

Agenda – Health, Social Care and Sport Committee

Meeting Venue:

Committee Room 2 – Senedd

Meeting date: Thursday, 1 December
2016

Meeting time: 09.15

For further information contact:

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Informal pre-meeting (09.15 – 09.30)

Public

1 Introductions, apologies, substitutions and declarations of interest

2 Scrutiny of the Older People's Commissioner: Annual Report
2015–16 and Work Programme for 2016–17

(09.30 – 11.00)

(Pages 1 – 68)

Sarah Rochira, Older People's Commissioner for Wales

3 Motion under Standing Order 17.42 to resolve to exclude the public from items 4, 5 and 6

Break (11.00 – 11.05)

Private



Cynulliad
Cenedlaethol
Cymru

National
Assembly for
Wales

4 Scrutiny of the Older People's Commissioner: Annual Report 2015–16 and Work Programme for 2016–17 – consideration of evidence

(11.05 – 11.15)

5 Consideration of regulations made under the Regulation and Inspection of Social Care (Wales) Act 2016

(11.15 – 11.30)

(Pages 69 – 99)

[SUB-LD10819 – The Social Care Wales \(Extension of Meaning of “Social Care Worker”\) Regulations 2016](#)

[SUB-LD10821 – The Social Care Wales \(Specification of Social Care Workers\) \(Registration\) Regulations 2016](#)

[SUB-LD10822 – The Social Care Wales \(Content of Register\) Regulations 2016](#)

[SUB-LD10825 – The Social Care Wales \(Proceedings before Panels\) Regulations 2016](#)

[SUB-LD10826 – The Social Care Wales \(Constitution of Panels: Prescribed Persons\) Regulations 2016](#)

[SUB-LD10827 – The Social Care Wales \(List of Persons Removed from the Register\) Regulations 2016](#)

6 Inquiry into winter preparedness 2016/17 – consideration of draft report

(11.30 – 12.00)

Break (12.00 – 12.30)

Public

7 Public Health (Wales) Bill – Stage 1 evidence session 1 – Minister for Social Services and Public Health

(12.30 – 14.00)

(Pages 100 – 125)

Rebecca Evans AM, Minister for Social Services and Public Health

Chris Tudor-Smith, Senior Responsible Officer

Rhian Williams, Legal Services

Chris Brereton, Chief Environmental Health Officer

Sue Bowker, Tobacco Policy Branch

[Public Health \(Wales\) Bill Explanatory Memorandum](#)

8 Motion under Standing Order 17.42 to resolve to exclude the public from the remainder of the meeting

Private

9 Public Health (Wales) Bill – Stage 1 evidence session 1 – consideration of evidence

(14.00 – 14.15)

10 Supplementary Legislative Consent Memorandum (No.2) – Children and Social Work Bill – consideration of draft report

(14.15 – 14.30)

(Pages 126 – 127)

11 Inquiry into medical recruitment – preparation for taking evidence

(14.30 – 14.45)

(Pages 128 – 130)

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Older People's Commissioner for Wales Comisiynydd Pobl Hŷn Cymru

Briefing:

Update on the work of the Older People's Commissioner

On 1 December, the Commissioner will be attending a scrutiny session at the Health and Social Care Committee, covering the wide range of work set out in her 2015-16 Impact and Reach Report. As the Report covers the period from 1 April 2015 to 31 March 2016, this briefing provides members with an update of some of the work undertaken by the Commissioner more recently, from April 2016 onwards.

Legislation to Protect the Rights of Older People

Following her call for legislation to be introduced that would enshrine in law a duty for public bodies to protect and promote the rights of older people, the Commissioner has continued to work with a group of experts from across the legal, public and third sectors, as well as with older people to consider how this could work in practice.

The legislation the Commissioner is proposing is designed to ensure not only that service design and delivery protects and promotes older people's rights, but also to make rights relevant to older people in their day-to-day lives, vital so they, or those working on their behalf, can identify when their rights are not being upheld and challenge service providers robustly and effectively.

The Commissioner recently had a positive meeting with the First Minister to discuss her proposals, following which he confirmed that he is supportive of the proposal for legislation, and would consider and discuss the content with the Minister for Social Services and Public Health before providing a more detailed response. The Commissioner will issue a statement on World Human Rights Day (10 December) to provide an update on how this work will be taken forward.

Access to and Experiences of GP Services in Wales

There was an outstanding response to the Commissioner's call for evidence as part of her work to ensure that GP services are accessible and meet older people's needs. Over 1,000 older people completed questionnaires to share their experiences of

accessing and using GP services, whilst over 600 individuals took part in 40 focus groups held across Wales to hear directly from older people.

The questionnaires and focus group sessions covered a wide range of topics, including the appointments booking process, surgery accessibility and environment, and the ways that GPs, practice nurses and other surgery staff interact with patients during appointments. A number of focus group sessions were also targeted at older people with protected characteristics, with specific sessions for BAME older people, older people with disabilities and older people with sensory loss.

Responses to the questionnaire and the evidence gathered during the engagement events are currently being analysed and will form the basis of a report, due to be published in February 2017, that will identify both good practice and areas in which improvements are needed.

Dementia: More Than Just Memory Loss

In March, the Commissioner published 'Dementia: More Than Just Memory Loss', a report that gave a voice to people living with dementia and their carers.

The report found that, despite progress in recent years, there is still a lack of knowledge and understanding of dementia and that dementia services often lack the flexibility to effectively meet the needs of people with dementia and their carers. Furthermore, a lack of co-operation between services creates unnecessary difficulties and barriers and there are still significant variations across Wales in the quality of services available.

The Regional Partnerships responsible for meeting the needs of people living with dementia in their areas were required to provide a response to the report by July, setting out the action they will take to address the issues highlighted within the report.

The Commissioner and her team have now analysed these responses and provided detailed feedback to each Partnership, as well as all-Wales feedback to the Welsh Government. In her correspondence with the Cabinet Secretary for Health, Well-being and Sport, the Commissioner has made clear her expectations that the new Dementia Strategy, which is currently being developed by the Welsh Government, directly responds to the issues that still need to be addressed in a way that is both meaningful and relevant to people affected by dementia.

Guidance for Public Services Boards

Between December 2014 and July 2016, the Commissioner and her team visited all Public Services Boards (PSBs) across Wales, to gain an insight into their work and the distinct challenges they will face as they develop their local well-being plans, which set out how they intend to deliver on the new national well-being goals.

To ensure that these plans reflect the needs, wishes and circumstances of older people, the Commissioner issued guidance to PSBs that will not only support a culture shift in

how services are shaped and delivered to ensure that they reflect the needs of an individual, but also makes clear the importance of placing outcomes at the heart of service delivery.

Tackling Scams

Building upon the launch of the Wales Against Scams Partnership (WASP) Action Plan in March 2016, the Commissioner worked in partnership with National Trading Standards to launch the Friends Against Scams Initiative in Wales.

Friends Against Scams is designed to highlight the scale and impact of scams, challenge perceptions of why people fall for scams and inspire action to protect people from scammers, criminals who often prey upon vulnerable members of society. By increasing knowledge and awareness about scams, scams will become part of everyday conversation amongst family, friends and neighbours, as well as amongst professionals and those they support, which will ensure people are able to protect themselves and others.

The launch event was attended by representatives from a wide range of organisations across the public, private and third sectors, who made pledges setting out the role they will play in tackling scams in Wales. The Commissioner has also written out to public bodies in Wales to provide them with information about Friends Against Scams, encouraging them to sign up and take part in the initiative.

Social Services and Well-being (Wales) Act

Alongside the publication of a leaflet providing older people with a summary of the main duties in the Social Services and Well-being (Wales) Act, the Commissioner has also published a series of useful factsheets that provide more in-depth information on different parts of the Act. The subjects covered include accessing information, advice and assistance services, needs assessments, paying for care and what older people can do if they do not receive the help they need.

In addition to this, the Commissioner will continue to monitor and scrutinise the implementation of key areas of the Act, including access to independent professional advocacy; information, advice and assistance services; needs assessments; due regard to the UN Principles; and the National Outcomes Framework.

Growing Knowledge and Understanding Amongst Professionals

The Commissioner has developed a number of training seminars linked to key areas of her work to grow knowledge and understanding amongst professionals. The seminars are designed to ensure that those working with and for older people fully understand their needs and the challenges they may face, and that this is reflected in policy and practice across Wales.

Since April, the Commissioner has delivered a series of six Safeguarding Older People from Domestic Abuse Seminars, which highlight the hidden epidemic of domestic abuse of older people and the ways in which this can be dealt with more effectively; a series of seminars for residential and nursing care providers linked to her Care Home Review, which explored the ways in which care staff can create positive experiences for residents and improve their quality of life; and a series of Tackling Ageism Seminars, which explore the ways ageism can impact upon the lives of older people and how delegates can develop more age-friendly communities and public services.

Ageing Well in Wales

The Action Plan for Phase Two of the Ageing Well in Wales Programme was published in October, setting out the wide range of actions that will be delivered by partner organisations across the five programme themes.

Examples of actions within the Plan include work to ensure that transport, outdoor spaces and buildings are more age-friendly; work to ensure that awareness continues to be raised about dementia and developing dementia supportive communities; work to prevent falls through initiatives such as 'Steady on...Stay SAFE', Low Impact Functional Training and the National Exercise Referral Scheme; work to improve opportunities for learning and employment through tackling ageism in the workplace and ensure better access to apprenticeships; and work to develop support services and befriending schemes to tackle loneliness and isolation.

Alongside this work at a national, strategic level, Phase Two of Ageing Well in Wales will also see action delivered in communities across Wales through the Ageing Well local networks, which now have over a thousand members across Wales.

Reaching out to and supporting older people

The Commissioner's Protection and Scrutiny Casework Team has continued to provide support and assistance to older people across Wales, helping them to resolve a wide range of issues, many of which had been ongoing for considerable periods of time and had caused significant concern and distress.

The Commissioner and her team have also continued to meet and speak with older people across Wales as part of the ongoing Engagement Roadshow, which provides opportunities not only to share information about the Commissioner's work and the ways in which she can provide support, but also to hear directly from older people about the issues that matter most to them and ensure that their voices shape and drive the Commissioner's work.



Older People's Commissioner for Wales Comisiynydd Pobl Hŷn Cymru

The Older People's Commissioner for Wales

The Older People's Commissioner for Wales is an independent voice and champion for older people across Wales, standing up and speaking out on their behalf.

The Commissioner and her team work to ensure that older people have a voice that is heard, that they have choice and control, that they don't feel isolated or discriminated against and that they receive the support and services that they need.

The Commissioner and her team work to ensure that Wales is a good place to grow older – not just for some but for everyone.

How to contact the Commissioner:

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Older People's Commissioner for Wales
Comisiynydd Pobl Hŷn Cymru

Driving Change, Improving Lives

Impact and Reach Report
2015-16

An independent voice and
champion for older people

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Accessible Formats

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A full copy of the Commissioner's Annual Accounts is available from www.olderpeoplewales.com

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Foreword

Older people in Wales are a phenomenal asset. And whilst it is right that we do our utmost to protect and provide care and support to older people who need it, our starting point must always be recognising their value, their knowledge, their expertise and the contribution that they make in so many different ways. In a climate of financial austerity, the social capital of our older people is a resource that we must not fail to recognise or invest in.

Older people want to, and have a right to, continue to be fully included in society, involved in the decisions that affect their lives, participating and contributing as new services are designed and developed. The things that matter to many older people are no different to the things that matter to many of us: feeling valued, able to do the things we enjoy, feeling safe and living in places that suit the lives we lead.

But so often, older people are excluded from society, portrayed as a group apart with negative imagery that reinforces false assumptions around frailty, decline and dependence. That's why I launched my Say No to Ageism Campaign last year – to challenge the stereotypes associated with growing older and to highlight the systemic ageism throughout society that people so often face as they grow older, which is divisive, patronising and damaging, both to older people and our wider society.

To most of us, in one way or another, our older people are everyday heroes and as a nation we must reframe the way we think about age and growing older, essential if older people are to have equality and parity with other age groups.

Older people have a right to be seen as individuals and to have real rights that they can use or that can be upheld on their behalf. I made a strong call on the next Government of Wales to take action to strengthen the rights of older people, to empower them and ensure that their voices cannot be overlooked or ignored. I will continue to work



“In a climate of financial austerity, the social capital of our older people is a resource that we must not fail to recognise or invest in.”

hard until this is a reality, until the rights of older people across Wales are protected and promoted.

With partners, work also took place across Wales as part of the Ageing Well in Wales Programme, which was established by me and is hosted by my office, to improve the wellbeing of older people in our communities and I was delighted that every Local Authority published an Ageing Well plan for its area for the first time during 2015-16.

I have also worked to drive change in areas in which older people's needs have been historically forgotten, areas in which ineffective, one-size-fits-all approaches are common. Domestic abuse is one such area. Over the past year, I have worked hard with partners across Wales to grow knowledge, understanding and good practice to ensure that the 40,000 older people who are the victims of domestic abuse, many of whom will have experienced this abuse for years, are better protected and supported. I also established the Wales Against Scams Partnership and was delighted to see the launch of its charter and action plan, which maps out a wide range of work that will be undertaken across the public, private and third sectors to tackle scams in all their forms.

Older people have been very clear about the importance of focusing on outcomes that are relevant to their wellbeing and quality of life and it is vital that, as set out in my published priorities, the wellbeing of older people is embedded at the heart of public services. The Well-being of Future Generations (Wales) Act, as well as the associated Public Service Boards and Wellbeing Plans, provides an opportunity to transform public services and the lives of people in Wales, but no-one must be left behind. The aspirations behind the Act must extend to people living in care homes, those who are isolated, those who find themselves in positions of vulnerability and people living with dementia.

I therefore published my 'Dementia: more than just memory loss' report last year, in which people living with dementia clearly set out what needs to be improved. I expect their views to be carefully listened to and be reflected in the work that will now take place within public services across Wales.

“Our older people are everyday heroes and as a nation we must reframe the way we think about age and growing older.”

“I have also worked to drive change in areas in which older people's needs have been historically forgotten... Domestic Abuse is one such area.”

As a nation of older people, our watchwords should be inclusion and equality, full participation, ensuring that people's lives have value, meaning and purpose. From time to time, older people will need those of us in public service to be there to support and assist them and we should always strive to improve what we do and ensure that older people are seen as partners in all that we do.

Quite simply, we should never forget that we are fortunate to be a nation of older people and that they are, through what they have done and what they continue to do for us, a group that should be admired, respected and seen as a national asset.



Sarah Rochira

Older People's Commissioner for Wales

“Our watchwords should be inclusion and equality, full participation, ensuring that people's lives have value, meaning and purpose.”

Reaching out and listening to older people across Wales

A key part of my work continues to be my direct engagement with older people across Wales, essential to ensure that they know about my work and the ways in which I can help them. My engagement also ensures that the voices of older people guide and shape my work as Commissioner and continue to be at the heart of all that I do.

Engagement Roadshow

My team and I met with 218 groups across Wales during 2015-16, engaging with over 5,600 older people at a wide range of events, including conferences, forum meetings, support groups and social groups. My Engagement Roadshow visited every Local Authority in Wales, with my team and I travelling over 20,000 miles to reach out to older people.

Building upon the successful approach used in previous years to reach out to older people in all of their diversity, my Engagement Roadshow continued to visit the places that older people live their lives, including social clubs, day centres, carers groups, dementia cafes, care homes and extra care housing schemes.

My team also attended information days and community events across Wales, running information stands to provide information, advice and useful resources directly to older people and those who care for and support them.

This year, there has been an even greater focus on reaching out to older people with protected characteristics and capturing the voices of those who are seldom heard, vital to ensure that their experiences of growing older in Wales are reflected throughout my work. To support this, I have worked with a variety of organisations that support people with protected characteristics, including Race Equality First, Women Connect First, Swansea Sparkles, Sense, DeafBlind Cymru, the African Community Centre (Swansea), the India Centre (Cardiff) and Men's Sheds.

To ensure that policy makers and decision makers hear first-hand about the experiences of older people and understand the challenges they face, I arranged many joint visits with Assembly Members, MPs, Council Leaders and Councillors from across Wales, providing older people with opportunities to discuss the issues that matter to them and suggest ways in which improvements could be delivered.

Wider Engagement

In addition to my Engagement Roadshow, I have continued working with formal organisations that represent older people, such as the National Pensioners Convention, Active Wales (formerly the National Old Age Pensioners Association of Wales), Cymru Older People's Alliance and the National Partnership Forum, as well as with older people's forums across Wales.

Throughout 2015-16, I also continued to work with public bodies in Wales, including Health Boards, Local Authorities, Local Service Boards, the Wales Audit Office, the Equality and Human Rights Commission, Public Health Wales and Trading Standards, as well as with a wide range of third sector organisations such as Age Alliance Wales, Age Cymru, Alzheimer's Society, Diverse Cymru, RNIB Cymru and Joseph Rowntree Foundation, delivering keynote speeches at conferences and events, and meeting with key individuals within these organisations.

This work is essential to grow knowledge and understanding about older people's experiences, the challenges they face and the issues that affect their lives. It also allows me to promote good practice, and identify opportunities for partnership working to deliver shared aims and objectives to improve older people's lives and drive change on their behalf.

Media

Working with the media throughout the year has not only allowed me to reach out to large numbers of older people so they know about the work I am undertaking to drive change on their behalf and make a difference to their lives, but also ensures that the issues that affect older people are highlighted to the wider public.

During the past year, I maintained a strong media presence across television and radio, appearing many times on BBC Wales Today, ITV Wales news, S4C Newyddion, BBC Radio Wales and BBC Radio Cymru.

I also worked to secure extensive media coverage in daily newspapers, such as the Western Mail, Daily Post, South Wales Argus, South Wales Evening Post and South Wales Echo, as well as weekly local newspapers across Wales. In addition, comments I made on a number of issues were included in stories run by National UK newspapers, including the Independent and Daily Mail.

I have also continued to write columns and articles for a variety of other publications, such as magazines, journals, blogs and Welsh language publications to ensure that I continue to reach out to older people and stakeholders across Wales.

Acknowledging excellence

Promoting good practice that has a positive impact upon the lives of older people is a key part of my work as Commissioner and I have met many outstanding public service staff across Wales who are dedicated to making a real difference through their work.

In order for this good practice to be formally acknowledged across the health and social care sectors, I sponsored the RCN Wales Nurse of the Year Awards and the Wales Care Awards, which are organised by Care Forum Wales, recognising the invaluable contribution made by outstanding individuals and celebrating not only their commitment to improving the lives of older people, but also their passion, hard work and innovation.

I have also worked with Good Practice Wales throughout 2015-16, sharing, via the Good Practice Wales Information Hub Website, the good practice and innovation that my team and I have seen for ourselves across Wales.

Protection and Scrutiny Casework Team

Throughout 2015-16, my Casework Team has provided direct assistance and support to older people and their families across Wales, in line with my legal powers under the Commissioner for Older People (Wales) Act 2006, intervening in cases where support is required to challenge the decision making and practice of public bodies.

Many of the older people who contact me feel that they have no voice and no power, and that their right to make choices about the things that affect their lives has been taken away from them. People often contact my Casework Team feeling frustrated that the action required to resolve their issues is not being taken and that their thoughts and concerns seem to be considered irrelevant by public bodies.

During 2015-16, my Casework Team provided assistance and support to 413 older people. Many of the cases the team dealt with were highly complex and involved dealing with multiple agencies to resolve a wide range of issues.

The five most common subjects my team were contacted about were:

Subject	Number of Enquiries Received	Percentage of total Received (%)
Care	37	8.9
Residential Care	35	8.5
Housing	35	8.5
Financial	27	6.5
Health	27	6.5

Within these subjects, several themes emerged, suggesting that a number of key issues are affecting older people and their families across Wales:

- Paying for care / care costs
- The process for accessing continuing healthcare funding
- Impact of the closure of facilities and services
- Care and management practices in care homes and nursing homes
- Changes to sheltered housing provision

My casework provides essential information about the experiences of older people across Wales. When an issue is raised that has wider relevance to older people, my team and I may undertake further, more strategic work to ensure that the issue is addressed.

Below are a selection of quotes from older people and their families who I have supported during the past year. They highlight the difference my team makes to older people's lives, often in cases where others have been unable to resolve issues or deliver the required outcomes.

“I am very pleased for the help you have given me. I feel safe now that there is someone like you to help us out. Thank you for your help.”

“I still believe that you can tackle any problem, big or small and you persevere until it's resolved.”

“This case provides the only example of support being offered to someone from the Gypsy & Traveller sites in Cardiff. It is refreshing to see this vulnerable community – even more vulnerable in old age – get such a quality of service. The support has made a huge difference to Mrs. A's quality of life, her personal comfort and safety.”

“It gives me great pleasure to give some positive feedback to someone at last. I was in a quandary and at my wits end, but things are moving faster now and I am getting the information I need.”

“I found this an invaluable service at a very distressing time. The assistance and support received was excellent. Many thanks.”

“I feel if we did not have the Older People's Commissioner we would all be in a bad place, nowhere to turn. So a big thank you and God bless you.”

“I would like to stress my gratitude to my caseworker. The support throughout was invaluable – I was kept updated and informed all the way. I felt very alone during this process, but knowing you fully supported me kept me going through the low times. My caseworker was easy to talk to and listened to what I had to say. Thank you.”

Driving Change for Older People

Dementia: more than just memory loss

Many of the older people living with dementia that I have met and spoken with, or supported through my casework team, have shared with me their concerns that they are unable to access the services, support, information and advice that would make a big difference to their lives.

I therefore commissioned Age Cymru to undertake research on my behalf to capture the voices and experiences of older people living with dementia and those who care for them, which were gathered through individual interviews and focus group sessions held across Wales.

This research formed the basis of my 'Dementia: more than just memory loss' report, which was published in March 2016. The research showed that there is still a lack of knowledge and understanding of dementia, both amongst professionals and wider society, and that dementia services often lack the flexibility to effectively meet the needs of people living with dementia and their carers. Furthermore, the research showed that a lack of co-operation between services creates unnecessary difficulties and barriers, and that there are still significant variations across Wales in the quality of services available.

As part of the report, I set out a number of actions that need to be delivered to address the issues identified by the research, including work to ensure that primary care services are more dementia supportive and their working practices reflect the needs of people living with dementia and their carers; training for staff to ensure they have sufficient knowledge and understanding to respond to the needs of a person living with dementia in an appropriate and sensitive manner that protects their dignity and respect and minimises distress; and greater post-diagnosis support, including a single point of contact to provide information and advice on the services and support available that can be accessed whenever required.

Following the publication of the report, which was welcomed by the Welsh Government and Alzheimer's Society, I wrote to public service leaders across Wales to seek assurances that they will deliver the change required on behalf of people living with dementia and those who care for them.

A programme of follow-up work is planned to ensure that public services are fulfilling their commitments and delivering the change that people living with dementia and their carers want and need to see.

Care Home Review

My Care Home Review report, 'A Place to Call Home?', was published in November 2014, following the biggest Review of its kind ever undertaken in Wales, which looked at the quality of life and care of older people living in care homes in Wales. My Review found that too many older people living in care homes had an unacceptable quality of life.

The report included a series of requirements for action for public bodies and care home providers that would deliver the change required to ensure that quality of life sits at the heart of residential and nursing care in Wales.

As part of the Review process, the statutory bodies subject to my requirements for action submitted action plans to me during Spring 2015, setting out their commitments to deliver the improvements needed within care homes and across the wider care home system in Wales.

In analysing these responses, I was looking for assurances that action would be taken to deliver the change required and the outcomes for older people set out in my Review report.

Responses from Health Boards and Local Authorities were particularly strong, clearly setting out how they will deliver the outcomes I expect for older people living in care homes and detailing a wide range of innovative work that will make a big difference to the quality of life of care home residents across Wales.

However, initial submissions from the Welsh Government and CSSIW did not provide me with the assurances I needed that action would be taken at a strategic level to ensure that older people living in care homes in Wales would have the best possible quality of life, something I made clear in my statement on the progress made since the publication of my Review report, published in August 2015.

The Welsh Government and CSSIW were therefore required to provide me with further written evidence, setting out how they would deliver the outcomes that were set out in my Review report.

The additional information they submitted provided me with the assurances I needed that the action required would be taken, and I am meeting regularly with the Director of Social Services for Wales and other key officials to monitor progress against delivery plans.

Care Home Providers Seminars

In undertaking my Review, I identified some excellent examples of truly person centred care, enabling and empowering care that delivers the very best outcomes for older people.

Through my engagement with care home providers throughout the Review process, it became clear that they would welcome opportunities to find out more about the good practice highlighted in my report and the practical things they could do to improve the lives of their residents.

I therefore organised a series of seminars, held in locations across Wales and delivered in partnership with key organisations working to improve residential and nursing care, in which good practice could be shared and new, innovative approaches to care delivery could be explored.

To date, over 300 participants have taken part in nine seminars, which have focused on the following themes / topics:

- Fully engaging with residents to drive up quality (delivered in partnership with My Home Life Cymru)
- Understanding dementia: shared learning and best practice (delivered in partnership with the Care Council for Wales)
- Creating welcoming environments for residents and families (delivered in partnership with Care Forum Wales)
- Magic moments in care homes and how to make them happen (delivered in partnership with the Joseph Rowntree Foundation)
- Getting the best out of the dining experience in care homes (delivered in partnership with My Home Life Cymru)

Additional seminars are planned throughout 2016-17 to provide further opportunities to share good practice with care home providers across Wales.

Use of medication in Care Homes

One of the issues identified within my Review was the inappropriate prescribing of antipsychotic medication to care home residents, often in cases where non-pharmaceutical methods of support could deliver better outcomes for individuals.

I have therefore been working with the Royal Pharmaceutical Society to support them in the development of their policy for care homes – Improving

Medicines Use for Care Home Residents. The policy uses evidence from my Review as the foundation for each of its five recommendations.

As a result of this partnership working, two Health Boards in Wales now employ community pharmacists in care home settings to review residents' medication and support care home staff in following good practice in medicines administration, reducing polypharmacy and the use of antipsychotic medication. It is my expectation that, going forward, similar approaches will also be adopted by other Health Boards to ensure that medication is being prescribed appropriately to older people living in care homes across Wales.

Follow-up Review

When I published my Review report, I stated that I would undertake a follow-up Review to ensure that the action promised by public bodies and care home providers is underway and that the outcomes for older people will be delivered. This Review will, once again, have the voices of older people at its heart.

This follow-up Review is scheduled to begin in February 2017 and I will shortly be publishing a statement that sets out further details about my planned approach and the areas that I will be focusing on.

Tackling Ageism & Discrimination

Say No To Ageism Campaign

Older people across Wales regularly share with me their experiences of being treated unfairly because of their age and how this undermines their self-esteem, self-confidence and quality of life. Too often, older people in Wales are treated like second class citizens, which is simply not acceptable.

In order to challenge the stereotypes associated with growing older and to change the way society thinks about older people, I launched my 'Say No To Ageism' Campaign on the International Day of Older People 2015 (October 1), which not only made clear the impact of ageism upon older people, but also the significant contribution older people make to communities across Wales, which is worth over £1bn to the economy every year.

The campaign was made up of several strands, which included a campaign video to challenge the myths about older people, a website hub of useful resources and an interactive photo gallery of 'Everyday Heroes' – older people highlighting the things they do that make a difference to people's lives or communities but are often overlooked, such as volunteering or caring.

The campaign video was shared widely by stakeholders and has, to date, been viewed over 2,000 times. The video has also been shown at a wide range of conferences and seminars, and is used as part of my tackling ageism training course (see below).

Using social media to spread the campaign messages was highly successful, with tweets posted on the day by my office being seen over 16,000 times. The campaign's Thunderclap message (social media users sign up to share a message at the same time) was also very effective, with a potential reach of around 180,000 people.

In addition, many organisations, stakeholders and politicians across Wales shared their own tweets and photos to show their support for the campaign and spread its key message – Say No To Ageism.

A statement of opinion was also tabled in the National Assembly for Wales by Gwenda Thomas AM in support of the campaign, which was signed by 17 members across all parties.

Taking Action Against Ageism Toolkit

As part of the campaign, I also developed the 'Taking Action Against Ageism' toolkit for older people to empower them to challenge ageism in its various forms.

The toolkit, which has been widely distributed to older people across Wales, provides practical information and advice about how to recognise ageism – in work, in the media, in health and care services, and in consumer services – and sets out clearly the ways in which older people can challenge unfair treatment and discrimination.

Tackling Ageism Training

Another key strand of my ageism campaign was a training course developed for professionals working on behalf of older people, particularly those responsible for the design and delivery of services.

The training course helps participants to understand ageism and its impact upon older people, whilst also exploring unconscious prejudices and the ways in which these can affect the design and delivery of public services. The training also demonstrates the importance of adopting a rights-based approach to service delivery and how this can lead to better outcomes for older people.

187 professionals took part in the training during 2015-16, from organisations including Health Boards, Local Authorities, Social Care Services, Housing Associations and Carers Organisations. Feedback on the training has been very positive, with participants making commitments to use what they have learnt within their work and challenge discriminatory practice within their organisations.

A similar training course was also developed for older people and has been rolled out to groups across Wales. This version of the training considers the issues highlighted in the toolkit in more detail, helping older people to recognise when they are the victims of ageism and discrimination and how they can challenge ageist and discriminatory practice in public services. 10 of these training sessions were held across Wales and 199 older people have taken part to date.

Further training sessions, for professionals and for older people, are planned during 2016-17.

During 2015-16, I also worked with the NHS Centre for Equality and Human Rights to develop an online training module for NHS staff in Wales. This covers many of the themes as the training for professionals described above, but has an even greater focus on how human rights and a rights-based approach can be used within the health service to deliver improvements for older people.

Quality and Safety of Health Care Services

Ensuring that health care services across Wales are of the highest quality and meet the needs of older people remains a key part of my work as Commissioner. In addition to providing support to individuals who experience unacceptable standards of care, I also engage extensively with Health Boards and the Welsh Government, setting out my expectations on behalf of older people in respect of quality, scrutiny and governance.

Annual Quality Statements

Each year, Health Boards in Wales publish Annual Quality Statements to provide assurances to the public about the quality of the care they deliver. These statements are designed to ensure that Health Boards are being open and transparent about their standards of care and areas in which improvements are needed.

In February 2016, I published a critique of Health Boards' Annual Quality statements, building upon similar scrutiny work undertaken in previous years.

In preparing my critique, I considered the extent to which these documents were successfully communicating with and providing assurances to older people.

Whilst there was still room for continuing development and greater clarity, it was clear that there has been a positive direction of travel and that feedback provided to Health Boards on their 2013-14 Annual Quality Statements has been used in a positive and constructive way.

In my critique, I welcomed the fact that a number of Annual Quality Statements refer to a commitment by Health Boards to improve outcomes-based reporting at Board meetings and within the statements themselves on issues such as continence, hydration and falls.

Furthermore, I welcome the fact that Welsh Government guidance (via a Welsh Health Circular) on 2015-16 Annual Quality Statements now includes references to the expectations set out by me in my feedback to Health Boards and the subsequent, ongoing discussions I have held with them on this matter.

Outcomes-based reporting

At the end of 2014-15, I wrote to all Health Boards, outlining my expectations for improved transparency and accountability as a means to drive up the quality of experiences and health care for older people. I set out 12 key areas in which improvements were needed in terms of reporting on outcomes.

I subsequently held a roundtable meeting with key Health Board representatives, including Chairs and Directors of Nursing, to discuss and agree how transparency and outcomes-based reporting could be improved to ensure that the experiences of older people and the issues that they face would be reported on and discussed at Board level.

As a result of this meeting, all Health Boards have agreed to report on and discuss the outcomes and experiences of older people in hospitals in Board meetings from the start of April 2016 onwards, something that will play an important role in supporting continuous improvements in the experiences of older people using hospital services in Wales.

Improving integration between health and social care

Improving integration between our health and social care systems is essential to ensure that older people can access the services and support that they need. As Commissioner, I have welcomed the work that has been undertaken to deliver change across these systems.

Following my analysis of the statements of intent published by Health Boards and Local Authorities in 2014, which set out the ways in which they would deliver greater integration between health and social care, I hosted an interactive workshop in April 2015 to grow knowledge and understanding about what successful integration would look like, and how success could be measured.

In addition to inviting participants from health and social care to the workshop, I also invited colleagues working in the housing sector and the third sector to participate, reflecting the key role that they play in supporting and promoting health and wellbeing, and the fact that effective integration will not be achieved until they are recognised as key strategic delivery partners who are consistently included when integrated services are being planned.

During the workshop, participants considered why integration was so important for older people, the benefits it brings and the price of failing; what a successful integrated health and social care system would look like; and what indicators should be used to measure success.

As a result of the workshop, participants had a far better understanding that traditional measurements, which focus on systems and processes rather than outcomes, would not be effective in judging the success of health, social care and wider public services, and that ongoing engagement with older people about their experiences was essential to identify areas of concern and deliver improvements at a local, regional and national level.

There was also recognition amongst participants that improved outcomes for older people would not be delivered without effective partnership working with the housing sector, the third sector and other service providers, such as transport providers.

Care Home 'Top Up Fees'

Through the conversations I have with older people across Wales, and the support I provide through my Casework team, it is clear that paying for care is both a complex and emotive issue.

I have received a number of enquiries that relate to requests from care home providers for 'third party payments' towards the costs of care (when an individual receives funding from a Local Authority or Health Board), or charges for 'additional services'. Whilst these charges are governed by regulations and are very different to each other, I have been informed that both are being referred to colloquially as 'top up fees'.

In addition to confusion about what these additional payments are for, older people have also shared with me their concerns that they will be forced to move home should they or their families be unable to meet such charges.

In light of these concerns, I wrote to all care home providers in Wales in March 2016, as well as to Local Authority and Health Board Commissioners, clearly outlining my expectations on behalf of older people in situations where additional payments may be required. In the letters, I was clear that:

- ‘Top-up fees’ should never be used to pay for, or subsidise the cost of, basic care and should not be necessary to ensure that an individual’s needs and wellbeing is met
- Greater clarity is needed on what individuals and their families are being asked to pay for
- Personal Expenses Allowance should never be used to pay for, or subsidise, the cost of care.

I will continue to listen to the voices and experiences of older people and their families relating to this matter to ensure that older people living in care homes in Wales do not feel that they are being treated unfairly or disproportionately and negatively impacted by the system of paying for care within care homes.

Aids and adaptations

I have continued to monitor the delivery of home adaptations in Wales, as well as the funding systems used to deliver these, having raised a number of concerns in previous years about unacceptable delays with the Welsh Government and the National Assembly’s Communities, Equality and Local Government Committee. These adaptations are vital to help older people to remain living in their own homes and it is essential that they are delivered in a timely and effective manner.

Following my calls for improvements to be made to the home adaptations system in Wales, particularly in terms of the timescales for delivery, some of which were being breached by Local Authorities, the Welsh Government commissioned a review into the system, which was undertaken by Shelter, Tai Pawb and Cardiff Metropolitan University. I provided extensive evidence to this review, clearly setting out my expectations on behalf of older people.

As a result of the review’s findings, the Welsh Government made a commitment to set up an ‘Enhanced Adaptations System Delivery Group’ to devise a new adaptations system for Wales to improve delivery times and the experiences of individuals. I was pleased to be a member of this group and

used my place to ensure that the needs and interests of older people were considered and reflected as decisions about the home adaptations system in Wales are made.

In March 2016, I welcomed the announcement from the Minister for Communities and Tackling Poverty that the new adaptations system – ‘Enable – Support for Independent Living’ – would be rolled out from 1 April 2016, but made clear that the success of the new scheme will be dependent upon ensuring that it is implemented in a consistent way across Wales and that people’s experiences are used to drive ongoing improvements.

I will continue to sit on the Enhanced Adaptations System Delivery Group to ensure that the new system is underpinned by robust monitoring and evaluation arrangements as it is rolled out and continues to develop.

Partnership working with Wales Audit Office

I worked closely with the Wales Audit Office during 2015-16, to enable the publication of their ‘Supporting the Independence of Older People: Are Councils Doing Enough?’ report, which looked at the ways in which Local Authorities support older people to maintain their health, wellbeing and independence. The report, which was published in October 2015, reflected many of my calls for preventative, innovative and outcomes-focused services for older people.

I also worked with the Wales Audit Office Good Practice Exchange team on two shared learning seminars, which took place in July 2015. The well-attended seminars – entitled ‘The Continued Independence of Older People’ – were held in Cardiff and Llanrwst, attracting a diverse range of participants from the public and third sectors, as well as older people’s forum members.

The seminars focused on the need for innovative solutions to tackle loneliness and social isolation, creative approaches to providing much-needed lifelong learning opportunities and the ways in which the public and third sectors can work in collaboration more effectively to improve the lives of older people.

Ageing Well in Wales

Since its launch in October 2014, Ageing Well in Wales – the national partnership programme to improve the health and wellbeing of people aged 50+ in Wales, which is Chaired by me and is hosted by my office – has continued to grow significantly, engaging with partners and communities across Wales.

During 2015-16, membership of Ageing Well in Wales local networks increased significantly as a result of extensive engagement in communities across Wales. Over 1,000 groups and individuals are now members of Ageing Well local networks, driving forward the programme's aims and objectives at a community level.

Local Authorities in Wales have also published Local Plans, setting out the work they will undertake to deliver Ageing Well priorities. Within the plans, there is a particular focus on creating age-friendly communities and communities that offer greater support to people living with dementia in Wales.

At a strategic level, national partners – including the Welsh Government, the NHS in Wales and Police and Crime Commissioners – are developing a wide range of action to deliver improvements under the five key Ageing Well themes (Age-friendly communities, dementia supportive communities, falls reduction, loneliness and isolation, learning and employment) during Phase Two of the Programme.

Examples of achievements delivered through Ageing Well in Wales during 2015-16 include:

- **Age Friendly Communities:** The participation of Fishguard and Goodwick in a global pilot led by the World Health Organisation to identify what makes a community age-friendly. Other locations taking part in the pilot included Shanghai, New Delhi and Washington DC.
- **Falls Prevention:** Partnership working with Public Health Wales and other key partners to develop a public awareness campaign, 'Steady On – Stay Safe', to help those most at risk of falling.
- **Dementia Supportive Communities:** Continuing work to establish dementia supportive communities across Wales, building upon the model developed by the Brecon and Hay Dementia Supportive Community Initiative. Examples of good practice are being shared widely with communities to inspire action across Wales. A pocket-sized guide about how to be more supportive to people living with dementia

has also been produced and widely distributed to communities across Wales.

- **Learning and Employment:** Partnership working with the Welsh Government, in particular the Deputy Minister for Skills and Technology, to identify the barriers faced by older jobseekers, promote the benefits of an age-diverse workforce and tackle ageism in the workplace. Workshops have also been held with the TUC, which looked at how workplaces can be more supportive of older workers.
- **Loneliness and Isolation:** Partnership working with Men's Sheds to address loneliness amongst older men, building upon good practice such as activities undertaken by the Old Colwyn Men's Shed to prevent isolation. Collaboration with the Campaign to End Loneliness also led to them holding their UK conference in Cardiff, providing opportunities to showcase the work underway in Wales to tackle loneliness and isolation to stakeholders from across the UK.

During 2015-16, the growth and importance of Ageing Well in Wales was increasingly recognised across Wales, both at a local and national level, with the media and politicians highlighting the programme and its potential to improve communities and the lives of older people. Furthermore, the programme was also recognised as a key vehicle for change in a number of national policies, action plans and strategies, including the Welsh Government's Together for Mental Health Delivery Plan 2016-19 consultation, the Welsh Government's Delivering Digital Inclusion Strategic Framework for Wales, the Chief Medical Officer for Wales's Annual Report and the Money Advice Service's Financial Capability Strategy for Wales.

The Ageing Well in Wales programme also continues to be recognised at a European level, remaining an integral part of the European Innovation Partnership on Active and Healthy Ageing (EIP-AHA), which has led to interest and offers of collaboration from other European regions, and playing a significant role in supporting Wales to retain its 3-star reference site status, awarded for its innovative approach to improving the lives of older people.

Safeguarding and Protecting Older People

Throughout 2015-16, I have continued a wide range of work to raise awareness about the nature of the abuse faced by older people, which affects over 40,000 individuals each year, and the circumstances that can lead to older people becoming particularly vulnerable or at risk of harm.

My work in this area has largely focused on ensuring that there is a systematic approach to identifying older people at risk of harm and ensuring that those who are abused have the full support of our criminal justice system and receive the help they need to regain their safety and wellbeing.

Awareness Raising Seminars and Presentations

I held three seminar events during 2015-16, in Baglan, Brecon and Llanrwst, to raise awareness of the domestic abuse that is faced by older people. The topics covered by the seminars included the scale of the abuse of older people in Wales, the links between ageism and abuse, human rights, domestic abuse within BME communities, the vital role of advocacy and the support available for victims of domestic abuse.

The seminars, which included presentations from experts working in adult protection and shared a wide range of good practice, were attended by over 300 front line professionals who have direct contact with older people.

Feedback from the seminars was overwhelmingly positive, and further seminars are planned for 2016-17 to grow knowledge and understanding among more professionals working with older people across Wales.

Awareness raising presentations, which highlighted the abuse of older people as a key issue and set out what could be implemented to improve the lives of older people who are affected by abuse, were also delivered to the following stakeholders during 2015-16:

- All Safeguarding Boards in Wales
- Domestic Abuse Forums
- Directors of Health Boards
- Cwm Taf University Health Board Staff
- Staff at the Live Fear Free Helpline
- Approved Mental Health Professionals (as part of their degree course)

- Magistrates in Haverfordwest
- Capita Safeguarding Conference, Cardiff
- SafeLives Conference, London
- Gwent Safeguarding Board Conference, Newport
- Age Cymru Gwent Conference, Newport
- South Wales 50+ Forum Network
- Access 4 All Forum
- Abergavenny 50+ Group on abuse of older people

Tackling inequality within the criminal justice system

On World Elder Abuse Awareness Day (15 June), I called for the law to be changed to make it easier to prosecute those who abuse or neglect older people, or those who allow abuse or neglect to occur, such as managers and health and social care providers.

I made clear that the law, as it currently stands, does not offer sufficient protection for older people who are the victims of substandard care, abuse or neglect, and does not provide a suitable deterrent to those who deliver substandard care or to those who abuse or neglect older people.

In addition, I raised serious concerns that the number of convictions for crimes against older people is disproportionately lower compared with the population as a whole, with only around 1% of the crimes recorded against older people leading to convictions (for all UK crime, the figure is around 19%), which suggests that the evidential test currently used is not fit for purpose, that there is a lack of willingness to prosecute for crimes against older people, or that the law itself is not sufficient.

I wrote to the Justice Secretary and the Director of Public Prosecutions to outline my concerns and I am currently working with the Law Commission to identify specific areas in which the current law is deficient. Alongside presenting my findings to the UK Government and the Crown Prosecution Service, I will also make clear my expectations that action is taken to address the clear inequality that exists within our criminal justice system to ensure that a person's age is not a defining factor in whether the law provides them with support and protection.

Wales Against Scams Partnership

Scams have a devastating and lasting impact upon older people's lives, not only parting them from their cash and savings, but also affecting their confidence and their dignity. It is vital that scams are recognised for what they are – theft and criminal deception that often preys upon some of the most vulnerable individuals in society.

That is why I worked with Age Cymru throughout 2015-16 to formally establish the Wales Against Scams Partnership (WASP), which was launched in March 2016 and is co-Chaired by myself and Age Cymru's Chief Executive, Ian Thomas.

WASP brings together a broad range of partners – including Trading Standards, Get Safe Online, Welsh Police Forces, the Welsh Local Government Association, banks and utility companies – who will work together to better protect people from scams and make Wales a hostile place for the criminals who operate them.

In March 2016, WASP launched its Action Plan, which sets out in detail the work that will be undertaken by partners to tackle scams across Wales and protect older people during the coming year. The actions set out in the Action Plan are grouped under broader headings that form the basis of the WASP Charter, a set of commitments that each partner signed up to and has agreed to take forward, which include:

- Raising awareness and de-stigmatising scams
- Prevention and protection
- Identification and recording
- Enforcement, access to justice and restoration

The Action Plan and Charter were launched at the National Trading Standards Scams Team and Consumer Empowerment Alliance scams conference, which was held in Cardiff and was attended by delegates from across the UK. This provided an excellent opportunity to share, with a national audience, information about the work already undertaken in Wales to tackle scams and the wide range of work planned going forward.

Guide to lasting powers of attorney

Working in partnership with the Office of the Public Guardian, which protects people who may not have mental capacity to make certain decisions for themselves, I produced and published 'An Easy Guide to Lasting Powers of Attorney' in January 2016.

The guide was developed to help people to understand the importance of having a lasting power of attorney (LPA) to manage their finances, health and welfare, and provides information about how to register an LPA in a clear, accessible way. The guide also provides answers to frequently asked questions about LPA, helping to ensure that future decisions are safeguarded.

Since its publication, the guide has been widely distributed in hard copy, both through my office and the Office of the Public Guardian, and has been downloaded over 1,000 times. The guide is also hosted on the Social Care Institute for Excellence website to ensure that professionals working with older people fully understand the benefits of an LPA and what the LPA process involves.

Information and guidance on domestic abuse and sexual violence

I have worked in partnership with the Welsh Government's Violence Against Women, Domestic Abuse and Sexual Violence (VAWDA) Team to develop information and guidance for front-line professionals on domestic abuse and sexual violence.

The guidance contains information on the prevalence of the abuse of older people and its common characteristics and the most effective ways to respond when an older person is being abused, as well as providing details about the legislation that could be used to safeguard an older person or secure a prosecution on someone's behalf.

Following a period of consultation, which gave individuals and stakeholders an opportunity to comment on its contents, the guidance is now being finalised and will be published during Summer 2016.

Additional work around safeguarding and protection

In addition to the work set out above, I have also undertaken a wide range of other work relating to safeguarding and protecting older people in Wales:

- Printed and distributed further copies of my information leaflet 'Domestic abuse and sexual violence: help and support for older people in Wales', which was first published last year. As a result of work with Public Health Wales to engage with GPs, many GP practices have contacted me to request copies of the leaflet to display in their surgeries.
- I have worked in partnership with the Gwent Police and Crime Commissioner and Gwent Police to support the introduction of the

'Herbert Protocol', a new initiative to find local missing people who have dementia.

- I supported Diverse Cymru with a Welsh Government funded initiative to identify issues relating to crimes against older people, particularly those from BAME backgrounds.
- In November 2015, my office was awarded 'White Ribbon Status' by the White Ribbon Campaign in recognition of the work my team and I have undertaken in Wales to tackle domestic abuse. I also supported 'Peace One Day', a global campaign which this year was focused on raising awareness of domestic abuse.
- I provided ongoing input on the issues that affect older people as a member of a number of key expert groups established to tackle domestic abuse – including the Mental Capacity Act Deprivation of Liberty Safeguarding Leadership Group, the Welsh Government's violence against women, domestic abuse and sexual violence 'Ask and Act' steering group and the Welsh Women's Aid Focus Group.
- I worked with BBC Wales to produce a radio programme and television news report on the scale and impact of the domestic abuse of older people.

Influencing Policy, Legislation and Practice

Welsh Government and National Assembly for Wales

Throughout 2015-16, I have continued to meet with Welsh Government Ministers to ensure that older people's voices are heard and that policy and practice reflects the needs of older people. During these meetings, I raised concerns about areas of legislation that are not sufficiently focused on older people and agreed how change could be delivered effectively on their behalf.

I have also continued to work closely with Welsh Government Officials to ensure that they have a clear understanding of the issues that affect older people and how these can be addressed.

In addition to working with the Welsh Government and its officials, I continued to work with the Chairs of relevant National Assembly Committees, highlighting potential areas for scrutiny, investigation and inquiry.

Consultation Responses

I responded to a broad range of Welsh Government and National Assembly consultations during 2015-16, using the voices and experiences of older people to ensure that proposed policy and practice reflects their needs and will deliver positive outcomes:

- Welsh Government 'Aligning the apprenticeship model to the needs of the Welsh economy', April 2015
- Code of practice in relation to measuring social services performance, April 2015
- Reforming Local Government: Power to Local People, April 2015
- Welsh Government Well-being of Future Generations (Wales) Bill: Developing Statutory Guidance for Public Bodies, April 2015
- Health and Social Care Committee consultation on the Regulation and Inspection of Social Care (Wales) Bill, May 2015
- Welsh Government's Co-investment in skills framework, June 2015
- Welsh Government's Equality and Inclusion Programme for 2017-2020, July 2015

- Welsh Government Draft Equality Objectives for 2016-2020, July 2015
- Review of the National Assembly for Wales' Petitions System, July 2015
- The regulations and code of practice in relation to part 5 of the Social Services & Wellbeing (Wales) Act 2014, July 2015
- Healthcare Inspectorate Wales, Strategic Plan 2015-18, July 2015
- Code of practice on Advocacy, July 2015
- Public consultation on proposed topics for the 2021 Census questionnaire in England and Wales, August 2015
- A Planned Primary Care Workforce for Wales, August 2015
- National Assembly for Wales consultation on the Public Health (Wales) Bill, September 2015
- Public consultation on Protecting Community Assets, September 2015
- Welsh Government action plan to further equality for transgender people, September 2015
- WG Response to Report on Employment Opportunities for People Over 50, September 2015
- Bus and Community Transport Services in Wales, October 2015
- National Training Framework on violence against women, domestic abuse and sexual violence, October 2015
- Independent Commission on Local Government Finance Wales Secretariat, October 2015
- Statutory Guidance for the Well-being of Future Generations (Wales) Act 2015, November 2015
- Statutory guidance under the violence against women, Domestic Abuse and Sexual Violence Act Wales (2015), November 2015
- Increasing the representation of women and other under-represented groups on Public Sector Boards, November 2015
- Law Commission: Mental Capacity and Deprivation of Liberty, November 2015

- Consultation on the Code of Practice on the Role of the Director of Social Services under Part 8 of the Social Services and Well-being (Wales) 2014 Act, December 2016
- Welsh Government 'Refreshing the Financial Inclusion Strategy for Wales 2016', January 2016
- How do you measure a nation's progress?', January 2016
- Draft Public Services Ombudsman (Wales) Bill, January 2016
- Draft Local Government (Wales) Bill, January 2016
- 'How do we measure the health of a nation?', January 2016
- Public Services Ombudsman for Wales: Draft Strategic Plan, January 2016
- "Ask and Act", February 2016
- Blue Badge Scheme in Wales, February 2016
- Draft explanatory guidance on the professional duty of candour, February 2016
- Setting the Direction For Wales and Borders Rail, March 2016

Evidence Provided to National Assembly for Wales Committees

Throughout 2015-16, my team and I also gave evidence to a number of inquiries being undertaken by the National Assembly for Wales:

- Regulation and Inspection (Wales) Bill, Health and Social Care Committee, May 2015
- Employment Opportunities for People Over 50, Enterprise and Business Committee, September 2015
- Public Health Bill Wales, Health and Social Care Committee, September 2015
- Bus and Community Transport Services, Enterprise and Business Committee, October 2015
- Call for evidence on the Public Services Ombudsman (Wales) Bill, Finance Committee, January 2016

- Follow-up on the Health and Social Care Committee’s residential Care for Older People Inquiry and the Commissioner’s Review of Care Homes, Health and Social Care Committee, January 2016

Regulation and Inspection of Social Care (Wales) Act 2016

Robust and effective regulation and inspection of social care is essential, not only to protect older people using social care services and keep them safe, but also to ensure that the care and support provided to them is of the highest standard.

I therefore welcomed the publication of the Regulation and Inspection of Social Care (Wales) Bill, which was designed to provide an improved statutory framework for the regulation and inspection of social care in Wales and the regulation of the social care workforce. However, in analysing its contents, I identified a number of ways in which the Bill could be strengthened to deliver more for older people.

The areas of concern I highlighted in my written and oral evidence to the Health and Social Care Committee during the pre-legislative scrutiny process, as well as in briefings to Members during Stage 2 and Stage 3 scrutiny, are set out below, together with information about the ways in which these concerns are being addressed.

Fitness to own: I was clear that accountability for failures in care must extend to owners of services to ensure that those who have owned a service that has closed because of significant poor care are prevented from owning services in the future – accountability must sit with those who profit from providing care as well as those who deliver care on the frontline.

In response, the Bill was amended to include a ‘fit and proper’ test that will apply to the owners of services, precluding them from providing care if they have committed offences, or if they have been ‘responsible for, contributed to or facilitated misconduct or mismanagement’ in a previous role.

Workforce registration: Reflecting the findings of my Care Home Review, I made clear the importance of ensuring that people working within social care have the right skills and know what is expected from them, as well as the importance of being able to exclude those providing poor care from working within the social care sector, and the benefits that regulating the workforce through registration would have on the quality of life of older people.

I therefore welcomed the announcement from the Minister for Health and Social Services that workforce registration would be extended to domiciliary care workers from 2020, with registration for residential care workers to follow in 2022.

Definition of care: I was clear that the definition of what constitutes good care must reflect the factors that allow an individual to have the best possible quality of life, such as rights, dignity, choice, independence, fulfilment and privacy. This will enable services to focus on an individual, their quality of life and their lived experience, rather than tasks, essential to reduce unacceptable variations in the standards of care.

I welcomed assurances that this will be taken forward through the regulations that will set out the new National Standards for social care services, due to be drafted in Spring 2016.

Integration of health and social care: I highlighted a number of gaps and inconsistencies in the inspection process that were identified by my Care Home Review, particularly the potential lack of regulation and inspection of health care services provided within a care home setting.

Work to address these concerns will be taken forward through the 'Our Health, Our Health Service' Green Paper, which was recently consulted upon by the Welsh Government.

Commissioning: I set out the impact that commissioning can have on the lives of older people and the importance of ensuring that quality of care and quality of life are at the forefront of all commissioning decisions, rather than decisions being made on the basis of costs.

The face of the Act now refers to commissioning as one of the functions that the Care and Social Services Inspectorate Wales (CSSIW) may wish to look at when reviewing the social services functions of Local Authority, something that has the potential to significantly improve the commissioning system.

Use of lay assessors: I highlighted the ways in which, at a relatively low cost, lay assessors could enhance the inspection process and support the regulator to understand issues from a citizen's point of view.

I was therefore pleased that there is now a general duty on the face of the Act for the Chief Inspector of Social Services in Wales to publish a statement on how they will involve the public in the inspection process, which is being taken forward through CSSIW's National Advisory Board.

In addition to influencing the Act at the beginning of the legislative process, through scrutinising the draft Bill and making clear where improvements were needed, I will also continue to shape this legislation as a member of the Technical Group responsible for drafting the regulations that will underpin the Act. This will ensure that the relevant Requirements for Action from my Care Home Review are addressed by the regulations.

Similarly, I have also worked with CSSIW's National Advisory Board, influencing their new inspection framework and the ways in which information about social care services and the inspection process is presented to the public.

Well-being of Future Generations (Wales) Act 2015

I have been a supporter of the Well-being of Future Generations (Wales) Act 2015 from the outset as it is designed to ensure a preventative, outcomes-focused and long term approach to public service delivery, essential to improve the lives of older people.

Throughout 2015-16, I engaged extensively with Local Service Boards (LSBs) across Wales to ensure that the wellbeing assessments and the wellbeing plans that will be developed under the Act by the new statutory Public Service Boards will reflect and address the needs of older people and complement the Ageing Well in Wales action plans being delivered by Local Authorities.

As a result of the meetings with the LSBs, I have also begun developing formal guidance for Public Service Boards to support the development of their wellbeing plans, and the underpinning needs assessments, which will be published in Summer 2016.

At a more strategic level, I have worked with the Welsh Government to ensure that the national indicators used to measure the impact of the Act are outcomes-focused and relevant to older people. Many of the indicators, which were published in March 2016, complement the quality of life model on which my priorities as Commissioner are based, with a focus on issues such as access to services and facilities, feeling safe at home, and loneliness and isolation.

Social Services and Well-being (Wales) Act 2014

The Social Services and Well-being (Wales) Act 2014 sets out a wide range of new duties for public bodies to ensure a greater focus on prevention, independence and wellbeing in public service delivery, as well as offering

older people and their carers greater choice and control over the care and support that they receive.

To ensure that older people understand what they can expect under the Act, I developed an information booklet that explains, in a clear and accessible way, the principles that underpin the Act, the rights that they now have and the new ways in which their needs will be assessed.

I have also developed a toolkit that provides more detailed information about the new legislation for older people and carers to support them in accessing the services and support they need and have a right to under the Act.

Making Rights Real for Older People

As Commissioner, I have seen for myself the ways in which older people's rights, particularly those who may be vulnerable, diminish as they get older, something that can have a devastating impact upon their lives.

I therefore used Human Rights Day (10 December) to call on the next Government of Wales to introduce legislation that will protect and promote the rights of older people so they can live free of abuse, neglect, ageism and discrimination, participate fully in their communities and thrive in older age.

I proposed the creation of a single piece of legislation that would not only bring together a number of internationally recognised instruments designed to protect older people's rights, but also address any gaps identified in current legislation that result in people's rights not being upheld. This legislation would create specific duties for public bodies and ensure that a rights based approach to public service delivery is adopted across Wales.

I was delighted that my proposals received cross-party support and I will work with the next Welsh Government to take this vital work forward during 2016-17. To support me in this work, I established an advisory group of experts from across the public, legal and third sectors, as well as older people, to determine what could be included within the proposed legislation and how it would work in practice.

The findings of this group will be published in Summer 2016 and will provide Assembly Members and the new Welsh Government a real opportunity to continue to drive forward the social justice agenda in Wales to ensure that older people's rights are protected and promoted and that they have equality and parity with people from other age groups.

Section 12 Guidance: Equality and Human Rights Impact Assessments and Scrutiny

The loss of key public and community services, such as public buses, toilets, libraries, day centres and lifelong learning, remains a significant issue for older people across Wales. Building upon work undertaken in previous years that made a strong case for the retention of these services, I used my statutory powers to provide formal Guidance to Local Authorities on Equality and Human Rights Impact Assessments and Scrutiny.

The Guidance, which was published in February 2016, sets out how to undertake robust and thorough impact assessments and scrutiny processes that identify any disproportionate impact upon older people when changes are proposed, as well as actions that can be taken to mitigate any potential impact. The guidance was developed with support from the Welsh Government, Welsh Local Government Association and Local Authorities.

In order to ensure an increased focus on older people's rights throughout the assessment process, the Guidance includes a newly developed Equality and Human Rights Impact Assessment tool, which combines an Equality Impact Assessment with a Human Rights Assessment to enable Local Authorities to undertake broader and more detailed impact assessments effectively and efficiently.

To support Local Authorities to incorporate my Guidance into their working practices, I began a series of training workshops in March 2016 to ensure that Council Members and officers understand and can use a rights-based approach when considering changes to services or making decisions.

Embedding a rights-based approach

In September 2015, I met with Health Board Chairs to discuss the benefits of a rights-based approach in the delivery of health care services and to identify opportunities for joint working to embed this approach across the NHS in Wales.

Following this meeting, I worked in partnership with the NHS Centre for Equality and Human Rights to produce a paper on how a rights-based approach could be adopted within the NHS and the difference this would make to older people using health care services. This paper was presented and welcomed at a roundtable meeting in February 2016, which was attended by key Health Board representatives, including Chairs, Independent Board Members and Directors of Public Health.

The meeting also provided an opportunity for Health Boards to share good practice around protecting older people's rights, with Hywel Dda setting out their rights-based approach to mental capacity assessments and Abertawe Bro Morgannwg discussing work to develop an older people's charter, similar to the children's rights charter they have already developed.

I will continue my work with the NHS Centre for Equality and Human Rights and Health Boards to ensure that work to embed a rights-based approach within health care services continues to progress, with a further roundtable meeting planned in June 2016 to discuss developments and agree further actions.

Alongside this work, I have also been working with the Welsh Government's Human Rights Stakeholder Group to promote the benefits of a rights-based approach and influence the rights-based agenda in Wales. This has generated significant interest in taking forward a rights-based approach among other key stakeholders, such as the Welsh Local Government Association, Wales Council for Voluntary Action and Academi Wales.

Additional work to influence policy, legislation and practice

To ensure that the needs of older people are understood by key stakeholders and reflected in their work, I have also continued to influence policy and practice through being a member of, and working in partnership with, a wide range of expert groups and advisory boards / panels, including:

- National Assembly Wales Cross-Party Groups on older people and ageing, dementia, fuel poverty and community transport
- Welsh Government Tackling Poverty External Advisory Group
- Welsh Government Expert Group on Housing and Ageing Population
- Welsh Government Digital Inclusion Programme Board
- Welsh Government Public Transport Users Advisory Panel
- Citizens Advice Independent Advice Providers Forum
- Money Advice Service Wales Forum
- Good Practice Wales Steering Group
- DWP Strategic Partnership Board
- Community Transport Association Wales Committee

Forward Look

As the issues that impact upon the lives of older people are many and varied, the potential range of issues that I could focus on as Commissioner is vast. I must, however, ensure that my work remains focused on the priorities that older people have told me matter to them, which are outlined in my Framework for Action 2013-17.

Whilst much of my work is a continuation of action around specific priorities within my Framework, some areas will feature more strongly in my work programme, depending on their urgency and/or the experiences of older people.

In the coming year, my work will include a focus on the following:

- Making rights real for older people and continuing to challenge the ageism and discrimination they face
- Experiences of older people in relation to GP services
- Phase two of the Ageing Well in Wales Programme
- Emerging public health issues and opportunities from being a nation of older people
- Care Home Review follow-up Work
- Ensuring that older people have a strong voice and are empowered to secure what they need (Advocacy)
- Guidance for older people on new legislation

I will continue to work with a wide range of bodies to grow knowledge, thinking and understanding about the issues faced by older people and to change practice across Wales. I will also, however, continue to use my legal powers, where this is the most appropriate option available, to drive the change that older people want, need and have a right to see.



Briefing: Work Programme 2016-17

The Commissioner has developed her 2016-17 Work Programme based on the priorities set out within her Framework for Action:

- Embedding the wellbeing of older people at the heart of public services
- Driving up the quality of - and availability and access to - health and social care
- Protecting and improving community services, facilities and infrastructure
- Standing up for older people who are at risk of harm and ensuring that they are safeguarded and protected
- Tackling prejudice, inequality and discrimination

Details of the work planned during 2016-17 are outlined below.

Legislation to protect and promote the rights of older people

In January 2016, the Commissioner secured cross-party support for legislation to be introduced by the Welsh Government that will protect and promote the rights of older people and embed a rights-based approach across our public services in Wales.

The Commissioner has brought together a group of experts from across the public, third and legal sectors, as well as older people, to determine what could be included within the proposed legislation and how it would work in practice.

The findings of the expert group will be captured in a briefing report that will be presented to the Welsh Government and Assembly Members

ahead of a programme of engagement with key stakeholders to ensure that this work continues to progress.

Safeguarding Older People

Work will continue throughout 2016-17 to raise awareness about the scale and impact of the abuse and neglect of older people, and to promote good practice that could be rolled out more widely to ensure that older people are better protected and safeguarded.

This will include a series of seminars for public services staff, which will grow knowledge and understanding to ensure they can safeguard and protect older people more effectively; ongoing engagement and work with safeguarding boards across Wales; and the publication of guidance for front-line professionals on the most effective ways to respond when an older person is being abused, produced in partnership with the Welsh Government's Violence Against Women, Domestic Abuse and Sexual Violence (VAWDA) Team.

Experiences of GP services

Older people from across Wales consistently share with the Commissioner their experiences of GP services. Whilst the Commissioner has heard about many positive experiences, older people often highlight the challenges they face when accessing and using GP services.

As a result of this, the Commissioner and her team will gather older people's views on GP services across Wales – through group discussion sessions and via questionnaires – to identify good practice that could be more widely adopted in our GP surgeries, as well as areas in which improvements are required.

A report will be published in 2017 that represents the voices and experiences of older people across Wales, setting out the ways in which they would like GP services to be delivered. The Commissioner will then work with Health Boards to ensure that the action needed to drive up the quality of a key part of our health care system is delivered.

Driving change for people living with dementia

The Commissioner will scrutinise the responses from public bodies to her 'Dementia: more than just memory loss' report to ensure that they are taking the action needed to deliver the change that people living with dementia and those who care for them want and need to see within our public services.

Following this analysis, the Commissioner will publish a statement setting out the good practice that has been introduced as a result of her report and making clear any areas in which further improvements must be delivered.

Care Home Review Follow-up

When the Commissioner published her Care Home Review Report, she stated that she would undertake a follow-up Review to ensure that the action promised by public bodies and care home providers is underway and that the outcomes for older people will be delivered.

This follow-up Review, which will once again have the voices of older people at its heart, is scheduled to begin in Autumn 2016. Further details about the planned approach and the areas the Commissioner will be focusing on will be published soon.

Care Home Provider seminars

Building upon a successful series of seminars delivered in 2015-16, which shared good practice identified through the Commissioner's Care Home Review, further seminars will be delivered to care home providers during 2016-17 to continue to support improvements in the quality of life of older people living in care homes across Wales.

The 2016-17 seminars will be delivered in partnership with School for Social Care Research, Swansea University; Powys Carers Service; and Taith. The content of each seminar will be tailored based on feedback from care home providers who took part in the seminars last year.

Tackling ageism and discrimination

Older people across Wales regularly share with the Commissioner their experiences of being treated unfairly because of their age and how this undermines their self-esteem, self-confidence and quality of life.

Further training seminars are therefore planned across Wales to grow knowledge and understanding amongst public service providers about the ways in which they can tackle ageism and discrimination. The seminars will be aimed in particular at professionals working on behalf of older people and those responsible for the design and delivery of services.

The training seminars are designed to ensure that participants understand ageism and its impact upon older people, as well as the ways in which unconscious assumptions and prejudices can impact upon the design and delivery of public services.

The training also sets out the importance of adopting a rights-based approach to service delivery and how this can lead to better outcomes for older people.

Addressing gaps in the law that impact upon older people

Having identified a number of issues relating to the UK legal system that mean those who commit crimes against older people are rarely charged, prosecuted or convicted, the Commissioner will work with the Law Commission to examine the ways in which the law can be strengthened to ensure that an individual's age is no longer a defining factor in whether or not they are supported and protected by the criminal justice system.

Driving up the quality of public and community services

Following extensive engagement with Public Services Boards (formerly known as Local Service Boards) across Wales to ensure that the wellbeing assessments and wellbeing plans that will be developed under the Well-being of Future Generations (Wales) Act reflect and address the needs of older people, the Commissioner will publish formal guidance to further support the development of the assessments and plans.

Independent Advocacy

Despite the vital role played by independent advocacy services in safeguarding older people and supporting them to have choice and control over their lives, access to independent professional advocacy varies across Wales.

In order to embed the value and importance of independent professional advocacy within the delivery of public services, the Commissioner will publish her expectations to ensure that the rights of older people are upheld under the law.

Ageing Well in Wales

Phase Two of the Ageing Well in Wales Programme will continue throughout 2016-17, with national partners - including the Welsh Government, Local Authorities, the voluntary sector and Police and Crime Commissioners – setting out a range of commitments to deliver change and improvements under the five key Ageing Well themes (Age-friendly communities, dementia supportive communities, falls prevention, loneliness and isolation, opportunities for learning and employment).

Work will also continue to further develop Ageing Well local networks and support local groups and individuals to take action for themselves to promote inclusion and independence, as well as maintain their own resilience, through both direct support and the further development of specialist advice and resources that can be easily accessed and used by individuals. This will include the development of a network of local Ageing Well in Wales champions, older people themselves, who can further cascade out local action.

Engaging with older people across Wales

The Commissioner and her team will continue to travel the length and breadth of Wales to engage with a diverse range of older people and ensure that their voices guide and shape the Commissioner's work.

The Engagement Roadshow will also allow the Commissioner to ensure that older people across Wales know about her role, work and priorities, and the ways in which she can provide them with direct support and assistance through her Casework Team.

The Commissioner will also continue to engage with older people through more formal older people's groups and organisations, such as Local Authority 50+ Strategy Forums, the National Partnership Forum, National Pensioners Convention, Cymru Older People's Alliance, Active Wales, and the Welsh Senate of Older People.

Influencing Policy, Legislation and Practice

In addition to the work set out above, the Commissioner will continue to influence a wide range of policy, legislation and practice through ongoing meetings with Welsh Cabinet Secretaries and Ministers, Assembly Members and Officials, providing responses to Welsh Government and National Assembly consultations and giving evidence to National Assembly Committees.

This work will ensure that the voices and experiences of older people are considered when policies are being developed and that subsequent practice reflects their needs and delivers positive outcomes.

Further Information

For further information about the Commissioner's 2016-17 Work Programme, please contact us (contact information overleaf).



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Social Services and Well-being (Wales) Act 2014

1. Independent Professional Advocacy [Part 10 of the Act]

A key focus for the Commissioner in scrutiny of the Act and its underpinning regulations and codes of practice (including statutory guidance) has been to ensure appropriate access to independent professional advocacy to allow people's voices to be heard. Local Authorities have a duty under the Act to a) have regard to a person's views, wishes and feelings and b) have regard to the importance of providing appropriate support to enable people to participate in decisions that affect their lives.

Advocacy, in its widest sense (such as advocacy from family, friends or a social worker), will play a key part in this. However, there is a specific role for Independent Professional Advocacy (IPA) as this form of advocacy will ensure a person's voice is conveyed by a trained professional who is not an employee of the Local Authority and who is not bound to act in the person's 'best interest' - their role is to simply offer a completely impartial representation of a person's views.

Currently, the requirements in relation to the provision of IPA sit in the [Code of Guidance on Advocacy](#) which sets out the points at which a Local Authority must consider a person's need for advocacy (in its widest sense). A Local Authority must arrange the provision of IPA free of charge for anyone who experiences certain barriers to participating in decisions that affect them. This eligibility criterion is set out in the Code of Practice.

Access to IPA can help to ensure that people receive the care and support that they need in a way that is appropriate to them, and can aid the delivery of better outcomes for individuals and subsequently for statutory bodies. Therefore, the Commissioner will be undertaking a programme of work to assess to what extent

older people have access to Independent Professional Advocacy. This work will include access to IPA more broadly (e.g. Independent Mental Health Advocate, Independent Mental Capacity Advocate), as well as including entitlement under the Social Services and Well-being (Wales) Act 2014. The project will deliver a report detailing older people's experiences and recommendations on areas for improvement to be published in February 2018.

It is not yet clear how or when Welsh Government will assess the implementation and impact of the Code of Guidance on Advocacy.

2. Information, Advice and Assistance Service [Part 2, Section 17 of the Act]

The Act requires all Local Authorities to arrange for information and advice about care and support services to be made available in an accessible way. It also requires them to provide people with assistance in accessing care and support. As such, each Local Authority must arrange the provision of an Information, Advice and Assistance (IAA) Service.

The IAA service may differ across Local Authorities but it must be accessible in a range of formats (such as face-to-face, telephone, online). This is set out in the [Part 2 Code of Practice](#). From April 2018, the Area Plans produced as a requirement of the Well-being of Future Generations (Wales) Act 2015 will detail the provision of IAA in each Local Authority area.

The IAA Service is likely to be the first point of contact for people who may be in need of care and support. It is therefore vital that every IAA service across Wales is well equipped to know what services are available in each area (as well as have knowledge of other related areas such as housing and health) in order to appropriately sign-post people and to understand the overarching duties of the Act to ensure people's rights under the Act are upheld (such as access to Independent Professional Advocacy).

The extent to which people know about and are able to access their local IAA Service will not be known until May 2017¹ following the publication of the performance data (as set out by [the Code of Practice in relation to measuring social services performance](#)).

Furthermore, whilst the Commissioner's casework team will ensure that individuals involved in cases relating to social care are aware of the IAA service

¹ The first return will be in May 2017 for the reporting year 2016-17.

within each Local Authority, uncertainty will remain around how the IAA Services are being progressed within each Local Authority and what the provision of IAA Services across Wales looks will like until the publication of the Area Plans in April 2018.

3. Assessment & Meeting needs [Parts 3 & 4 of the Act]

Under the Act, everyone has a right to an assessment where it appears they may have a need for care and support, including carers. It is vital that individuals are fully involved in the assessment process and are enabled to co-produce the solution that is right for them.

Local Authorities will be required by the Act to have due regard to:

- a person's views, wishes and feelings
- the characteristics, culture and beliefs of a person
- the importance of providing appropriate support to enable a person to participate in decisions affecting their lives
- the importance of beginning with the presumption that the person (an adult) is best placed to judge what's best for them
- the importance of promoting a person's independence.

Additionally, individuals must meet the National Eligibility Criteria, as set out in the [Code of Practice on Part 4](#), in order to be eligible for care and support. Individuals who are ineligible can still access the IAA Service and other preventative services, but these may be chargeable. The eligibility criteria places an emphasis on meeting needs that can only be met through assistance from the Local Authority. This will enable the Local Authority to work in partnership with the individual to explore different ways of meeting their care and support needs.

The Commissioner's casework team will continue to assist older people in accessing the care and support they need and ensuring that older people are able to enjoy their rights under the new Act. In addition to assisting with individual cases, the Commissioner will work to assist statutory bodies in understanding their duties under the Act, ensuring that their working practices uphold the principles of the Act as well as their specific duties under law.

Performance data on access to care and support services will be reported in May 2017. Therefore, the extent to which the new system has enabled or prevented people from accessing the care and support they need, including the application of the National Eligibility Criteria, will be unknown until this data is published via

the reporting requirements on performance measurement². The Commissioner will review whether to request any further information from Welsh Government once this data is available.

4. Due regard to the UN Principles for Older Persons [Part 2, Section 7 of the Act]

Anyone discharging social services functions under the Act must have due regard to the United Nations Principles for Older Persons. This is an overarching duty and must be considered at all points throughout a person's journey through social services. The UN Principles are guidelines that set out how older people should be treated across key aspects of their lives, including independence, participation, care, self-fulfilment and dignity.

The Commissioner has paid close attention to the requirement in the Act to pay due regard to the UN Principles as it provides the opportunity to ensure older people's rights are upheld. It is not clear whether Welsh Government is taking any action by way of a Code of Practice or other mechanisms to detail what this would look like in practice. Therefore, on a pro-active basis, the Commissioner is providing training to help statutory bodies become fully aware of their responsibilities under this duty. Following this, the Commissioner will be writing to the Cabinet Secretary for Health requesting detailed information on any action planned by the Welsh Government.

Whilst the [Code of Practice in relation to measuring social services performance](#) lists a number of performance measures to assess whether Local Authorities are meeting their obligations under Quality Standard 1³, these measures will not necessarily capture whether the Local Authority has exercised due regard to the UN Principles. The measurements themselves relate to the outcomes of decisions made (e.g. the number of people reporting they were treated with dignity and respect). Further clarity is therefore needed on how the duty to have due regard will be captured in order to assess whether Local Authorities are fulfilling this requirement under the Act.

² As set out in the Code of Practice in relation to measuring social services performance

³ Quality Standard 1: Local Authorities must work with people who need care and support and carers who need support to define and co-produce personal well-being outcomes that people wish to achieve, Code of Practice in relation to measuring social services performance

5. The National Outcomes Framework

The [National Outcomes Framework for people who need care and support and carers who need support](#) aims to provide a measure of well-being at a national level. Included within the Framework is the National Well-being Statement, which builds on the definition of well-being in Section 2 of the Act, defining wellbeing in relation to a person in eight aspects of their life:

- physical and mental health and emotional well-being;
- protection from abuse and neglect;
- education, training and recreation;
- domestic, family and personal relationships;
- contribution made to society;
- securing rights and entitlements;
- social and economic well-being; and suitability of living accommodation

The Commissioner welcomed the Framework given its strong alignment with her Quality of Life Model⁴ and its overarching outcome of wellbeing, or ‘a life that has value meaning and purpose’. It is vital that the outcomes included within the Framework are not only used to measure delivery but that they also sit consistently at the heart of regulation and commissioning also to ensure a single outcomes framework and to avoid the unacceptable variations in the standards set for the care of older people that was highlighted by her Care Home Review⁵.

Reporting on the Framework will provide an understanding on the overall impact of care and support on people’s lives and will enable the prioritisation of improvement activity. This will take the form of an annual report issued by Welsh Government on progress made against the Framework to provide evidence on whether the well-being of people who need care and support and carers who need support at a national level is improving in Wales. The first annual report will be produced in 2016/17⁶.

⁴ Framework for Action 2013-17, Older People’s Commissioner for Wales, 2013, p. 2, http://www.olderpeoplewales.com/en/Publications/pub-story/13-05-23/Framework_for_Action.aspx

⁵ A Place to call Home?, Older People’s Commissioner for Wales, 2014, (Requirement for Action 6.1), p. 118 http://www.olderpeoplewales.com/en/Reviews/Residential_Care_Review/ReviewReport.aspx

⁶ Social Services: The national outcomes framework for people who need care and support and carers who need support, Welsh Government, p. 6 <http://gov.wales/docs/dhss/publications/160610frameworken.pdf>



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Agenda Item 7

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Agenda Item 10

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Agenda Item 11

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