

Consultation Response – Additional Information

Social Services and Well-being (Wales) Bill

Following our written submission on 14th March 2013 and oral evidence to the Committee on 2nd May 2013, Carers Wales would like to raise one additional issue.

It has recently come to our attention that Welsh Government intends the Bill to repeal the Carers Strategies Measure (Wales) 2010. This came as something of a surprise as there is no mention of the Carers Measure in the Bill as drafted and only one reference in Explanatory Memorandum, which relates to the definition of a carer.

We would like to raise our concerns over the proposed repeal of the Carers Measure but also in regards to how this relates to the wider issue of the relationship between the Bill and existing legislation.

In regards to the possible repeal of the Carers Strategies Measure (Wales) 2010 we would question whether this is necessary or desirable. We fully understand the logic behind rationalising social care legislation in the Bill but would argue that there are also merits to maintaining distinct legislation for carers under the Measure, not least because of the impetus of having LHBs as the lead agencies has provided to taking carers issues forward in Wales.

If the Measure is to be incorporated into the Social Services and Well-being (Wales) Bill it will be essential that the existing legislation is transferred wholesale into the new Bill and that nothing is lost in the processes. We would be extremely concerned should the provisions in the Measure be split up or diluted as this would undermine the intentions of the original legislation and risk the positive progress being made so far. In particular it is essential that the duty placed on Local Health Boards to provide information and support to carers and act as the lead authority in the preparation and publication of the strategies is maintained.

To avoid any prolonged uncertainty we would call for the Welsh Government to issue a full list of repeals to be included in the Bill as a matter of urgency. The lack of clarity on repeals and how the new Bill relates to existing cornerstone pieces of social care legislation is an ongoing matter of concern.

Keith Bowen

Carers Wales
15th May 2013