Health Impact Assessment - drafted: Sept 26

Name of decision: Revised National Framework for Commissioning Care and Support: Code of Practice.

Purpose /aim of decision:

The proposal reviews and updates the National Framework for Commissioning Care and Support: Code of Practice (referred to in this document as "the Code").

The revisions are intended to strengthen commissioning practice across Wales, support greater consistency and accountability, improve integration and collaboration between health and social care, and ensure commissioning decisions are informed by evidence, lived experience and a focus on outcomes. They also reinforce our commitment to fair work, equality, human rights, the Welsh language and support for unpaid carers. Ultimately, the aim is to support better outcomes for people, families and communities through more consistent, evidence-informed commissioning.

By strengthening person-centred, outcomes-focused and preventative commissioning, the revised Code may support services to better understand and respond to people's strengths, needs and personal outcomes, contributing to improved wellbeing, independence and equitable access to care and support.

Deciding if a HIA is required

The Regulations require certain public bodies, including the Welsh Ministers, to consider health impacts when proposing to **make a decision of a strategic nature about how to exercise their functions.**

Deputy Directors are responsible for determining whether a decision is one which requires a HIA under the Regulations.

- If this **is** a decision of a strategic nature about how Welsh Minister's exercise their functions: please complete **Section A.**

- If this **is not** a decision of a strategic nature about how Welsh Minister's exercise their functions but **it would be beneficial to undertake** a HIA: please complete **Section A.**

- If this **is not** a decision of a strategic nature about how Welsh Minister's exercise their functions and **it would not be beneficial to undertake a HIA**: please complete **Section B.**

- **Section C must** be completed by **all.**

SECTION A – Completing a Health Impact Assessment

Population Group(s) affected by decision / policy

- What information do you have about the population group(s) whose physical or mental health are reasonably considered may be affected by the decision?

The revised Code is likely to affect people who receive, or may require, care and support in Wales, unpaid carers and the social care workforce. Particular consideration has been given to children and young people, older people, disabled people, neurodivergent people, people living in rural or socio-economically disadvantaged communities, Welsh speakers, people with communication needs, Black, Asian and minority ethnic communities and other ethnic minority groups, where appropriate. The revised Code is also likely to affect commissioners, providers and partner organisations involved in planning and delivering care and support services across Wales.

Identification and assessment of effects on health

- Are there any intended effects of the decision on the physical and mental health of the population group(s) identified?

- Are there any unintended effects of the decision that are reasonably considered likely, on the physical and mental health of the population group(s) identified?

- Have you had due regard to the following:

- **Wider determinants of health**: this means the social, economic, cultural and environmental factors that may affect people's health)?

- **Health equity factors:** this means any differences in health outcomes and health opportunities (i.e. publicly available opportunities that could promote or improve physical or mental health) caused by any ground, including:
    (i) socio-economic status,
    (ii) geographic location, and
    (iii) the presence of a protected characteristic within the meaning of Chapter 1 of Part 2 of the Equality Act 2010.

- Consider both the **short term** and **long-term** effects in line with the 5 ways of working (Collaboration, Integration, Involvement, Long-term, Prevention).

The review of the Code is intended to strengthen commissioning that supports person-centred, outcomes-focused practice across Wales. It aims to improve the consistency and quality of commissioned services, promote equitable access to services, and support better integration between health, social care and third sector partners. The review also seeks to reinforce preventative approaches, helping people maintain independence, wellbeing and community participation while ensuring care and support arrangements are responsive to individual needs and circumstances.

The revisions will strengthen awareness of, and responsiveness to, the needs of neurodivergent people, supporting more inclusive commissioning and service delivery.

Greater consistency in application of the Code across Wales could reduce variation in service provision and improve equitable access to care and support.

Improved integration between health, social care and wider public services may reduce fragmentation of care and help prevent deterioration in health and wellbeing. The revised Code may also have positive impacts for unpaid carers by supporting more coordinated

and person-centred approaches to planning and delivering care and support. This may help improve access to information, advice and support and contribute to carer wellbeing.

The overall impact is expected to be positive; however, some unintended effects may arise during implementation. Changes to guidance, processes or practice may initially create uncertainty for practitioners, carers and people receiving care and support, potentially affecting wellbeing and confidence in the short term. Additional training and implementation requirements may place temporary pressures on workforce capacity and staff wellbeing.

There is also a risk that implementation could vary across regions, resulting in inconsistencies in experience or outcomes. Some groups, including those who are digitally excluded, have communication needs, disabilities, or language barriers, may experience challenges engaging with revised processes unless appropriate support and accessible information are provided. Differences in commissioning teams' capacity across Wales will affect the impacts of the review for colleagues implementing the change. It could also impact on people receiving the commissioned care and support services.

Due regard has been given to the wider determinants of health by considering how the Code influences social inclusion, access to services, independent living, employment and economic participation, community connections, and cultural and linguistic needs.

The review recognises that health and wellbeing are affected by a range of social, economic and environmental factors beyond direct care provision. Supporting services to respond to people's cultural, linguistic and communication needs, including through the Welsh language, may contribute to improved experiences of care and support and support individual wellbeing and dignity.

Health equity considerations have also informed the review, with specific attention given to people who may experience poorer health outcomes or barriers to accessing care and support, including people living in socio-economically disadvantaged areas, rural communities, disabled people, older people, unpaid carers, ethnic minority groups, and people with protected characteristics under the Equality Act 2010. The review aims to reduce unwarranted variation in service delivery and promote fair and equitable access to care and support across Wales.

Ongoing engagement, accessible communication, workforce development and monitoring will help ensure that benefits are realised equally across population groups and that any emerging inequalities are identified and addressed. Where implemented consistently, the revised Code may contribute to reducing inequalities in access to care and support by promoting commissioning approaches that are responsive to local population needs and support equitable outcomes.

Evidence and engagement

- What evidence has been used? (e.g. research, data, previous assessments)
- Reflect on any evidence drawn from engagement/involvement with relevant population group in line with the 5 ways of working

We have worked with colleagues across government to gather a range of evidence to support the review. Evidence included data and analysis from the Office for National Statistics, Social Care Wales, Market Stability Reports and Population Needs

Assessments. We also considered the IIA from the original code being laid in September 2024.

We have undertaken extensive stakeholder engagement across the health and social care sector. Internal and external stakeholder groups were established to discuss the review of the Code. An early draft of potential suggested changes to the code was also shared across a much wider stakeholder network including:

- Commissioners in local authority and local health board and regional teams,
- Providers and provider representative bodies
- Older People and Children's Commissioners
- Trade Unions representing care workers
- Citizen voice bodies
- Policy teams within Welsh Government
- Regulatory colleagues

Mitigation and enhancement

- What actions could reasonably be considered to **prevent**, **reduce or mitigate any negative effects**?

- What actions could reasonably be considered to increase **any positive effects**?

While the review is expected to have predominantly positive impacts, the following actions will help mitigate any potential risks, support effective implementation and maximise the benefits for people who access care and support, unpaid carers, practitioners and providers.

The following actions could help prevent, reduce or mitigate any potential negative impacts:

- We will continue to develop clear guidance, maintain good communication and implementation support to reduce uncertainty for practitioners, people receiving care and support, and unpaid carers.

- Provide appropriate training and workforce development to ensure consistent understanding and application of the revised Code across Wales.

- Monitor implementation across regions to identify and address any unintended variation in practice or outcomes and shape the support we provide.

- Ensure information, guidance and supporting materials are available in accessible formats, including Welsh language versions and formats suitable for people with sensory impairments, learning disabilities and other communication needs.

- Consider resource implications and implementation timescales to minimise additional pressures on workforce wellbeing and service delivery.

- Undertake ongoing monitoring of health equity impacts to ensure that disadvantaged or underrepresented groups do not experience barriers to accessing services or support.

The following actions could help maximise the positive impacts of the review:

- Continue to promote the Code as a key tool for supporting person-centred, strengths-based and outcomes-focused practice.
- Strengthen collaborative working between health, social care and third sector partners to support integrated care and improve outcomes.
- Continue to map, describe and share preventative approaches and early intervention within practice guidance to support commissioning practice that helps people maintain independence and wellbeing for longer.
- Continue to share examples of good practice and learning across Wales to encourage consistency and continuous improvement.
- Continue meaningful involvement of people with lived experience, carers and representative organisations in implementation, evaluation and future development of the Code.
- Strengthen data collection and evaluation arrangements to measure improvements in wellbeing, access to services and service user experience.
- Reinforce the importance of cultural competence and the Welsh language, ensuring services are responsive to people's cultural, linguistic and communication needs.

Overall conclusion

Given that the review primarily seeks to clarify and strengthen existing arrangements rather than introduce significant policy changes, negative impacts are expected to be limited and largely transitional in nature. Effective communication, workforce support, stakeholder engagement and ongoing monitoring should help mitigate these risks. Opportunities exist to enhance positive impacts through consistent implementation, strong partnership working, continued stakeholder involvement and a sustained focus on prevention, wellbeing and reducing health inequalities.

Overall health impacts

- Overall expected effect of the proposed decision on physical and mental health once mitigation / enhancement action taken: (Positive / Negative / Mixed / Neutral)
- Overall expected effect on health inequalities: (Reduce / Increase / Neutral / Unclear).

1. Overall expected effect of the proposed decision on physical and mental health once mitigation/enhancement action has been taken:

By strengthening person-centred, outcomes-focused and preventative commissioning approaches, the Code should support improved wellbeing, independence and access to appropriate care and support. Enhanced consistency in practice across Wales, together with improved integration between services, is expected to contribute to better experiences and outcomes for people receiving care and support and unpaid carers. Any potential negative impacts are anticipated to be short term and implementation-related and can be mitigated through effective communication, workforce support, stakeholder engagement and ongoing monitoring of implementation.

2. Overall expected effect on health inequalities:

Reduce

The Code recognises the needs of people and their communities who may experience barriers to accessing services, including those affected by socio-economic disadvantage,

rurality, disability, age, caring responsibilities and other protected characteristics. Through improved consistency, accessibility, person-centred practice and ongoing monitoring of outcomes, the revised Code should help reduce unwarranted variation in the way we commission service delivery and support more equitable health and wellbeing outcomes for diverse population groups.

Influence on decision-making

- How has the HIA influenced the decision?
- What changes have been made as a result?
- What risks/negative effects remain?

The Health Impact Assessment has helped ensure that health, wellbeing and health equity considerations have been incorporated into the review of the revised Code. It has strengthened consideration of how the revised Code may affect different population groups, particularly those who experience barriers to accessing care and support or poorer health outcomes. The HIA has reinforced the importance of person-centred, preventative and equitable approaches and highlighted the need for accessible implementation and ongoing monitoring.

As a result of the HIA process, the review has:

- Strengthened consideration of health equity and the potential impact on disadvantaged and vulnerable groups.
- Reinforced the importance of accessible communication and engagement with people who receive care and support, unpaid carers and representative organisations.
- Highlighted the need for consistent implementation across Wales to minimise variation in practice and outcomes.
- Emphasised the importance of workforce guidance, training and support to facilitate effective implementation.
- Confirmed the need for ongoing monitoring and evaluation to identify any emerging impacts on health, wellbeing and inequalities.
- Supported a continued focus on prevention, early intervention, wellbeing and strengths-based approaches within the Code.

While the overall impact is expected to be positive, some residual risks remain:

- Variability in implementation across organisations or regions could lead to differences in experience and outcomes.
- Workforce capacity pressures may affect the pace and consistency of implementation.
- Some people may continue to face barriers to engagement, including those related to disability, communication needs, digital exclusion, language or geographic location.
- Short-term uncertainty may arise as practitioners and stakeholders adapt to revised guidance and processes.
- The anticipated benefits may not be realised fully without sustained stakeholder engagement, training, monitoring and appropriate resourcing.

The HIA has not identified any significant adverse health impacts that would prevent the review proceeding. Instead, it has helped strengthen the focus on equity, accessibility, prevention and consistent implementation. Any remaining risks are considered manageable and can be mitigated through ongoing engagement, workforce support, effective communication and regular monitoring of outcomes

Monitoring and ongoing review

- How will effects on the physical and mental health be monitored?
- Are there any indicators or data sources identified?
- Is a further review required?

This Health Impact Assessment will remain a live document and will be reviewed through implementation activity, stakeholder engagement and emerging evidence. Monitoring should focus on whether the revised Code supports improved wellbeing, independence, equitable access to care and support, and positive experiences for people receiving care and support and unpaid carers

This may include:

- Ongoing engagement with people receiving care and support, unpaid carers and representative organisations.
- Feedback from local authorities, health boards and social care practitioners regarding implementation and outcomes.
- Monitoring of workforce feedback to understand implementation challenges and any impacts on staff wellbeing.
- Evaluation of whether the Code is supporting preventative, person-centred and outcomes-focused practice.

SECTION C:

Deputy Director Statement of Assurance

I hereby confirm that I, Taryn Stephens am satisfied that the proposed decision to which the assessment relates is of a strategic nature about how to exercise the functions of the Welsh Ministers.