



Ein cyf/Our ref LFGT/0897/13

Ann Jones AM
Chair,
Children and Young People Committee
National Assembly for Wales
Cardiff Bay
CF99 1NA

25 September 2013

Dear Ann,

I am writing to place on record my thanks to the Committee for its contribution to the scrutiny of the Social Services and Well-being (Wales) Bill.

I also wanted to provide you with two letters which I have recently sent to David Rees AM and David Melding AM in their roles as Chairs of the Health and Social Care and Constitutional and Legislative Affairs Committees respectively. These letters set out the recommendations in response to which I am minded to bring forward amendments to the Bill.

I would also like to take this opportunity to share with you a table which sets out a summary of the categories of amendments I am proposing to table on behalf of the Government during Stage 2. I wanted to do this ahead of the any process formally starting in October so you had as much time as possible to consider the potential impact of these changes.

I hope you will agree the amendments set out in the attached documents are a clear representation of my commitment to listening to the Committees and to stakeholders. I look forward to debating the matters contained within the Committees reports further on 8 October.

Yours sincerely

Gwenda Thomas AC / AM
Y Dirprwy Weinidog Gwasanaethau Cymdeithasol
Deputy Minister for Social Services



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David Rees AM
Chair of the Health and Social Care Committee
National Assembly for Wales
Cardiff Bay
CF99 1NA

25 September 2013

Dear David,

I am writing to place on record my thanks for the Committee's detailed and thoughtful scrutiny of the Social Services and Well-Being (Wales) Bill which I have read with great interest. You will have seen from your evidence gathering, the extensive interests that those working in social care have and you will have appreciated their commitment to and their passion for what they do. I was delighted that you took evidence from such a wide range of stakeholders and I am sure that doing this greatly assisted your understanding of how important this legislation is and what this Government wishes to achieve with it.

I understand that my Private Office has been in touch to arrange a meeting to discuss the report further ahead of the plenary debate on 8 October but ahead of this I wanted to share with the Committee my responses to a number of the recommendations made for which I am minded to table amendments. These are as follows:

- Independent Advocacy, which I made a written statement on and for which you indicate your support (Recommendation 28);
- placing a duty on local authorities to promote Direct Payments (Recommendations 31 and 32);
- changing the legislative procedure to super-affirmative in relation to any decision to merge children's and adults regional safeguarding boards in section 117 of the Bill (Recommendation 37);
- adding reference to the probation service as a statutory Safeguarding Board Partner (Recommendation 39) in so far as is possible within the legislative competence of the National Assembly;
- provisions to strengthen arrangements for co-operation and partnership working (Recommendation 50); and
- the inclusion of 'aids and adaptations' within section 20(2) (Recommendation 59).

As you will be aware, there were some further calls for amendments, such as the delegation of assessment (Recommendation 10). In these cases, whilst we support the intention of the recommendations on analysis, we have concluded that provision is adequate to achieve the intentions set out by the Committee

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wanted to do this ahead of the process formally starting in October so you had as much time as possible to consider the potential impact of these changes.

I hope you will agree that both the amendments above and those included in the table attached are a clear representation of my commitment to listening to the Committee and to stakeholders.

I am copying this letter and table of my responses to your recommendations to the Chair of the Constitutional and Legislative Affairs Committee.

Yours sincerely

A handwritten signature in cursive script that reads "Gwenda". The signature is written in black ink on a white background. A vertical line is drawn through the middle of the signature, likely for scanning or archival purposes.

Gwenda Thomas AC / AM
Y Dirprwy Weinidog Gwasanaethau Cymdeithasol
Deputy Minister for Social Services



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David Melding AM
Chair
Constitutional and Legislative Affairs Committee
National Assembly for Wales
Cardiff Bay
CF99 1NA

25 September 2013

Dear David,

I am writing to place on record my thanks to the Committee for its comprehensive consideration of this Bill. Your scrutiny is essential if we are to make this legislation a success and I understand my Private Office has been in touch to arrange a meeting to discuss the report further ahead of the plenary debate on 8 October.

Ahead of this, I wanted to share with the Committee my responses to a number of the recommendations made and for which I am minded to table amendments. These are as follows:

- Procedural changes from the Negative to Affirmative legislative procedure relating to the following sections:
 - 3(6) – Meaning of ‘disabled’
 - 7(3) – Definitions of ‘social enterprises, co-operatives and third sector organisations’
 - 9(3) – Definitions of ‘blind, deaf, and both blind and deaf’
 - 23 – Duty to meet care and support needs of a child
 - 26 – Duty to meet care and support needs of an adult carer
 - 27 – Duty to meet care and support needs of a child carer
 - 105(9) – Adult Protection and Support Orders
 - 112(4) – Functions and procedures of Safeguarding Boards
- A change in procedure from Affirmative to Super-Affirmative for Section 117, which relates to the power to merge Adults and Children’s Safeguarding Boards.

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Gwenda Thomas AC / AM

Y Dirprwy Weinidog Gwasanaethau Cymdeithasol
Deputy Minister for Social Services