



Llywodraeth Cymru  
Welsh Government

# Welsh Government Integrated Impact Assessment Summary

**Title of proposal:**

*Code of Practice in relation to the performance and improvement of social services in Wales*

**Department:**

*Health & Social Services*

**Cabinet Secretary/Minister responsible:**

*Julie Morgan, Deputy Minister for Health and Social Services*

**Start Date:**

*Introduction into the Assembly – 11 February 2020*

**Contact e-mail address:**

[SocialServicesImprovement@gov.wales](mailto:SocialServicesImprovement@gov.wales)

## **What action is the Welsh Government considering and why?**

1. The Social Services and Well-being (Wales) Act 2014 ('the Act') came into force in April 2016. The Act provides the legal framework for improving the well-being of people who need care and support, and carers who need support, and for transforming social services in Wales. The Act builds on The White Paper 'Sustainable Social Services for Wales: A Framework for Action' that was published in 2011.
2. The Welsh Government is responsible for monitoring the impact of the Act on people who need care and support and carers who need support. In order to achieve this a performance measurement framework was introduced in 2016 as a code of practice. However, engagement with the sector highlighted that this code is not working as intended. Therefore this new code revokes the Code of practice in relation to the performance and improvement of social services issued in 2016 and is intended to address the issues identified by the sector.

### **Code of practice relating to the performance and improvement of social services in Wales**

3. The new Code of practice relating to the performance and improvement of social services in Wales<sup>1</sup> comes into effect in April 2020. Produced by Welsh Government in collaboration with local authorities and social care stakeholders in Wales, it describes Welsh Government's ambition to use a range of methods to collect, analyse and understand data and evidence on the delivery of care and support, and support for carers across Wales.
4. The code of practice describes an ambition to seek real and sustained change in how social services in Wales is measured and reported on and how the information gathered is used to inform the future of social services in Wales. The new approach also put a key focus on performance and improvement equally in relation to the delivery of services under the Act.
5. The new code of practice sets out two areas that all local authorities must use to inform their performance and improvement in relation to the Act. These are:
  - The new quality standards
  - The new performance and improvement framework

### **Quality Standards**

6. The quality standards set out Welsh Government's expectations at a national level of the quality of support that local authorities must be aspiring to provide. The standards have been designed to align with the seven well-being goals of the Well-being of Future Generations (Wales) Act 2015 and the Code of practice for the review of local authority social services<sup>2</sup> as set out in the Regulation and

---

<sup>1</sup> Code of practice in relation to the performance and improvement of social services in Wales: INSERT LINK

<sup>2</sup> <https://careinspectorate.wales/sites/default/files/2019-04/190401-code-of-practice-lass-en.pdf>

Inspection of Social Care (Wales) Act 2016, alongside the requirements of the Social Services and Well-being (Wales) Act 2014.

7. The new quality standards are intended to be ambitious and aspirational. The standards have been designed to provide local authorities with a clear vision for social services in Wales and aim to support and encourage best practice and innovative ways of working.

### **Performance and Improvement Framework**

8. The performance and improvement framework has been designed to support local authorities to evidence their progress against the quality standards. The data and evidence gathered through the framework will provide local authorities with a range of data and evidence that they should use to measure their performance in relation to the Act and to inform their improvement activities.
9. The performance and improvement framework aims to change the way that local authorities collect, analyse and use data and evidence. The new framework contains three component parts, which work holistically. These are:
  - Measuring activity and performance
  - Understanding experiences and outcomes
  - Using evidence to inform improvement

### **Measuring activity and performance**

10. The data collected in this component of the framework provides insight into factors that contribute to the understanding of social care in Wales by providing information and evidence on what local authorities do, how well local authorities are delivering social care in relation to the Act and data on the people that local authorities are working with. The continued production of consistent data across Wales enables Welsh Government to assess social care at a national level as well as allowing local authorities to share data and intelligence that assists them in their journey of improvement and collaboration.

### **Understanding experiences and outcomes**

11. Information gathered in this component will provide local authorities with information on people's experiences of social care, as well as how and if they are achieving their well-being outcomes.
12. We will also develop a user experience survey which will gather information from adults, children, carers and parents to better understand people's experiences of care and support and carer's experiences of support.

### **Using evidence to inform improvement**

13. The intention of this component is to enable local authorities to understand the wider social care context and how their provision and practice can be improved. Local authorities will be expected to use research evidence to inform their

services, to drive improvement and highlight best practice. Local authorities will also be expected to commission or undertake research individually, regionally or in partnerships, in the areas that are most important to them.

## **Accountability**

14. Local authorities will be expected to demonstrate their progress against the quality standards, using the methods prescribed in the performance and improvement framework, annually via the Local Authority Social Services Annual Report<sup>3</sup> (commonly referred to as the Director's Report). They will be expected to demonstrate and evidence their progress using data from the three component parts that are set out in the framework.

## **Long Term**

15. The code of practice has been designed collaboratively with the social care sector with a view to ensure that it is fit for purpose in the long term. The current data and evidence collected in relation to the Act does not reflect the full range of support currently provided by local authorities. Therefore, it is critical that this new approach as set out in the code of practice is adopted so that the data and evidence gathered is fully reflective of the reality of social services in Wales and is fit for the future. This will enable local authorities to better understand their services and the impact that these are having on people who need care and support and carers who need support. This will ensure that they are able to plan more effectively and enable them to make more informed decisions that take into account long term impact. This will enable Welsh Government to understand long term trends at a national level which will inform policy development and the impact of policies over time.

## **Prevention**

16. Prevention is one of the key principles of the Act and so has been fully considered in the development of this code of practice. Specifically to address this issue, two new quality standards focussed on prevention have been developed as part of the code which all local authorities will be required to work towards. This will ensure that prevention is always considered in the implementation of the code and ensure that local authorities are focussing on those people who require preventative services and advice in order to prevent escalation of need, as well as those in receipt of formal care and support.

## **Integration**

17. The quality standards which are included in this code of practice have been developed in line with the well-being objectives as set by the Well-being and Future Generations (Wales) Act 2015. This approach includes two quality standards which have been developed under the heading of 'Partnerships and Integration'. This will ensure that all local authorities are focussing on integration

---

<sup>3</sup> As required by section 144A of Social Services and Well-being (Wales) Act 2014.

as a priority and ensuring that effective partnerships are in place to commission and deliver fully integrated, high quality, sustainable outcomes for people.

## **Collaboration**

18. The quality standards which are included in this code of practice have been developed in line with the well-being objectives as set by the Well-being and Future Generations (Wales) Act 2015. This approach includes two quality standards which have been developed under the heading of 'Partnerships and Integration'. This will ensure that all local authorities adopt a collaborative approach to care and support, including other key partners where this is needed, and ensuring that people receiving care and support are treated as equal, collaborative partners.

## **Involvement**

19. This code of practice has been developed with full involvement from the social care sector, key partners such as health, housing and education and with people who are receiving care and support. This ongoing involvement will continue as the code is implemented and also through the formal monitoring and evaluation of the impact of the Act, for example, through the Measuring the Mountain project which is due to publish its Phase 2 findings in September 2020. Full involvement from all partners affected by this code is critical in order to ensure that the code is fully implemented and delivered successfully. Our governance structures have been carefully developed so that they fully reflect the range of partners and stakeholders who are involved in this programme of work.

## **Impact**

20. It is intended that this revised code of practice will achieve the following outcomes:

- Improve how local authorities are collecting and using data and evidence so that they are better able to understand the impact that they are having on people who need care and support and carers who need support
- Improve the quality of the data and evidence at both a local and a national level so that it can be used to inform decision making, shape policy development, understand trends and allow effective monitoring of provision and impact
- Improve the well-being outcomes of people who need care and support and carers who need support
- Identify areas where more data and evidence is needed so that improvement across social care can be delivered more consistently

## **Costs and savings**

21. Initially there will be a cost to Welsh Government in delivering this code of practice as the sector, specifically local authorities, will need to be supported to engage with and implement the new requirements.
22. Over time, however, it is anticipated that this will provide a cost saving as an increased understanding of data and research evidence will ensure that better, more well-informed decisions are made which will impact not only on the quality of provision and people's personal outcomes, but on overall costs as well.

## **Mechanism**

23. The powers enabling the making of the code are contained in Sections 145 and 146 of the 2014 Act.
24. Section 145 of the 2014 Act permits Welsh Ministers to issue, and from time to time revise, one or more codes of practice on the exercise of social services functions. Section 146 of the 2014 Act lays down the procedure to be followed when issuing or revising a code under Section 145.

## **How have people most likely to be affected by the proposal been involved in developing it?**

25. The code of practice has been developed working in close collaboration with local authorities and other key stakeholders who have a role in delivering and regulating social services for people and carers in Wales.
26. Prior to formal consultation the code of practice and supporting technical guidance were developed and tested in close collaboration with a wide range of stakeholder groups who met regularly from January 2018 – April 2019. This included detailed engagement with:
  - Local authority data leads
  - Local authority heads of service
  - Association of Directors of Social Services Cymru
  - Social Care Wales
  - Care Inspectorate Wales
  - Welsh Local Government Association
  - Third sector partners
  - People receiving care and support and carers receiving care and support, through the Measuring the Mountain project.
27. Through our engagement with the Measuring the Mountain project we have been able to ensure we have obtained views from children and their representatives, people with protected characteristics and Welsh speakers.
28. The code was consulted upon in a 12 week consultation that ran from 13 May to 5 August 2019. This was accompanied by the draft technical guidance that will

support the performance and improvement framework. The consultation received 43 responses from local authorities, third sector organisations and individuals. Following the consultation, the code was reviewed and amendments made where appropriate, to take into account the views of respondents.

## **What are the most significant impacts, positive and negative?**

29. The code of practice has been designed to change the way that local authorities approach their performance and improvement in social services. It is intended that this revised code of practice will achieve the following outcomes:

- Improve how local authorities are collecting and using data and evidence so that they are better able to understand the impact that they are having on people who need care and support and carers who need support
- Improve the quality of the data and evidence at both a local and a national level so that it can be used to inform decision making, shape policy development, understand trends and allow effective monitoring of provision and impact
- Improve the well-being outcomes of people who need care and support and carers who need support
- Identify areas where more data and evidence is needed so that improvement across social care can be delivered more consistently
- Contribute to delivering the goals of the Well-being and Future Generations (Wales) Act 2015 and their focus on building a healthier, more equal and more resilient Wales

30. The code is seeking to achieve a cultural change in how data and evidence is used both by local authorities and by Welsh Government. This is a significant change which is likely to have some negative impact initially. This will include:

- Local authorities will need to be supported through the implementation of the new code to ensure that they have the capacity and the skills to be able to deliver it effectively
- The changes will take some time to embed

31. Beyond the impact on local authorities, this Integrated Impact Assessment has indicated that there will be no negative impact on the well-being of people or communities in Wales, or on Wales' cultural well-being or on the Welsh language. Neither has it raised any issues on the economic well-being of businesses or of the public, the environment, the United Nations Convention on the Rights of the Child or the tackling poverty agenda.

**In light of the impacts identified, how will the proposal:**

- **maximise contribution to our well-being objectives and the seven well-being goals; and/or,**
- **avoid, reduce or mitigate any negative impacts?**

32. The code of practice has been developed in line with the requirements of the Well-being and Future Generations (Wales) Act 2015, as well as the Social Services and Well-being (Wales) Act 2014. This has ensured that the code fully reflects and promotes both the well-being objectives and the seven well-being goals. As the code is implemented and becomes embedded it is intended that practice will align with the well-being objectives and the seven well-being goals to ensure that this way of working becomes routine practice throughout the sector.

33. Welsh Government recognises that local authorities will need additional support to implement the new code. This will be mitigated through delivering the following:

- support for local authorities to provide capacity to engage and implement the new code
- bespoke resources to support implementation
- working closely with Social Care Wales to develop a national social care improvement hub (which will include a national data strategy)
- working with the Welsh Local Government Association to help to facilitate a peer review approach to improvement; and
- hosting regional and national events to support local authorities with implementation.

**How will the impact of the proposal be monitored and evaluated as it progresses and when it concludes?**

34. Local authorities will be expected to demonstrate their progress against the quality standards, which are set out in the code of practice, annually through the Local Authority Social Services Annual Report. This evidence must be a combination of the data and evidence gathered through the performance and improvement framework, alongside any local data or other approaches that the local authorities consider to be appropriate to them.

35. The Local Authority Social Services Annual Report will be scrutinised by Welsh Government and CIW. In addition Social Care Wales will undertake an annual analysis of each of the local authority's Director's Report which will provide a national overview of the impact the new framework on Social Service in Wales.

36. The new Local Authority Social Services Annual Report will be launched in April 2022 and a separate code of practice will be developed to support this additional programme of work.



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

**OGL** © Crown copyright 2019

WG40089

Digital ISBN 978-1-80038-132-2