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Vaughan Gething AM
Chair, Health and Social Care Committee
National Assembly for Wales
Cardiff Bay
Cardiff
CF99 1NA

Dear Vaughan,

Further to our evidence session before the Committee on 16th May regarding the Social Services and Well-being (Wales) Bill, the Committee requested some additional information.

Delegation of Assessment

As you will be aware, the Bill as currently drafted focuses on the responsibilities of social services, with reference to the NHS only where responsibility is delineated or may be shared. As outlined during our oral evidence session to the Committee, the legislation would be improved if it allowed for the opportunity for dual delegation across agencies. Clause 10 in Part 3 of the Bill, "Assessing Adults" may offer one possible opportunity to be amended to allow for dual or delegated assessment. This would however, need further detailed consideration.

Partnership Working

In terms of what clinical professionals can do to ensure that people's clinical and wider non-clinical needs are routinely assessed and that their needs are met by health, social care or third sector providers, reference could be made to partnership working as part of service delivery in Part 4, Clause 10 of the Bill, although this would need further detailed consideration.

Chronically Sick and Disabled Persons Act 1970

The Committee also requested further information regarding the Chronically Sick and Disabled Persons Act 1970 and where the power or responsibility to provide that form of assistance can be identified in the Bill as currently drafted.

Part 4, Clause 20 "how to meet needs", subsection (c) could be interpreted to include assistance in arranging for the carrying out of any works of home adaptation (as described in Housing Grants, Construction and Regeneration Act 1996, Chapter 53) and additional facilities designed to secure greater safety and independence i.e. aids and equipment. There are some concerns however that these features of current service are not identified explicitly in any other section of the Bill and could in fact be interpreted as a reduction in the duties of Social Care. Our view is that the Committee should give further consideration to explicitly mentioning these responsibilities in the Bill.

Independent Living

With regard to independent living, as currently drafted this duty is not currently explicit in the Bill and Part 4, clause 20 "How to meet needs", subsection 2 (b) may offer the opportunity for amendment to include the opportunity to maintain, regain and/or establish essential independent living skills, although this would need further consideration.

I hope this information is helpful to the Committee and please do not hesitate to contact me should you have any further questions or queries.

Yours sincerely,

A handwritten signature in blue ink that reads "Sandra" followed by a stylized flourish.

Sandra Morgan
Head of Occupational Therapy
Hywel Dda Health Board