

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 All Wales People First, | **Evidence from** All Wales People First,

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, it seems the proposals would add strength to health and social services in Wales.

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

Yes

Please outline your reasons for your answer to question 2

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

Legislation is imperative if we are to ensure that those with a duty to provide health and social care deliver on those duties. There needs to be a clear understanding of what is expected without room for misinterpretation.

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)

All Wales People First does not work with children but the proposals regarding charging for care are in line with our values and are important in ensuring voice, choice and control for the service recipient.

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)

The proposed amendments appear to add strength to the 2014 and 2016 acts.

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)

We agree that this is a good idea and a positive measure for the people we represent – people with learning disabilities in Wales.

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)

They seem to be sensible and practical.

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)

The ongoing challenge we face as an organisation is in the gap between aspirational legislation and delivery on the ground. Currently, there appears to be no accountability when services fail our members. Welsh Government will not intervene in cases where we feel our members rights are breached and at the same time there is little recourse to address this with those who have a responsibility to deliver services.

It is important that Regional Partnership Boards understand their duties to implement the Bill and are held accountable if they fail to do so.

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)

None that we envisage.

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)

We welcome this, especially if it ensures that gaps are closed and those with a responsibility to deliver are held to account if they fail in their duty.

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)

We have no views on this.

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)

Again, they appear to be reasonable.

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)

We do not have any firm views on this issue. It all seems to have been well informed and pertinent to outstanding issues that need to be addressed.

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)

We stress the importance of this Bill (if it becomes an Act) being implemented properly. This means that those with a duty to deliver are held to account if they fail to do so. It is

important that the Welsh Government and those with a duty to deliver, work together and communicate frequently in order to achieve the intended outcomes.

