspectorate Wales recognise that a lack of care in the Welsh language for those who require it constitutes poor care which may have a harmful effect on people;
- the report "Use of Antipsychotic Medicine in Care Homes National Assembly for Wales 2018<sup>22</sup>" identified significant concerns about the inappropriate use of antipsychotics in care home settings; and
- CIW and Healthcare Inspectorate Wales' (HIW) review of healthcare support provided by Betsi Cadwaladr University Health Board for older people living in care homes in North Wales in 2018.

They found:

- In general, people and their families were positive about care provided in the majority of services.
- There was a need to improve access to support for people speaking Welsh as their first language.
- Staff training in dementia required improvement as did consideration of the environment in which people live due to the complexity of their needs.
- Medicines management was an area for improvement particularly in relation to antipsychotic medication. Secondment of a pharmacist to CIW during 2020-21 will provide an opportunity to develop relationships with pharmacy colleagues to support improvement in services.
- Providers were embracing new technology to improve services.
- Work needs to be undertaken to improve hospital discharge for people living with dementia. The COVID-19 pandemic highlighted the importance of these last points: people were supported to keep in contact with their loved ones through the use of technology. Our calls with providers during this time presented a clear need for improved hospital discharge processes.

The CIW Strategic plan for 2020-25<sup>23</sup> commits them to 'use the findings from our inspections and reviews to improve services locally and nationally and, in doing so,

to 'continue to develop our approach to securing improvement and enforcement to ensure people are safe and receive high quality services'. They will also 'publish ratings for care homes and domiciliary support services'.

## **Domiciliary Care**

The Older People's Commissioner's Report 'Leave No-One Behind' recommended:

*'Fears and concerns about Covid-19 entering the homes of those receiving domiciliary care meant that some older people and their families felt they had to stop their support packages and have been increasingly reliant on family and friends to provide some of this support, with the number of unpaid carers in Wales increasing by 196,000 during the pandemic. For some older unpaid carers, and those caring for people living with dementia the combination of the temporary closure of respite facilities such as day centres, combined with lockdown restrictions, has pushed them towards breaking point.*

*Given the vital role that domiciliary care and respite plays in supporting older people's health, well-being and independence, and the impact on the health and well-being of unpaid carers of providing additional care, social care support and respite should be reinstated as a matter of urgency by local authorities. In cases where people's needs may have changed, new assessments must be undertaken for new packages of care, including assessment and support for carers.'*

There are significant challenges within the social care sector, and particularly within reablement and domiciliary care services. This relates to the level and complexity of need and the sufficiency of staff to provide care.

There were recruitment and retention challenges in domiciliary care prior to the pandemic, which have been exacerbated due to COVID-19. Considerable personal challenge to staff is impacting and the opening of hospitality and retail presents attractive alternative employment options.

We are funding national and targeted recruitment work and local authorities are engaged in a range of initiatives to increase capacity. Welsh Ministers introduced the Real Living Wage for social care workers from April. Work to improve terms and conditions more generally via the Social Care Fair Work Forum is continuing.

We will continue to work with the Medication Administration in Domiciliary Care (MADC) working group, comprising Welsh Government officials and stakeholders which is trying to establish national practice and training with regard to domiciliary care and medication administration.

## **Unpaid Care**

Thousands of unpaid carers of all ages across Wales support people with complex needs to live independently and well in their own homes and reduce pressure on the Welsh health and social care system. Many older carers live with their own health

conditions and although caring for a friend or family member is a rewarding experience for many, unpaid carers can overlook their own needs.

The Strategy for Unpaid Carers<sup>24</sup>, published in March 2021, states that all unpaid carers must have the opportunity to take breaks from their caring role to enable them to maintain their own health and well-being. Practical support for unpaid carers can prevent families reaching crisis point. Financial support can also reduce stress and help unpaid carers struggling to cope with the cost of living crisis. Welsh Government recognises the importance of making sure unpaid carers are recognised and feel valued and we continue to invest in supporting carers to have a life alongside caring.

In May 2022, we invested £29 million to provide 57,000 unpaid carers in Wales who were in receipt of Carers Allowance on March 31<sup>st</sup> 2022, with a one-off payment of £500. We have also allocated £4.5 million over three years to continue our Carers Support Fund. The fund, administered by Carers Trust Wales, was established in 2020 and has helped over 10,000 carers on low incomes to buy basic essential items that they need. It has also helped to identify a substantial number of carers who were previously unknown to services – in some areas 70% of the applicants were previously unknown carers. Eligibility for the grants is not linked to benefit entitlement. Unpaid carers of all ages in Wales will also benefit from a £9m fund to set up a new national short breaks scheme. The three-year investment will increase opportunities for unpaid carers to take a break from their caring role and aims to transform the way unpaid carers access respite and short breaks in Wales.

The evidence we reviewed when compiling the Equality Impact Assessment supporting the Strategy for Unpaid Carers demonstrated the detrimental effect of caring duties on some carers' health and wellbeing, with older carers at higher risk than younger carers. Respite and flexible short break options can be a vital part of the care and support unpaid carers require to manage their caring role and can temporarily reduce caring responsibilities.

## **Citizens Voice Body**

Key to efforts to reduce the risk of abuse or neglect in any setting is to listen to the experiences of service users, and empower them to speak out where they believe themselves or others to be at risk.

The drive towards closer integration of health and social services with improved public engagement is reflected in the aims of 'A Healthier Wales' <sup>25</sup>. This sets out the goal of ensuring citizens are placed at the heart of a whole-system approach to health and social care services and stresses the importance of listening to all voices through continual engagement.

To realise this ambition, the Health and Social Care (Quality and Engagement) (Wales) Act 2020 <sup>26</sup> will replace Community Health Councils (who currently represent the patient voice in the health service only) with a new national body - the Citizen

Voice Body ('CVB') - that will exercise functions across health and social care. The aims of the new body are to:

- strengthen the citizen voice in Wales in matters related to both health and social services, ensuring that citizens have an effective mechanism for ensuring that their views are heard;
- ensure that individuals are supported with advice and assistance when making a complaint in relation to their care; and
- use the service user experience to drive forward improvement.

This new organisation will be established as a national body but it will be structured in such a way as to enable it to perform its functions at a national, regional and local level. The Act places duties on the new body, NHS bodies and local authorities to make arrangements to co-operate, with a view to supporting each other to promote awareness of the CVB. They are also under a duty to make arrangements to support the new body in seeking the views of the public in respect of health services and social services.

We will publish a code of practice about requests from the CVB to enter health and social care premises to seek the views of individuals with the intention that it will come into force in summer 2023. There will also be statutory guidance to which NHS bodies and local authorities must have regard when dealing with representations made to them by the CVB.

## **Information Sharing**

Good information sharing is central to good safeguarding practice. Practitioners must share information in accordance with to the UK's data protection legislation. The data protection legislation allows for the sharing of information and should not be automatically used as a reason for not doing so. One of the specific circumstances which provides for information sharing is in order to prevent abuse or serious harm to others (Schedule 1 para 18 of the Data Protection Act 2018<sup>27</sup>). A key theme emerging from Adult Practice Reviews is the need for better multi-agency communication and information sharing. When information is not shared in a timely and effective way decisions about how to respond may be ill informed and this can lead to poor safeguarding practice and leave people at risk of abuse or neglect.

We will produce a non-statutory guide to remind practitioners working across agencies of their responsibilities to share information to safeguard adults at risk and to support them in understanding the conditions under which information may be shared.

This advice will be for all front line practitioners and managers working with adults at risk, carers and families who have to make decisions about sharing personal information on a case-by-case basis, where there are safeguarding concerns.

## **Financial Abuse**

Financial Abuse can have a devastating impact on victims and their families. The Social Services and Well-being (Wales) Act 2014 included financial abuse within its definition of abuse and made clear that having money or property stolen; being defrauded; being put under pressure in relation to money or property, or having money or property misused, is abuse.

It's clear that the pandemic provided new opportunities for scammers and there is evidence that older people with needs for care and support were among the most vulnerable groups as were people living alone. In addition, the lockdown periods impacted negatively on other forms of abuse, such as intra familial financial abuse.

Scams can have a terrible effect on victims and older people can be particularly at risk of this form of abuse – evidence from National Trading Standards shows that 85% of victims of doorstep scams are aged over 65. The impact on health and well-being can often be far greater than the financial loss. People lose confidence and can suffer from increased isolation and become more fearful. This in turn leads to a deterioration in both mental and physical health. National Trading Standards, as members of the Older Person's Commissioners Action Group on Abuse, produced a range of material improving awareness of scams and advice on how to protect yourself, and the Welsh Government, through the 'Live Fear Free<sup>28</sup>' helpline offered advice and support for those at risk of domestic abuse of all kinds.

We delivered in May 2022 a communications campaign focussing on the issue of financial abuse, including scams, aimed at older people. We intend that this would also provide information on intra familial financial abuse, signs to look out for and places to go for assistance.

We will work with partners to produce guidance on ways of identifying and avoiding financial abuse, among older people particularly, and sources of advice and assistance.

## **Adult Advocacy**

A Code of Practice on Advocacy Services <sup>29</sup> was issued under the Social Services and Well-being (Wales) Act 2014.

The Code set out the requirements for local authorities to ensure that access to advocacy services and support is available to enable individuals to engage and participate when local authorities are exercising statutory duties in relation to them. It recognised the importance of a variety of forms of advocacy, statutory and non-statutory, formal and informal.

The Welsh Government has funded the HOPE (Helping Others Participate and Engage) project which aims to promote access to early intervention support at community level through a range of advocacy models for older people and carers across Wales. The HOPE project will:

1. Establish, facilitate and support older people's advocacy co-production forums in each region
2. Identify Advocacy Ambassadors through the forums
3. Recruit, train, deploy and support peer and older volunteers
4. Establish a programme of Continuing Professional Development (CPD) training enabling advocates across Wales to continually develop their skills and knowledge.

We will continue to work with local government partners to take forward the work achieved in the Adult Safeguarding and Advocacy conferences which took place in February 2019. The aim will be sustainable community-based peer, group or citizen advocacy services, more older people being involved in their communities and less socially isolated, improved early access to statutory services preventing older people and carers from needing crisis interventions, and a strategic approach to promoting advocacy in Wales.

We will commission research into the provision and accessibility of advocacy services for older people in care homes, not only on entry but throughout their residency. The Regulation and Inspection of Social Care (Wales) Act 2016 requires care homes to signpost advocacy services, and Care Inspectorate Wales statutory guidance indicates 'service providers put in place arrangements to enable individuals to access relevant advocacy services or self-advocacy groups (if they wish) and support for their communication needs to enable them to make decisions about their lives'. However, a study of how this has worked in practice and affected the lives of residents would be a useful guide for future policy work. The disproportionate impact of COVID-19 has served to highlight existing inequalities for some sections of society, including older people, those living with dementia and those living in care homes. The rights of older people in care homes and the ease of access to appropriate advocacy services for older people have been points of particular focus during the pandemic and are an important element in the recovery plan for Health and Social Care in Wales – COVID-19: Looking Forward<sup>30</sup>.

## **Older People's Rights**

Human Rights are universal and recognised rights for everyone as set out in the Human Rights Act 1998<sup>31</sup>(HRA). The Act came into force in the UK in 2000. Human rights are distinct from but closely aligned to the well-being agenda and represent a clear benchmark about the unacceptable nature of humiliating and degrading treatment to any of us. The HRA places an obligation on public authorities, including the Welsh Government, to treat people with fairness, equality, dignity, respect and autonomy.

Age is a protected characteristic under the Equality Act 2010<sup>32</sup> which means that people cannot be treated differently because of their age. The Public Sector Equality Duty is part of the Equality Act. It aims to ensure that public bodies, including the



Welsh Government, consider how they can positively contribute to a fairer society. The duty drives sound decision-making. It encourages public bodies to understand how different groups of people with particular protected characteristics will be affected by their policies and services.

Raising awareness of rights can also empower people to take control and recognise when their rights are being compromised. Defining human rights in simple terms can empower older people to challenge and change the way services are designed and delivered in Wales, but it is equally important to raise awareness of rights amongst professionals.

We are undertaking a series of actions to ‘make rights real for older people.’ We have delivered a national campaign to make older people and carers aware of their rights under the Social Services and Well-being (Wales) Act 2014<sup>33</sup>. We have also worked with older people and key partners to coproduce practical guidance demonstrating how health and social care professionals can embed a rights based approach. It shows how simple changes to the way we work can uphold an individual’s human rights and have a major impact on their well-being. The group also produced a version of this guidance for older people. It is intended that these two documents will be used together to guide conversations and inspire a common understanding of the transformative effect of a rights-based approach.

In 2021-22, we provided funding to each local authority to champion work towards creating an age friendly Wales and to strengthen older people’s groups and forums. These local structures can be effective in disseminating information to older people at risk or experiencing abuse.

## **Loneliness, Social Isolation and Older People**

In recent years we have heard increasingly about the detrimental impact loneliness and social isolation can have on our physical and mental health and well-being.

Our strategy, ‘Connected Communities<sup>34</sup>’ published in February 2020, recognises that whereas anyone, of any age, can experience loneliness and social isolation, older people are particularly vulnerable.

During the pandemic, many have experienced these feelings for the first time; whilst those who were lonely prior to the pandemic have felt even more isolated. We have taken a number of actions to try and support people to stay connected and to access the support they might need, such as: funding Age Cymru’s telephone befriending service ‘Ffrind mewn Angen/Friend in Need’<sup>35</sup>, making changes to our regulations to enable those who live alone to form an “extended household” and piloting a volunteering in care homes initiative to facilitate family visits.

Good progress has been made in implementing the strategy. We have worked across Government to review its 80-plus commitments to ensure they accurately reflect the changes in society that have taken place and to understand the type of support being provided for the most vulnerable and how this can be strengthened.

The establishment of an advisory group of valued external stakeholders, such as the Older People's Commissioner's Office and Age Cymru, has been vital in helping us to better understand the impact of the pandemic on loneliness and isolation amongst older people.

As we continue to implement the strategy we will consider key issues identified by the group such as: digital exclusion, overcoming barriers to re-engaging, types of ongoing support required and sustaining community based support. Social prescribing will play a key role in ensuring local, preventative support is available and responsive to people's individual needs.

We will consider also how to embed intergenerational practice; learning from participants' feedback at our (virtual) national summit held in March 2021, helping to ensure mutual respect and understanding between generations and contributing towards an age-friendly Wales.

## **Digital Access**

We are working to achieve a smarter, better connected society and economy by making sure everybody in Wales has access to digital technologies, and knows how to use them. The Digital Strategy for Wales<sup>36</sup> objective of inclusivity should pay due heed to the needs of older people and offers an enhanced ability to access safeguarding support.

Digital inclusion is a key social justice and equalities issue and is about ensuring people benefit from the rapid pace of technological change taking place in society.

We know there is a large proportion of people across Wales who are not digitally confident – they may not personally use the internet, lack the basic digital skills to access vital services and information and may lack access to a device and/or connectivity. The National Survey for Wales 2019-20<sup>37</sup> shows that older people still account for the largest demographic of those digitally excluded, which stands at 19% for those aged 50 and over; 19% those aged 65-74 and 48% for those aged 75 years and over.

We are committed to support everyone to gain the motivation, confidence and skills in order to make informed decisions and choose how they participate in, and make the most of, our increasingly digital world. As stated in the Digital Strategy for Wales (March 2021), for people who cannot, or decide not to, participate digitally, we will continue to apply the principles of user centred design so that there are alternative ways to access public services in Wales - alternative access routes which will be as good as those offered online.

By ensuring Welsh citizens are digitally confident, particularly our older population, we can contribute to the triple aims of our health and social care system in Wales, which are to improve the health and well-being of the population, to continuously improve the quality of care we provide and to ensure we get the maximum value from the resources we have available.

Through our 'Digital Communities Wales: Digital Confidence, Health and Well-being<sup>38</sup>' procured programme we work with organisations from all sectors that can help reach digitally excluded people. The programme is designed to provide training and support to front line staff, volunteers and organisations to engage with and develop the digital skills of citizens and front line staff. The programme commenced in July 2019 and is due to run until 30 June 2022 with an option to extend by a further three years.

There is a growing need for individuals, be it a young person or an adult, to not only understand their rights online — but also to navigate digital technology safely and with confidence. We recognise 'Stay safe, legal and confident online' now forms part of the five basic digital skills widely adopted across the UK. Training provided by Digital Communities Wales includes tips on how to stay safe and secure online, including protecting privacy, which is passed onto citizens by front line staff and volunteers.

Digital Companions campaign: DCW have been developing a communications campaign to raise awareness of digital inclusion and improve the basic digital skills of older people by highlighting the simple steps that individuals can take to support a digitally excluded person to get online (becoming their Digital Companion). DCW procured and appointed an agency to develop a media plan, with resources, which includes targeted advertising on digital television channels ITV Hub, Made in Cardiff and North Wales TV, as well as on Facebook. This will include case studies of those with lived experience of digital exclusion and the impact the use of technology has since had on them. The main call to action is for individuals to simply help someone they know to use technology effectively. The resources to support people will be available on the DCW website for those who wish to access them.

## **Single Unified Safeguarding Review Project**

In 2018 both an academic report by Dr Amanda Robinson<sup>39</sup> and a practitioner report by Liane James on Domestic Homicide Reviews (DHRs), Adult Practice Reviews (APRs), Child Practice Reviews (CPRs) and Mental Health Homicide Reviews (MHHRs) in Wales were conducted. They both highlighted how the review process is chaotic and complex, with some incidents generating multiple reviews. According to the category of the review, they may be carried out by either devolved or non-devolved agencies.

This way of working may require the bereaved families to participate in multiple inquiries into their loved one's life and death, potentially leading to the re-traumatisation and re-victimisation of the families. The academic and practitioner reports advised that this needed to change both to reduce the negative impacts on the families to make better use of resources and to enable a swifter mechanism to conduct reviews and implement the learning identified on a pan-Wales basis. The reports also found that as the reviews were not conducted in a co-ordinated manner, there was no central database for storing all of them and therefore this made application of learning into practice very difficult.

Based on the findings, the reports advised that several changes needed to be made. This included the creation of a Single Unified Safeguarding Review (SUSR) which is a cross agency framework that encompasses all elements which would usually require multiple reviews. This review will still keep the impacted family at the heart of the review process but will ensure that they are safeguarded against further harm. It was also suggested that these reviews and past DHRs, CPRs, APRs and MHHRs are stored in one central Repository. As a result, the Welsh Safeguarding Repository (WSR) has been created to store all reviews in one location. This allows practitioners easier access to the reviews and enables learning to be extracted from them. The WSR is a unique system which produces thematic explorations from both a social science and a computer science perspective. This key information can then be disseminated across Wales to help protect potential victims and prevent similar future incidents.

We will provide a Single Unified Safeguarding Review (SUSR) process which is used by both devolved and non-devolved agencies to ensure a pan Wales approach to reviews. This will eliminate the need for multiple reviews to be carried out, therefore alleviating some of the pressure on agencies and the families of the deceased.

We will establish the Welsh Safeguarding Repository (WSR) which will then store all safeguarding reviews in one central database. This will enable data to be drawn from the reviews to be used by practitioners going forward, and to produce thematic analysis of the reviews, as well as disseminating learning across Wales to ensure that lessons are identified from past incidents to help prevent similar cases in the future.

## **Community Pharmacies**

Community Pharmacy Wales represents in excess of 700 pharmacy owners in Wales on NHS matters. Its main objective is to secure the best possible NHS service opportunities, remuneration and terms. It is the body responsible for liaising with the Department of Health and for negotiating the contractual terms for the provision of the NHS community pharmacy services.

We will support Community Pharmacies with material and training to identify signs of abuse and report it to social services where appropriate.

## **Data**

The National Independent Safeguarding Board Annual Report 2019-20<sup>40</sup> recommended that ‘The Welsh Government should ensure that the Technical Guidance of the Social Care Performance Framework includes information about the abuse of older people by collecting data broken down by age group.’

The Performance and Improvement Framework for Social Services in Wales<sup>41</sup> became law in 2020. The work on further age disaggregation of the safeguarding return is a requirement of the new collections. The adult safeguarding return which has been carried over from the previous framework is now collected by much

narrower age bands which allows for a more precise analysis of abuse and neglect by age.

Unfortunately, the COVID-19 pandemic has meant that work programmed to start was delayed by at least a few months. The work has resumed as Welsh Government and stakeholders are able to dedicate the time necessary to complete the work. This includes the work in developing the new adults receiving care and support census. A commitment has been made to produce this data.

The Adult Census Development Group will be the primary means of developing the new census. Welsh Government and local authorities in Wales participate in this group in addition to representatives selected from academia, providers and partner agencies. The purpose of the group is to ensure that the collections are valid and purposeful, reflect current practice and are fit for purpose.

## **Social Care Wales**

Social Care Wales will:

- continue to undertake and meet its responsibilities for workforce regulation and development, delivering core and statutory functions
- continue to deliver the extension of the social care register, particularly in reference to new groups such as adult care home workers, whilst continuing to reform and improve the regulatory framework for all.

## **Training - Safeguarding Standards Development Group**

In April 2021, with Welsh Government support, Social Care Wales convened a Safeguarding Standards Development Group that aims to create a set of safeguarding standards that underpin training, learning and development activity related to children and adults in Wales; a multi- agency set of standards for all levels of safeguarding, linked to competencies and knowledge required; a way to map specialist topics or “other” safeguarding training outside of the core modules across to the set of standards’ and an ability for these to be used across agencies, regions and differing needs within the public facing sectors. This will encourage appropriate sharing of information and emphasise the importance of making safeguarding reports.

Outputs will be to develop a National Training Framework with a ‘Train the Trainer’ programme (building on approved Regional Training Framework and NHS Training Framework) and to coordinate a national conversation to improve and enhance multi-agency Safeguarding Training. The standards will be approved by the chairs of Regional Safeguarding Boards and are subject to consultation

## **Consultation Response Form**

Your name:

Organisation (if applicable):

email / telephone number:

Your address:

**National action plan to prevent the abuse of older people**

**1. Do you agree that the three overall objectives are appropriate? If not, what should they be?**

**Agree Strongly**

**Tend to Agree**

**Disagree strongly**

**Tend to Disagree**

**Unsure**

Please comment:

**2. Are the specific issues facing older people in respect of potential abuse and neglect captured appropriately and set out in a clear and useful way? If not, what else should be captured (and how)?**

**Yes**

**No**

**Unsure**

Please comment:

**3. Are approaches to meeting the care and support needs of older people at risk of abuse or neglect set out in a clear and useful way?**

**Agree Strongly**

**Tend to Agree**

**Disagree strongly**

**Tend to Disagree**

**Unsure**

Please comment:

**4. Do you agree that the Action Plan addresses the major risk factors facing older people at risk of abuse or neglect? If not, what else should be addressed?**

**Agree Strongly**   
**Tend to Agree**

**Disagree strongly**   
**Tend to Disagree**

**Unsure**

Please comment:

**5. We would like to know your views on the effects that the Welsh Government Action Plan on Preventing the Abuse of Older People would have on the Welsh language, specifically on opportunities for people to use Welsh and on treating the Welsh language no less favourably than English. What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?**

Please comment:



**6. We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:**

Please comment:

**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:**

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- <sup>1</sup> [Our Strategy for an Ageing Society](#)
  - <sup>2</sup> [UN Principles for Older Persons](#)
  - <sup>3</sup> [Social Services and Well-being \(Wales\) Act 2014](#)
  - <sup>4</sup> [Regulation and Inspection of Social Care \(Wales\) Act 2016](#)
  - <sup>5</sup> [Violence against Women, Domestic Abuse and Sexual Violence \(Wales\) Act 2015.](#)
  - <sup>6</sup> [Age Friendly Wales; Our Strategy for an Ageing Society](#)
  - <sup>7</sup> [Leaving no one behind: Our promise - GOV.UK \(www.gov.uk\)](#)
  - <sup>8</sup> [More tailored support services needed to ensure older people being abused can get the help and support they need - Older People's Commissioner for Wales](#)
  - <sup>9</sup> [Mental Health Act 1983](#)
  - <sup>10</sup> [Safeguarding Older People in Wales Guidance \(gov.wales\)](#)
  - <sup>11</sup> [What Works to Prevent Violence against Women, Domestic Abuse and Sexual Violence?](#)
  - <sup>12</sup> [Information and guidance on domestic abuse: Safeguarding older people in Wales](#)
  - <sup>13</sup> [Statutory Guidance for the Commissioning of VAWDASV Services in Wales](#)
  - <sup>14</sup> [Home shouldn't be a place of Fear](#)
  - <sup>15</sup> [The Renting Homes \(Wales\) Act 2016](#)
  - <sup>16</sup> [Mental Capacity \(Amendment\) Act 2019](#)
  - <sup>17</sup> [European Convention on Human Rights](#)
  - <sup>18</sup> [Dementia action plan: strengthening provision in response to COVID-19](#)
  - <sup>19</sup> [Dementia Action Plan](#)
  - <sup>20</sup> [Care Home Action Plan](#)
  - <sup>21</sup> [Operation Jasmine](#)
  - <sup>22</sup> [Use of Antipsychotic Medicine in Care Homes National Assembly for Wales 2018](#)
  - <sup>23</sup> [CIW Strategic plan for 2020-25](#)
  - <sup>24</sup> [Strategy for Unpaid Carers](#)
  - <sup>25</sup> ['A Healthier Wales'](#)
  - <sup>26</sup> [Health and Social Care \(Quality and Engagement\) \(Wales\) Act 2020](#)
  - <sup>27</sup> [Data Protection Act 2018](#)
  - <sup>28</sup> [Live Fear Free](#)
  - <sup>29</sup> [A Code of Practice on Advocacy Services](#)
  - <sup>30</sup> [Health and Social Care in Wales – COVID-19: Looking Forward](#)
  - <sup>31</sup> [Human Rights Act 1998](#)
  - <sup>32</sup> [Equality Act 2010](#)
  - <sup>33</sup> [Carers Rights under the Social Services and Wellbeing \(Wales\) Act 2014](#)
  - <sup>34</sup> [Connected communities: a strategy for tackling loneliness and social isolation and building stronger social connections](#)
  - <sup>35</sup> [Ffrind mewn Angen/Friend in Need](#)
  - <sup>36</sup> [Digital Strategy for Wales](#)
  - <sup>37</sup> [National Survey for Wales 2019-20](#)
  - <sup>38</sup> [Digital Communities Wales: Digital Confidence, Health and Well-being](#)
  - <sup>39</sup> [Making connections: a multi-disciplinary analysis of domestic homicide, mental health homicide and adult practice reviews](#)
  - <sup>40</sup> [National Independent Safeguarding Board Annual Report 2019-20](#)
  - <sup>41</sup> [Performance and Improvement Framework for Social Services: Measuring Activity and Performance 2020-21](#)