



Overseeing care and support services in Wales

Rules for Commissioners

What people said



How to use this document



This is an Easy Read version of a report by Welsh Government. You can read the original here: www.gov.wales/code-practice-quality-concerns-and-closure-care-and-support-services



You might need help to read it. Ask someone you know to help you



Llywodraeth Cymru
Welsh Government

Where the document says **we**, this means **Welsh Government**. For more information contact:

Website: www.gov.wales/code-practice-quality-concerns-and-closure-care-and-support-services

Email: CareHomeTeam@gov.wales



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Important words and terms



Regulated care and support services

This means:



- Adult care homes
- Children's care homes
- Domiciliary support services
- Residential family centre services
- Adoption and fostering services
- Advocacy services
- Secure accommodation
- Adult placement services
- Special school residential service

We call them **services** in this document. Please read the [Easy Read draft Code](#) for more information.



Regulated



Regulated means controlled by rules.



Regulated services in Wales are registered with **Care Inspectorate Wales**.

Commissioners



Local authorities (local councils) provide and **commission** services.



Commission means planning, organising and paying for services to meet the needs of local people.



The organisations and people in charge of **commissioning** are called **Commissioners**.



Local health boards and NHS trusts also **commission** services.



Local authorities work together with local health boards and NHS trusts to **commission** services.



In this document, we will call local authorities, local health boards and NHS trusts **Commissioners**.

Decommissioning



Decommissioning is when a **Commissioner** ends a contract with a service provider.

About this document



We wrote new rules and guidance for **Commissioners**.



This is called a **draft Code of Practice**.



It explains how **Commissioners** should:

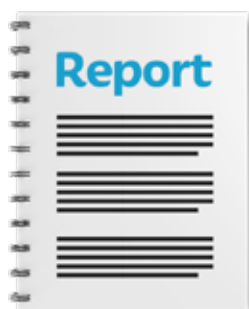
- Check the quality of services.
- Deal with concerns.
- **Decommission** services.
- Put plans in place if a service closes.



We asked people what they think about the **draft Code of Practice**. We call it the **draft Code** for short.



You can read about this on our website: www.gov.wales/code-practice-quality-concerns-and-closure-care-and-support-services



This document is a report about what people said.



We got 41 responses:

- 3 responses were from individuals.
- 35 responses were from organisations.
- Some did not say who they were.

What people said

Quality checks



Question 1

We asked if people agreed with what **Commissioners** should do to check the quality of services

What people liked about this section:



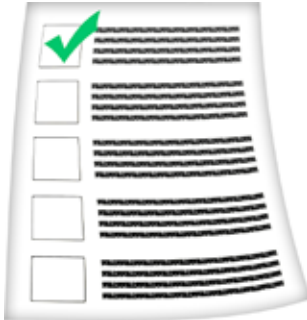
- ✓ It is good that the draft Code focusses on quality.
- ✓ It will help to make services better by working together
- ✓ It makes it clear who is responsible for doing what.
- ✓ It will help make sure things are done in the same way across Wales.
- ✓ It will help avoid different people doing the same work more than once.

People said:



- We should change some words from **should** to **must**. To make it clearer what **Commissioners** must do.

Our response: We looked at every suggestion carefully. We agreed with some and made changes.



We have made the duties of **Commissioners** clearer. For example, we have added that any actions to improve services **must** be in writing.



- The draft Code may make extra work for services. And we should be careful with this.

Our response: The draft Code links to rules and laws we already have.



There will be some extra work at first whilst **Commissioners** get used to the new Code. But in the long term, the new Code will make things easier, clearer and the same across Wales.



- **Safeguarding is important.**

This means keeping people safe from harm.



- **People said the draft Code should link to rules for keeping people safe. And should talk more about advocacy.**



Advocacy is when a person has support to share their view and wishes, and make sure their rights are met.



Our response: We have updated the draft Code to link it to safeguarding rules:

- [Wales Safeguarding Procedures](#)
- and [Social Care Wales training standards](#)



We have added a paragraph about safeguarding duties. We think there is enough information about advocacy in the draft Code.

Other feedback:



- Make it clearer when **Commissioners** must share concerns about services.

Our response: The draft Code now says this must happen when improvement actions are set, or an improvement action plan is made.

- Use an online system to make reporting easier.



Our response: We are looking at new ways to check what is happening in services. This may include online tools for reporting and sharing information.

- Make it easier to share information.



Our response: The draft Code says **Commissioners** and partners should work together. They should use existing rules and guidance to help with this.



- **Include staff working conditions in quality checks.**

Our response: **Commissioners** must follow the rules in the [National Framework](#). This says **Commissioners** must think about working conditions.



- **Have clearer guidance for working with people to improve quality.**

Our response: **Commissioners** must follow the [National Framework](#) to make this happen.



- **The toolkit was not included in the consultation, so we could not comment on it.** A toolkit is a set of good practice documents, templates and examples to help people follow the draft Code.



Our response: We did not include it because it is a guide. **Commissioners** do not have to use it.



- **Include specific words about children's services in the draft Code.**



Our response: The draft Code covers all services for adults and children. Quality checks should include the safety and well-being of everyone, whatever their age.



- **Name organisations responsible for other **commissioning** rules and guidance.**

Our response: The draft Code says 'any **commissioning** teams'. These organisations are included in that. But we have updated our definition of **Commissioners** to make this clearer.



- **Show that social care staff are an important part of providing quality services. This should be included in the Quality Learning Circle picture.**

Our response: We have updated the picture. This is also shown in other laws, rules and guidance.



- **Include an appeals process for service providers.** This is a way for services to formally ask for decisions to be checked and changed.

Our response: We have updated the draft Code to include information about appeals.



- **Include extra steps for checking how organisations are set up and run in the flowchart.** A flowchart is a simple picture that shows steps in a process. It usually uses boxes for actions and arrows to show what happens next.

Our response: Checks are already in the flowchart. We think this is enough.



- **Focus more on people's experiences and opinions when checking the quality of services.**



Our response: The draft Code says **Commissioners** must include people's experiences and opinions. It gives examples of this type of feedback. We have added to the draft Code to make this clearer.

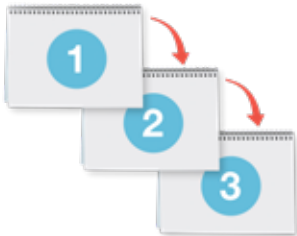
Dealing with concerns



Question 2

We asked if people agreed with how **Commissioners** must deal with concerns.

What people liked about this section:



✓ Clear steps and ways for dealing with concerns.

✓ Clear ways to prevent concerns from getting worse.



✓ The ability to use local processes.

✓ Being able to deal with concerns in an individual way.



✓ Working together and sharing information.

✓ Keeping people safe and improving services.

People said:



- Some people want detailed actions and steps to take to deal with concerns. To make sure things are done in the same way across Wales.



Our response: The draft Code sets out what should be done across Wales. This will make sure things are done in similar ways. It does not go into detail.



This is so **Commissioners** are able to think about:

- local processes
- and the best way to deal with each situation.



- Some people wanted a clearer explanation of things like enough evidence, quality management, and serious risk.



Our response: We have updated the draft Code to make things clearer.



The draft Code says **Commissioners** should work with service providers to write a plan for dealing with concerns.



It is called an escalating concerns action plan. The service provider will own the plan.



- People had different views about who should own the plan. And what role **Commissioners** have in dealing with concerns.



Our response: We changed the name from **escalating concerns action plan** to **improvement action plan**.



The plan can include actions from **Commissioners** and others if needed. We think this helps explain the aim of the plan better.



- People agreed with the aim of the rules around services accepting new placements when there are concerns.



A new placement is when services take on new people.



But people were worried about **Commissioners** not being able to ask services to stop taking new placements for a set time.



This might limit their ability to deal with safety issues.



Our response: We have updated the draft Code to make it clearer what **Commissioners** can do. Especially when they need to keep people safe.



- A few people said the draft Code does not make the role of Care Inspectorate Wales clear.



Our response: The draft Code has a section explaining the role of Care Inspectorate Wales.



The draft Code is clear that improvement action plans **do not** replace action taking by Care Inspectorate Wales.

Decommissioning



Question 3

We asked if people agreed with how services are **decommissioned**.

What people liked about this section:



✓ It gives a clear way to keep services running.

✓ It is good that it talks about the needs of staff, even when **Commissioners** are not always in charge of staff.



✓ **Commissioners** could use local processes.

People said:



- The focus on people's well-being is good. But some worried services would still think about money ahead of people's needs.



- Others said the draft Code has sensible rules that think about quality, money and people's needs.



- People felt strongly the care should continue without gaps. People should move to another service smoothly.



Our response: If a service is **decommissioned**, **Commissioners** must make sure people keep getting the care they need.



We have added that **Commissioners** must think about people's needs, wishes and views.



- **Some people said there should be more details on rules for:**
 - **moving to another service**
 - **and timescales.**



Our response: The draft Code and toolkit provide information to help with local processes.



- **1 person said there should be further guidance for supporting children when moving services.**



Our response: **Decommissioning** services depends on the situation.



The draft Code covers all adult and children's services by law. It must keep people safe and well whatever their age.

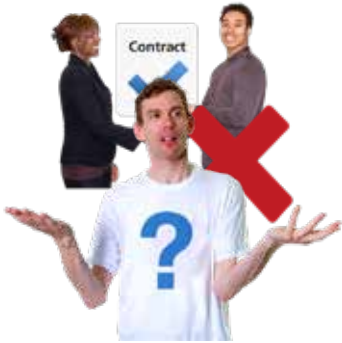


- People wanted the meaning of **decommissioning** to be clearer.

Our response: We updated the definition of **decommissioning**.



It now shows that **decommissioning** does not always mean closing a service. It also explains how it applies to different services.



- People wanted more reasons for **decommissioning** a service to be clearer.

Our response: Services are not always **decommissioned** because of quality.



We have added details about services that are **decommissioned** because of decisions based on things like:

- Money.
- Planning.
- New ideas and services in other places.





- People said it is important to talk with people, families, and unpaid carers during **decommissioning**.



Our response: We updated the draft Code so that **Commissioners must** talk with people during **decommissioning**.



Commissioners must think about people's rights and views when making decisions.



We have also made it clearer what **Commissioners** must do for staff in a **decommissioned** service. They must follow the rules in [Social Partnership and Public Procurement \(Wales\)](#).



Some people suggested the draft Code should talk about the new rules for buying goods and services. But we already have rules that say **Commissioners** must follow up to date laws like this.



Other feedback:

- The meaning of 'external **commissioning** body' should be explained.



Our response: The word is changed now to 'other **commissioning** bodies'. This would include **Commissioners** outside the service area.



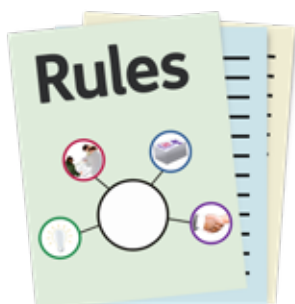
- There should be a simple flowchart showing the steps for **decommissioning** a service.

Our response: We checked it and think it covers all the **decommissioning** steps on 1 page.



- There should be clear rules on pooled budgets and shared responsibilities.

A **pooled budget** is when 2 or more organisations combine their money to fund services together.



Our response: The draft Code gives some guidance for **Commissioners**. But they should also follow other related guidance and rules.



- How we will make sure the draft Code is used the right way.



Our response: **Commissioners** will get support and training to use the draft Code.



- How will **Commissioners** be informed about issues or changes in other areas.

Our response: The National Office for Care and Support will let **Commissioners** know about the process.



- Do service providers have to let **Commissioners** know when stopping services.

Our response: Arrangements between **Commissioners** and service providers should be in local plans and contracts.

What to do if a service closes



Question 4

We asked if people agreed with the steps and plans that should be in place for a safe closure.

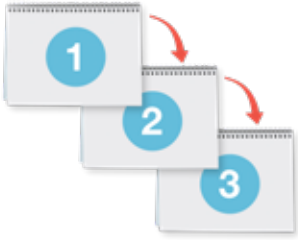


What people liked about this section:

- ✓ It follows the law.
- ✓ There are clear steps for service closures.
- ✓ It includes clear roles, good communication, and teamwork.
- ✓ It helps **Commissioners** act fast and protect people's rights.
- ✓ It focusses on reducing issues and keeping care going.
- ✓ The toolkit to support service closures is helpful.



People said:



- There is a flowchart to show steps to follow in the process of closure. People said the flowchart shows roles and duties clearly.



- People wanted to improve the Lessons Learnt section in the flowchart. To include views from the service provider that is closing.

Our response: We updated the **Lessons Learnt** section to include the existing service provider's feedback.



- People also said the flowchart should include talking with people and carers and advocacy.

Our response: The flowchart is only a summary of what needs to be done in case of closure.



Other important details are in the draft Code. We do not want to repeat it in the flowchart.



- 1 response said **Commissioners** cannot close services. They wanted this made clearer in the draft Code.



Our response: The draft Code is a guide for **Commissioners** to help them deal with closures. It says when a service might close, it does not give **Commissioners** the power to close services.



We have updated the draft Code to make this clearer.

Other feedback:



- **Making sure people work together.**

Our response: The draft Code shows how **Commissioners** should manage service closures. The flowchart explains who is responsible for what.



- **Having tools for financial checks.**

Our response: **Commissioners** already have ways to check if providers can run services before and during contracts.



- **Impact of service closure on unpaid carers.**

Our response: We have updated the draft Code to show that local authorities must follow the law when closing services.

The Welsh language



Questions 5 and 6

We asked what impact the draft Code could have on the Welsh language.

People said:



- **People had mixed views about how the draft Code affects the Welsh language.**



- **Some thought the draft Code gave a chance to use more Welsh. Others worried it did not clearly support the Welsh language.**



- **Most people were happy that the Welsh language would not be affected in a bad way.**



- People wanted the draft Code to mention plans like the Welsh Language (Wales) Measure 2011 and More than just words.



Our response: The draft Code should be used along with the [National Framework](#). The National Framework says people have the right to get care and support services in Welsh.



- Some people said **Commissioners** should check how providers use Welsh.



Our response: This is not part of the draft Code.

Anything else



We asked people if there is anything else they wanted to say about the draft Code.

What people liked about the draft Code:



✓ It is clear, short, and had useful flowcharts.



✓ It covered all regulated care and support services.



✓ It focusses on teamwork, learning, clear guidance, and flowcharts.

People said:



- Some wanted the draft Code to link to the rights of disabled people under the UN Convention.



Our response: The Equality Act 2010 and the [National Framework](#) already cover rights and equality.



- Some said the draft Code should also support all **commissioned** services. Like Direct Payments and very small services.



Our response: The draft Code is for regulated care and support services. But it can also be used as good practice for non-regulated care and support services.



- **Some said children's services are not fully covered. The draft Code does not include a separate section for this.**



Our response: We agree children's services are important. The draft Code covers all services for adults and children.



Some suggested adding rules from the National Framework to contracts.



Our response: The [National Framework](#) already has checks in place. The draft Code was not changed.



- People wanted the draft Code to be clearer to know who would be in charge:
 - to deal with concerns about a service
 - or if a service has to close.



When the local authority in the area does not use the service. Or does not agree with other authorities who do.



Our response: **Commissioners** must monitor contracts and deal with concerns. The draft Code helps them work together, be flexible, and make the right decision.



The flowcharts show:

- When agencies should talk together about quality and concerns.
- The need to set up a team to act on problems.

- One suggestion was for **Commissioners** to work with Llais. So, people's feedback is used in decisions.



Our response: The law already says **Commissioners** must listen to people's views under the Health and Social Care Act 2020.

What happens next



The draft Code will be shown to the Senedd in December 2025.



If the Senedd agrees, the draft Code will start on 28 February 2026.



All draft documents will be on the Senedd website:
senedd.wales/senedd-business/legislation/subordinate-legislation

More information



If you need this consultation in a different format, language or if you have any questions, please contact us:



Write to: Care Home Team
Social Services Improvement Division
Welsh Government
Cathays Park
Cardiff
CF10 3NQ



Email: CareHomeTeam@gov.wales



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