



Llywodraeth Cymru
Welsh Government

Social Services and Well-being (Wales) Act 2014

Statutory guidance in relation to area plans under section 14A

Part 2 (General Functions)

Part 9 (Partnership Arrangements)





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



Preface

1. This statutory guidance is issued under section 169 of the Social Services and Well-being (Wales) Act 2014 (“The 2014 Act”). The 2014 Act came into effect on 6 April 2016.
2. Section 166 of the 2014 Act provides for formal partnership arrangements to be established between local authorities and Local Health Boards (LHBs). The purpose of the provisions on partnership arrangements is to improve the outcomes and well-being of people, as well as improve the effectiveness of service delivery.
3. This statutory guidance should be read alongside the Part 9 statutory guidance on partnership arrangements, issued in December 2015 and available at:
<http://gov.wales/docs/dhss/publications/151218part9en.pdf>
4. Also of relevance is the Part 2 Code of Practice (General Functions), specifically Chapters 2 A and B which cover the requirement for local authorities and LHBs to jointly undertake a population assessment and the formation of a partnership arrangement for the purposes of undertaking that assessment. This Code was issued in December 2015 and is available at:
<http://gov.wales/docs/dhss/publications/151218part2en.pdf>
5. Throughout this guidance, reference is made to “joint area plans”. These plans should be prepared jointly by the LHB and the local authorities within that LHB area under the direction of the regional partnership boards. This will ensure a consistent approach from the preparation of the combined population assessment through to the preparation of joint area plans.

Legislative background

6. The Well-being of Future Generations (Wales) Act 2015 (“The 2015 Act”) inserts section 14A into the 2014 Act. This requires local authorities and LHBs to each prepare and publish a plan (the area plan) setting out the range and level of services they propose to provide, or arrange to be provided, in response to the population assessment required by section 14 of the 2014 Act. A local authority and a Local Health Board who have carried out a joint assessment together under section 14(1) may jointly prepare and publish an area plan (known as a joint area plan)
7. The purpose of this statutory guidance is to support the implementation of:
 - the requirements of the Care and Support (Area Planning) (Wales) Regulations 2017 (“The area planning regulations”) which set out specific details relating to the implementation of the area plans required by section 14A of the 2014 Act and include provision about the preparation and publication of joint area plans.
 - the Partnership Arrangements (Amendment) (Wales) Regulations 2017 (“the 2017 regulations”) which add the new section 14A planning functions to the

list of LHB functions required to be carried out by the partnership arrangements under the direction of regional partnership boards. (Those planning functions are already included as part of the local authority functions required to be carried out by the regional partnership boards as a result of the Partnership Arrangements (Wales) Regulations 2015 (“the 2015 partnership regulations”))

8. The Part 9 statutory guidance on Partnership Arrangements remains in place. This document serves as an addendum to that guidance.

Introduction

9. Chapter 2b of the Part 2 Code of Practice sets out the requirement for LHBs and the local authorities in the area of that LHB area to form partnership arrangements to undertake the population assessments. This will allow for the production of a combined population assessment report. The first population assessments must be produced by April 2017.
10. Where a combined population assessment report has been produced, local authorities and LHBs should produce a joint area plan. These joint area plans must provide a description of the range and level of services proposed to be provided or arranged in response to the care and support needs, including the support needs of carers, identified in the combined population assessment reports.
11. Joint area plans must focus on the integrated services planned in response to each core theme identified in the population assessment. As part of this, joint area plans must include:
 - the actions partners will take in relation to the priority areas of integration for regional partnership boards;
 - the instances and details of pooled funds to be established in response to the population assessment;
 - how services will be procured or arranged to be delivered, including by alternative delivery models;
 - details of the preventative services that will be provided or arranged;
 - actions being taken in relation to the provision of information, advice and assistance services; and
 - actions required to deliver services through the medium of Welsh.
12. The first area plans must be published by 1 April 2018.

Regional Partnership Boards

13. Regional partnership boards must ensure that the local authority and LHB partners work together effectively to respond to the population assessment and implement the joint area plans.
14. Chapter 2b of the Part 2 Code of Practice encourages the production of combined population assessment reports in relation to the following regional partnership board areas:

- **Gwent** - partnership arrangement between Aneurin Bevan University Health Board, Monmouthshire County Council, Newport City Council, Torfaen County Borough Council, Blaenau Gwent County Borough Council and Caerphilly County Borough Council
- **North Wales** - partnership arrangement between Betsi Cadwaladr University Health Board, Flintshire County Council, Wrexham County Borough Council, Isle of Anglesey County Council, Gwynedd County Council, Denbighshire County Council and Conwy County Borough Council
- **Cardiff and Vale** – partnership arrangement between Cardiff and Vale University Health Board, Cardiff City and County Council and Vale of Glamorgan Council
- **Western Bay** – partnership arrangement between Abertawe Bro Morgannwg University Health Board, Swansea City and County Council, Bridgend County Borough Council and Neath Port Talbot County Borough Council
- **Cwm Taf** – partnership arrangement between Cwm Taf University Health Board, Rhondda Cynon Taf County Borough Council and Merthyr Tydfil County Borough Council.
- **West Wales**– partnership arrangement between Hywel Dda University Health Board , Pembrokeshire County Council, Carmarthenshire County Council and Ceredigion County Council
- **Powys** – partnership arrangement between Powys Teaching Health Board and Powys County Council

15. Regional partnership boards should ensure all partners work together effectively to improve outcomes for people in their region. To achieve this they will need to ensure that services and resources are used in the most effective and efficient way.

Production of area plans

16. Local authorities and LHBs must form partnerships in order to carry out the population assessments required by section 14 of the 2014 Act. The area plans required to be prepared by local authorities and LHBs under section 14A should also be prepared on a joint basis. Developing an area plan jointly will create consistency with the combined population assessment process and contribute significantly to the objective of integrated and sustainable care and support services. It will also enable partners to discharge the section 14A(2)(f) duty in the 2014 Act to set out the details of anything they propose to do jointly in response to the population assessment.

17. The area planning regulations also set out a series of requirements relating to:

- (a) specifying when a plan is to be published;
- (b) reviewing a plan;
- (c) engaging people and other bodies when preparing a plan; and
- (d) the monitoring and evaluation of services and other action set out in a plan.

These requirements all apply to joint area plans.

18. As with the population assessments, the joint area plans should be concise and drafted using accessible language so that they can be considered by members of

the public. This will ensure that people can identify what services are going to be provided by local authorities and LHBs in relation to their care and support needs. Joint area plans should not exceed 130 pages, although separate supplementary annexes can be produced if necessary.

Citizen engagement

19. Section 16 (1)(c) of the 2014 Act requires a local authority to promote the involvement of persons for whom care and support or preventative services are to be provided in the design and operation of that provision. In keeping with the process for undertaking population assessments, when preparing the joint area plans, local authorities and LHBs must therefore ensure reasonable steps are taken and a procedure established to engage with:
 - (a) people in the area, including children who have or may have needs for care and support;
 - (b) people in the area with parental responsibility for children who have or may have needs for care and support; and
 - (c) carers who have or may have needs for support.
20. Engagement with citizens when preparing a joint area plan does not need to be as far reaching as the extensive citizen engagement carried out as part of the process of undertaking the population assessment.
21. Further information about the principles and methods of involving people, including the principles of co-production can be found in the Part 2 Code of Practice, particularly Chapter 4 - Promoting Social Enterprises, Co-operatives, User Led Services and the Third Sector.

Engagement with private and third sector organisations and public bodies

22. When preparing a joint area plan, local authorities and LHBs must engage with bodies which it believes are concerned with, or have an interest in the provision of care and support or preventative services to the population of the area covered by the area plan. This could include private sector or third sector organisations or public bodies, at a national or local level

National Outcomes Framework

23. The national outcomes framework includes the well-being statement, which articulates the national well-being outcomes that people who need care and support and carers who need support should expect in order to lead fulfilled lives. It also includes national outcome indicators to measure whether well-being is being achieved. In planning the range and level of services necessary to meet need, local authorities and LHBs should ensure the joint area plans describe a range and level of services which support the achievement of well-being in line with the national outcomes framework. More information on the national outcomes framework is available at:

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

Content and presentation of joint area plans

24. Each population assessment report must include specific core themes dealing with:

- children and young people;
- older people;
- health/physical disabilities;
- learning disability/autism;
- mental health;
- sensory impairment;
- carers who need support
- violence against women, domestic abuse and sexual violence

25. The joint area plans should set out the services planned by local authorities and LHBs in response to the core themes above. Services planned in respect of the violence against women, domestic abuse and sexual violence core theme will be included within joint local strategies required by the Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015. That strategy can be referenced within the joint area plan.

26. Setting out the services planned within the joint area plan by core theme will ensure they can be easily compared with the care and support needs identified under each core theme in the combined population assessment report. The joint area plans should focus on how partners will deliver integrated services in relation to these core themes via regional partnership boards

27. Regional partnership boards must 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; and
- Children with complex needs due to disability or illness.

Joint area plans must set out how the services planned in relation to each core theme supports the regional partnership boards prioritise the integration of services in these areas.

28. Area plans should reference and/or summarise other relevant planning documents where necessary rather than duplicate those documents.

Pooled funds

29. The 2015 partnership regulations require partnership bodies within each regional partnership board to establish and maintain pooled funds in relation to:

- the exercise of their care home accommodation functions;
- the exercise of their family support functions.

30. These regulations also require that if any of the partnership bodies decide to do things jointly in response to the population assessment, they must consider whether it is appropriate to establish and maintain a pooled fund.
31. The joint area plans should set out the instances and details of any pooled funds local authorities and LHBs intend to establish as a result of the care and support needs identified in the population assessment report.

Services to be arranged or procured

32. A significant feature of the joint area plans should be a description of the services that local authorities and LHBs intend to arrange or procure as a result of the needs identified in their population assessment. This should include explicit consideration of alternative delivery models, such as social enterprises. (Section 16 of the 2014 Act places a duty on local authorities to promote the development in their area of social enterprises, co-operatives, user led services and the third sector. Further information on this requirement can be found in Chapter 4 of the Part 2 Code of Practice.)
33. Joint area plans may also draw on any commissioning strategies or market position statements that have been developed.
34. While not pre-empting the formal procurement process, joint area plans should therefore also set out details of the types of services to be arranged or procured. These could be delivered by:
 - private sector providers
 - third sector providers
 - alternative delivery models
35. Local authorities and LHBs may also wish to make reference to services which they identify as no longer being able to meet care and support needs identified in their population assessment and could therefore be decommissioned.

Preventative Services

36. When identifying the types of services proposed to be provided, or arranged, in response to the population assessment, local authorities and LHBs must always have regard to the need to provide or arrange preventative services, as required by section 15 of the 2014 Act.
37. Each joint area plan must set out the preventative services proposed to be provided or arranged in response to the population assessment, including those existing services which will be maintained. Further guidance on the provision of a preventative approach is contained in chapter 3 of the Part 2 Code of Practice (General Functions). This should be read in conjunction with this guidance.

Carers

38. The extent to which there are carers in the local authority's area who need support must be assessed as part of the population assessment. Regulation 5(c) of the

area planning regulations also requires local authorities and LHBs to take reasonable steps to engage with carers in the area who have or may have needs for support when developing their area plans. The partnership bodies should ensure this engagement takes place, including via carers organisations.

Information Advice and Assistance (IAA)

39. The joint area plans should also set out the specific actions being taken by the local authorities and other bodies in relation to the provision of IAA services, as required by Section 17 of the 2014 Act. (That requires local authorities to secure the provision of a service for providing people with information and advice relating to care and support, and assistance in accessing care and support.) Further guidance on the IAA is available in the Part 2 Code of Practice (General Functions).

<http://gov.wales/docs/dhss/publications/160331ss-outcomesen.pdf>

Welsh language

40. The population assessment reports must identify the actions required to deliver the range and level of services identified as necessary through the medium of Welsh. In the same way, the joint area plans should set out how the range and level of services identified as necessary through the medium of Welsh in the population assessment reports will be specifically delivered.

Other actions and resources

41. The joint area plans must set out any other actions the members of regional partnership board intend to take in response to the population assessment.
42. The joint area plan must also make clear what resources will be deployed in doing the things set out in the plan.

Monitoring, evaluation and review arrangements

43. Partnership bodies must take appropriate steps to monitor and evaluate the services and other action set out in the joint area plans. Regional partnership boards should ensure that an evaluation of the actions set out in the joint area plan takes place at least once during a local government electoral cycle. A report of this review should be included as a Chapter in the Board's annual report.
44. If an addendum to a combined population assessment report is issued, the local authority and LHB must review the most recent joint area plan and consider whether it should be revised and, if so, prepare and publish a revised joint area plan as soon as practicable following the issue of the addendum.

Timescales and publication arrangements

45. The first joint area plan must be produced by 1 April 2018 and submitted to Welsh Ministers at the time of publication. Subsequent joint area plans must be published within one year after the date the most recent combined population assessment report is required to be published. If a revised joint area plan has been published

following a review, this does not affect the duty to publish a subsequent joint area plan within this timescale.

46. As set out in the Part 9 statutory guidance on Partnership Arrangements, regional partnership boards must prepare a report on the extent to which the Board's objectives are being met. The first annual report must be prepared and submitted by 1 April 2017. Annual reports prepared following the production of a joint area plan in April 2018 must set out how the board is implementing that plan.

Links to other planning frameworks

The Well-being of Future Generations (Wales) Act 2015 ("The WFG Act")

47. Section 37 of the WFG Act requires a public services board to prepare and publish an assessment of the state of economic, social, environmental and cultural well-being in its area ("the assessment of local well-being"). The population assessment is one of a number of statutory reviews and assessments which the public services board must take into account when preparing this assessment.
48. In response to the assessment of local well-being, Section 39 of the WFG Act requires a public services board to prepare and publish a plan setting out its local objectives and the steps it proposes to take to meet them (a "local well-being plan").
49. While local well-being plans will set out how public services boards intend to improve the economic, social, environmental and cultural well-being of its area, joint area plans should focus on the actions local authorities and LHBs are taking in their areas in response to the care and support needs identified in the combined population assessment.
50. The first local well-being plans are required to be published no later than one year following ordinary Local Government elections, (currently scheduled for May 2017). Local authorities and LHBs should ensure the description of the range and level of services to be provided or arranged in response to the combined population assessment within joint area plans, complement objectives for improving the well-being of the area within local well-being plans.

Integrated Medium Term Plans ("IMTPs")

51. The NHS Finance (Wales) Act 2014 requires IMTPs to be produced by LHBs over a rolling three year period. to set out how it will meet its financial duty while improving the health of the people for whom it is responsible; and the provision of healthcare to such people. The plans dealt with in this guidance set out how resources will be used to address areas of population health need and improve health outcomes; improve the quality of care; and, ensure best value from resources including in relation to the integration of health and social services.
52. Where possible, relevant information within IMTPs should be referenced rather than duplicated within joint area plans.