

# Legislation Committee No 3

LC3(3)-03-09 : 4 February 2009

## Written Evidence from the Welsh Local Government Association and the Association of Directors of Social Services Cymru

### Introduction

1.1 The Welsh Local Government Association welcomes the opportunity to submit formal written evidence to the Carers LCO committee, to reflect the views of both our professional members and politicians.

1.2 Given the strategic importance of this issue this evidence has been jointly developed with the Association of Directors of Social Services, Cymru (ADSS) and the Welsh Local Government Association (WLGA) its joint nature reflecting the importance of the subject matter.

1.3 Extensive consultation has been undertaken with both the relevant professional groups and politicians to reflect the cohesive view of local government in partnership with social services professionals.

1.4 The Welsh Local Government Association (WLGA) represents the 22 local authorities in Wales, and the three national park authorities, the three fire and rescue authorities, and four police authorities are associate members.

1.5 It seeks to provide representation to local authorities within an emerging policy framework that satisfies the key priorities of our members and delivers a broad range of services that add value to Welsh Local Government and the communities they serve.

1.6 The Association of Directors of Social Services Cymru (ADSS Cymru) is the professional leadership organisation for social services in Wales. It is composed of statutory Directors of Social Services, and Heads of Services who support them in delivering social services responsibilities and accountabilities, across the 22 local authorities in Wales.

1.7 ADSS Cymru's primary aim is to champion the well-being, protection and care of vulnerable citizens in our community. It fulfils its aim by providing leadership to the Social Care sector, working in partnership with the Welsh Assembly Government and other key stakeholders (including the WLGA, CSSIW, CCW and SSIA), and promoting wider understanding of social care issues by engaging with the Media and opinion formers.

1.8 ADSS Cymru has a policy group on Older People, Disability and Health Interface of which a specific work stream is considering Carer's issues. The initial work has focussed on influencing the national performance indicators due to the lack of consistency in recording the data on how local authorities are assisting carers.

### Context

1.9 Both ADSS Cymru and the WLGA recognise the valuable role played by carers. The Social Services Improvement Agency<sup>1</sup> has supported ongoing improvement to services and local innovation. Local Authorities throughout Wales have developed approaches and services both for and with carers in order to implement the Carers Act 2004 and the Carers Strategy for Wales (Action Plan 2007)

1.10 These improvements have been recognised by the Chief Inspector for Social services who states in his Annual report 07/08: "There have been improvements in services to carers. There has been an increase in the number of assessments offered and received. Positively there has also been a very significant increase in the number of assessments undertaken which were in the carers own right."

1.11 This is not withstanding however, the need for continued improvement and an effective policy and legislative framework that provides responsive services and supports the needs of Wales' 9,000 carers. In ensuring this is possible the WLGA and ADSS would support the view that legislative competence in the area identified in Matter 15.9 be conferred on the Assembly.

1.12 Especially welcome is the recognition (13c) of a need to extend accountability to other public agencies such as the NHS and ensure the provision of timely and appropriate information services. Such new duties are likely to improve multi agency working and ensure a more seamless service provision for carers, in line with the experience drawn from the Scottish model.<sup>2</sup>

### Definitions

1.13 Regarding the definition of carer in the proposed Order, the WLGA & ADSS would advocate that if the LCO were to proceed, young carers, as the most vulnerable group are explicitly referred to and thus the definition in the proposed order be amended to read: In this matter 'carers' means individuals including those aged under 18 who provide or intend to provide a substantial amount of care on a regular basis.

1.14 We would further suggest that it be prudent to define what is meant by 'substantial'

In this matter "carers" means individuals who provide or intend to provide a substantial amount of care on a regular basis'

1.15 More clarity on this would reduce any ambiguity or misinterpretation across the different public sector agencies involved in

supporting carers.

### **Excepted Matters**

1.16 We broadly agree that the excepted matters are appropriate but would like further clarification on the exceptions mentioned in section 94(4) (a) and (7) — Highways and transport (field 10 of Part 1) as there may be implications re exclusion of Highways and Transport: Transport is often highlighted as an issue for Carers, as often the provision is not adequate especially in rural areas and therefore impacts on their ability to access services.

### **Notes**

1 All Wales Carers Learning and Information network

2 Drawing from the evidence of the Scottish model where a statutory duty has been extended to NHS Boards to produce a Carer Information Strategy , reflective of experience from