

Social Services and Well-being (Wales) Act 2014

The Essentials



Llywodraeth Cymru
Welsh Government

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Well-being



People



Partnership &
Integration



Prevention

What is it?

The Social Services and Well-being (Wales) Act is in force from April 2016. It is the new legal framework that brings together and modernises social services law.

The Act is supported by

Regulations – Secondary legislation where further detail is required

Codes of Practice – Guidance to help people and organisations to work within the law

The Act is made up of 11 parts:

- 1 Introduction
- 2 General Functions
- 3 Assessing the Needs of Individuals
- 4 Meeting Needs
- 5 Charging and Financial Assessment
- 6 Looked After and Accommodated Children
- 7 Safeguarding
- 8 Social Services Functions
- 9 Co-operation and Partnership
- 10 Complaints, Representations and Advocacy Services
- 11 Miscellaneous and General

What it does

The Act imposes duties on local authorities, health boards and Welsh Ministers that require them to work to promote the well-being of those who need care and support, or carers who need support.

The Social Services and Well-being (Wales) Act changes the social services sector:

- People have control over what support they need, making decisions about their care and support as an equal partner
- New proportionate assessment focuses on the individual
- Carers have an equal right to assessment for support to those who they care for
- Easy access to information and advice is available to all
- Powers to safeguard people are stronger
- A preventative approach to meeting care and support needs is practised
- Local authorities and health boards come together in new statutory partnerships to drive integration, innovation and service change

What are the principles of the Act?

- The Act supports people who have care and support needs to achieve **well-being**
- **People** are at the heart of the new system by giving them an equal say in the support they receive
- **Partnership** and co-operation drives service delivery
- Services will promote the **prevention** of escalating need and the right help is available at the right time



Well-being

Well-being means a person is happy, healthy and is comfortable with their life and what they do.

The Welsh Government has published a Well-being Statement to set out what this means. It has been put together with the people who use and deliver social services.

It says well-being is made up of eight main parts:

Making sure you have your rights

Being physically, mentally and emotionally happy

You are protected from abuse, harm and neglect

Having education, training, sports and play

Positive relationships with family and friends

Being part of the community

Having a social life and enough money to live a healthy life

Having a good home



People

Assessment and Care Planning

Assessments are carried out in the best way to meet an individual's needs.

The new process is simple and avoids unnecessary bureaucracy.

The focus is on what matters to the person and how they can use their own strengths and resources to do those things. Assessment is a partnership between the person and the professional.

Assessment of a person by different partners can be carried out at the same time. These assessments can be completed by one body on behalf of others.

Carers will have an equal right to assessment

Safeguarding

Powers to ensure adults and children are kept safe from abuse or neglect are stronger and there will be a national independent safeguarding board.

If there is cause to suspect an adult or child is at risk, this **MUST** be reported to the local authority.

Financial Assessment and Charging

A consistent, streamlined framework introduces one set of financial assessment and charging arrangements for residential and non-residential care.

There will be greater transparency – each person required to pay a charge receives a written statement detailing the charge and how it has been calculated. A universal review process will enable a person to correct or query charges made.

Also:

People are able to access **advocacy services** to support them to have a voice in the decisions that affect their lives if they are needed.

If they want to, **young people will be supported to stay with their foster carers until they reach 21** (or even 25 if they are in education or training).

More people are entitled to **Direct Payments** – receiving money – if they choose to make their own arrangements for the care and support they are assessed as needing.



Partnership & Integration

Local authorities, health boards and NHS trusts must work closely to ensure better integration of health and social care.

Partnership boards

Local authorities and health boards must work together to assess care and support needs (and carer support needs) of the population in their area. As a result they will identify what services are needed.

They must ensure their resources are used effectively.

Partnership boards will need to prioritise the integration of services in relation to:

- Older people with complex needs and long term conditions, including dementia
- People with learning disabilities
- Carers, including young carers
- Integrated Family Support Services
- Children with complex needs due to disability or illness

The National Adoption Service is being delivered by local government working collaboratively with voluntary organisations. It brings together all Welsh local authorities to speed up the process and ensure good quality post-adoption support is available.



Prevention

Local authorities will arrange the right preventative services to reduce need for formal support in their area.

This will be informed by an assessment undertaken by the local authority in partnership with the health board. It will establish the needs of the people who need care and support, and carers who need support, in their area.

Local authorities are required to:

Provide a bi-lingual Information, Advice and Assistance service.

This will make it easy for everyone to access relevant, clear information and advice about all of the services available in the area. This will help people make decisions about the support they need to live the life they want. This service will be welcoming and supportive to help people find solutions early on. This service will be a preventative service in itself.

Promote social enterprises and co-operatives which involve people who need care and support.

A social enterprise is a business with profits re-invested back into its services or the community.

A co-operative is a group acting together voluntarily to meet economic and social need.

The Welsh Government's Social Business Wales website has information about how to set up a social enterprise.

<https://business.wales.gov.uk/socialbusinesswales/>

How will we measure success?

- The social services national outcomes framework for people who need care and support and carers who need support describes the important well-being outcomes people should expect to lead fulfilled lives.

It has been produced in partnership with stakeholders and people who need care and support.

Welsh Ministers must report on the progress made towards the achievement of well-being in an annual report. Evidence will be collected from a range of organisations, sectors and people themselves, to measure success and to highlight where improvements are necessary.

- The performance measurement framework for local authorities will support local authorities to compare and benchmark their performance against others, and then to learn and improve. It will enable people to understand the quality of social services and to make informed decisions about their care and support.

Find out more:

Online:

Welsh Government – www.gov.wales

National Assembly for Wales – www.assembly.wales

Information and Learning Hub – www.ccwales.org.uk/getting-in-on-the-act-hub/

Twitter:



@DHSSWales #SSWbAct

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