

Senedd Cymru | Welsh Parliament

Y Pwyllgor Iechyd a Gofal Cymdeithasol | Health and Social Care Committee

Bil Iechyd a Gofal Cymdeithasol (Cymru) | Health and Social Care (Wales) Bill

Ymateb gan BASW Cymru (British Association of Social Workers Wales), | **Evidence from** BASW Cymru (British Association of Social Workers Wales),

General principles of the Bill

1. What are your views on the general principles of the Health and Social Care (Wales) Bill?

(we would be grateful if you could keep your answer to around 500 words)

Overall, BASW Cymru welcomes the general principles of the Health and Social Care (Wales) Bill?.

The British Association of Social Workers (BASW) is the UK's largest professional membership organisation for social work. BASW Cymru operates and represents members across Wales. We are the independent voice of social work. We champion social work and help members achieve the highest professional standards. Our key organisational aims are:

- Improved professional support, recognition, and rights at work for social workers.
- Better social work for the benefit of people who need our services.
- A fairer society

2. Is there a need for legislation to deliver the Welsh Government's stated policy intention?

Please outline your reasons for your answer to question 2

(we would be grateful if you could keep your answer to around 500 words)

3. What are your views on Part 1, Chapter 1 of the Bill (sections 1-13), which makes provision intended to restrict the extraction of profit by providers of children's care home services, secure accommodation services and fostering services

(we would be grateful if you could keep your answer to around 500 words)

BASW Cymru warmly welcome the amendment to restrict the extraction of profit by providers in children's care home services, secure accommodation and fostering services. We welcome the ambition of the Welsh Government, recognising it is the right thing to do and that this significant policy change may take some years to implement to full effect. In principle, BASW Cymru supports the commitment to eliminate private profit from the care of looked after children and note the following key points:

- This is simply the right thing to do on all levels. The level of private provision across Wales combined with increasing costs suggest 'doing nothing' is not an option.
- BASW Cymru recognise that some private providers provide high quality care models which improve outcomes for children and their families. In defining new organisational forms and structures, BASW Cymru identify that a comprehensive analysis of the range of quality across private care providers be undertaken ahead of the implementation programme to ensure high quality care models which improve outcomes are maintained.
- In developing alternative public governance structures, BASW Cymru recommend that attention is paid to 'back door practices' whereby large private providers establish subsidiaries in line with the suggested public structures identified by the Welsh Government
- A defined investment budget is identified to address the process of organisational change for individual providers, establishment of new organisations, the training and support required for staff, accommodation/building costs and finally, costs associated with re registration.
- Additional investment focused on early intervention and prevention to reduce numbers of children entering the care system
- Children, young people and their families are cares are a key part of the engagement and implementation proves and their voices remain central to the change process

4. What are your views on Part 1, Chapter 2 of the Bill (sections 14-22 and schedule 1), which makes a number of amendments in relation to social care services, social care workers and local authority social services, intended to ensure that the 2014 and 2016 Acts can operate fully and effectively

(we would be grateful if you could keep your answer to around 500 words)

5. What are your views on Part 2 of the Bill (sections 23-26 and schedule 2), which relates to health care, and makes amendments to the National Health Service

(Wales) Act 2006 in order to enable the introduction of direct payments within NHS Continuing Healthcare

(we would be grateful if you could keep your answer to around 500 words)

BASW Cymru warmly welcome the amendment to introduce direct payments for people eligible for continuing health care. Direct payments offer greater choice, control and decision making for people who are at their most vulnerable enabling people and their carers to live a good life despite ongoing health needs. In principle, BASW Cymru support the introduction of direct payments and identify points to consider relating to the process of implementation.

- A quality assurance process linked to the National Framework for Eligibility should be established to ensure payments are made swiftly, with minimum administration, avoiding bureaucracy and importantly, avoiding duplication of personal information.
- A comprehensive workforce plan focusing on:
 - o Identification of minimum staffing levels to avoid unnecessary delays,
 - o A comprehensive and integrated training plan to avoid organisational turf wars
 - o A comprehensive practice and clinical pathway for referrals (practice guidance) which focus on speed of assessment and the delivery of direct payments quickly
 - o A recruitment and retention strategy for personal assistants to support the anticipated increase
- A training programme which places people at the heart of the process and where support services including finance administration are a key enabler and facilitator
- Assurance needed that those who opt for direct payments for Continuing NHS Healthcare have a right to return receiving support from local authorities.
- Clear information and communication around the plans for direct payments via the NHS, including appeals processes, timescales and arrangements for the claw back of monies

6. What are your views on Part 3 of the Bill (sections 27-30) which contains a number of general provisions, including in relation to regulations, interpretation, consequential and transitional provisions, and coming into force provisions

(we would be grateful if you could keep your answer to around 500 words)

Implementation and impact of the Bill

7. Are there any potential barriers to the implementation of the Bill's provisions? If so, what are they, and are they adequately taken into account in the Bill and the accompanying Explanatory Memorandum and Regulatory Impact Assessment?

(we would be grateful if you could keep your answer to around 500 words)

8. Are any unintended consequences likely to arise from the Bill?

(we would be grateful if you could keep your answer to around 500 words)

9. What are your views on the appropriateness of the powers in the Bill for Welsh Ministers to make subordinate legislation (as set out in Chapter 5 of Part 1 of the Explanatory Memorandum?)

(we would be grateful if you could keep your answer to around 500 words)

10. What are your views on the Welsh Government's assessment of the financial and other impacts of the Bill as set out in Part 2 of the Explanatory Memorandum?

(we would be grateful if you could keep your answer to around 500 words)

11. What are your views on the Welsh Government's integrated impact assessments (set out in Part 2 of the Explanatory Memorandum), including the Children's Rights Impact Assessment

(we would be grateful if you could keep your answer to around 500 words)

Development of the policy and legislative proposals

12. What are your views on the approach taken by the Welsh Government to the development of the policy and legislative proposals reflected in the Bill.

Among any other issues, please consider in particular the approach to engaging and consulting with stakeholders

(we would be grateful if you could keep your answer to around 500 words)

Any other issues

13. Are there any other issues that you would like to raise about the Bill, the accompanying Explanatory Memorandum and Regulatory Impact Assessment, or any related matters?

(we would be grateful if you could keep your answer to around 500 words)

