

Mark Drakeford AC / AM
Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol
Minister for Health and Social Services



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-04-452
Ein cyf/Our ref MD/01818/13

William Powell AM
AM for Mid & West Wales
Chair Petitions committee
Ty Hywel
Cardiff Bay
Cardiff
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6 August 2013

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Deu William,

Thank you for your letter of 23 July about the petition on 'Equal Rights for Tube-fed Youngsters', and for drawing my attention to the evidence on direct payments presented to the committee on 16 July.

The case of Poppy Blewett-Silcock is well known to me and to the Deputy Minister for Social Services. There has been much correspondence about this, and Dr Blewett-Silcock had a meeting with my predecessor, Lesley Griffiths AM, in October 2012. Officials have also discussed the issues raised with Aneurin Bevan Health Board and Caerphilly County Borough Council. I am pleased that all the partners involved in Poppy's care have now agreed a way forward, although there are still wider issues around direct payments and Continuing NHS Healthcare which need to be addressed at a national level.

The Direct Payments Guidance was last updated in April 2011, to reflect the extension of direct payments to those without capacity to consent to them. The legislation and guidance around direct payments will be completely re-written as a consequence of the Social Services and Well-being (Wales) Bill currently before the National Assembly. We will be using the Bill to promote direct payments and make them easier for people to access and use. We are currently working with stakeholders, including disabled people's organisations, on a set of principles to underpin regulations and a code of practice on direct payments under the Bill. The Bill's provisions are likely to be implemented from 2016.

There are already three forums which monitor how direct payments are operating across Wales and feed back on any issues. At a strategic level, there is the Direct Payments Overview Group, which we set up to advise us on all aspects of policy and practice around direct payments. This is the group that has helped us develop a set of principles under the

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Wedi'i argraffu ar bapur wedi'i ailgylchu (100%)

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Bill. There is also the All-Wales Direct Payments Forum, which brings together direct payments officers from each local authority, and which undertakes an annual survey of direct payments users. Finally, there is the Support Scheme Network, which brings together those organisations which provide support for direct payments users under contract to local authorities. The Forum and Network are both represented on the Direct Payments Overview Group. We will be consulting each of these forums as we develop the regulations and code of practice under the Bill.

We are also currently reviewing the Framework for Continuing NHS Healthcare, including the links between it and the direct payment schemes run by local authorities. There is a particular issue around the loss of eligibility for direct payments once an individual has become eligible for Continuing NHS Healthcare, which can lead to people losing the ability to arrange their own care and support or even to refuse to move to an NHS-funded package to which they are entitled. I have asked my officials to gather evidence about the barriers and issues that individuals have experienced, and about the practical solutions that have been found through partnership working between the NHS and local authorities. This evidence will be used to inform both the review of Continuing NHS Healthcare and the development of new direct payments guidance under the Bill. Without wishing to anticipate the outcomes of either piece of work, my initial view is that the answer to these issues lies in the NHS and local government working together in partnership to meet the needs of individuals, their families and carers.

Best wishes
Mark.

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