

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



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref: LF/GT/0231/14

David Rees AM
Chair, Health and Social Care Committee
National Assembly For Wales
Cardiff Bay
CF99 1NA

5 March 2014

Dear David,

Social Services and Well-being (Wales) Bill - Eligibility Technical Group

I am writing to you enclosing two documents for the Committee's attention. These are:

- a copy of my letter dated 18 February 2014 to the members of the Technical Group on Eligibility; and
- a copy of the membership list for the Group.

The Group has been established to make recommendations as to the needs, circumstances and outcomes which should form the basis of an enforceable right to care and support, as provided for in sections 28, 31, 33, 36 and 37 of the Social Services and Well-being (Wales) Bill (as amended at Stage 3). These will inform the development of a national eligibility framework, underpinned by Regulations as required by section 28 and 29 of the Bill and by a Code of Practice issued under section 139.

With representation from key stakeholders including statutory bodies and third sector organisations, the first meeting of the Group took place on 19 February and was well attended. The final meeting of the group will take place in early April, to be followed by one or more national stakeholder engagement events in May which will test and explore the Group's findings. These events will be facilitated by the Social Services Improvement Agency. I expect to receive a final report from the Group following those events in order that the draft Regulations and Code of Practice can be put out to consultation in late spring.

In my written statement of 5 November 2013 I made a commitment to refer the draft Regulations and Code to the Committee at the point at which the public consultation commences. Through this letter I am re-stating my commitment to do this.

Yours sincerely

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Deputy Minister for Social Services

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

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To all members of the Technical
Group on Eligibility

18 February 2014

Dear Group Member

I would like to take this opportunity to thank you for the contribution you are making to the Technical Group on Eligibility. The work of the group will assist officials to provide advice to me on the Regulations and Code of Practice for determining eligibility for care and support services under the Social Services and Well-being (Wales) Bill.

The design of the new eligibility process is fundamental to delivering the overall changes to the system of care and support that are provided for through the Social Services and Well-being (Wales) Bill. Your task is to advise on the process that most enables statutory services to meet their overarching duty to promote the well-being of people who need care and support.

I expect the Bill's definition of well-being to be the starting point in your work. Taking full account of each of the individual elements that make up that overall definition will enable you to scope out the new framework such that it becomes embedded in the overall purpose of the Social Services and Well-being (Wales) Bill, and in the duties to individuals that the Bill introduces.

I am seeking a national framework for eligibility that will be consistently applied across Wales so that people know with confidence that their care and support needs will be met. The new system must ensure people and families get the right support, in the right place, at the right time.

The Social Services and Well-being (Wales) Bill places on-going responsibilities on local authorities to look at wider support across the new care and well-being system to ensure that a greater number of people with needs are supported in a range of ways that can be accessed outside the eligibility criteria

Whilst assessment and eligibility will play an integral role in the new system, the significance that the eligibility decision will have on whether an individual receives care and support to meet their needs will be considerably reduced - many more people will be supported

through the general duties placed on local authorities, without the triggering of a statutory duty to provide support.

I am seeking your advice on the model of eligibility that most supports and promotes people's access to community based, preventative and early intervention services and, **at the same time**, ensures that services are provided to those who need significant support and help with their personal care; and through this help, are supported to retain control over their day to day lives.

However, I want group members to be clear from the beginning that the purpose of an eligibility threshold is to determine the point at which an individual will have an enforceable right to support from the local authority and consequently to determine the point at which the local authority will have a legal duty to provide, or arrange the provision of, care and support to the individual. The eligibility framework must stipulate what needs for care and support will trigger that enforceable right and duty on local authorities across Wales.

At a minimum I expect that the framework will ensure that people who need help with tasks such as getting out of bed, dressing, eating, washing and bathing will be eligible for the support they need from local authority social services.

I also want you to take into account the significant impact that the breakdown of a critical relationship can have on people's well-being and their ability to maintain control over their day to day lives.

The regulations must be sensitive to, and reflect the differing characteristics for children, adults and carers. They must enable care professionals to focus on the person's needs for care and support, the impact of those needs on their well-being, and the level of risk to the individuals if those needs are not met.

The framework should also reflect the requirement in the Bill that local authorities must meet the needs of people who need to be protected from abuse or neglect, or the risk of abuse and neglect; and in addition to protect children from harm or the risk of harm. This should take place whether or not the person's care and support needs are determined as eligible needs.

I have set you a challenging task with an equally challenging timetable. I will present the new eligibility framework for public consultation in the spring and following that consultation, bring regulations and a code of practice to the National Assembly.

I wish you success in your deliberations and look forward to hearing your recommendations early in the spring.

Yours Sincerely



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

Yr Adran Iechyd a Gwasanaethau Cymdeithasol
Department for Health and Social Services



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Social Services Eligibility Technical Group

Name	Role / Organisation
David Street	Corporate Director Social Services, Caerphilly CBC
Stewart Greenwell	Strategic Development Specialist, ADSS Cymru
Carys Lord	Head of Business Management and Innovation, Vale of Glamorgan CC
Jackie Davies	Service Manager Finance & Commissioning, Blaenau Gwent
Sue Darnbrook	Head of Adult Services, Ceredigion CC
Colin Turner	Head of Service Safeguarding and Family, Bridgend CBC
Julie Thomas	Programme Director NCN Development and Integration/ Director Complex Care, Aneurin Bevan UHB
Rhian Davies (Paul Swann)	Chair Disability Wales Reference Group and Director of Disability Wales
Ceri Jackson	Vice chair of Age Alliance Wales and Director of RNIB
Keith Bowen (Beth Evans)	Chair of Carers Alliance and Director of Carers Wales
Steve Harris	Director of Dewis CIL and member of the Wales Alliance for Citizen Directed Care
Amy Clifton	Age Cymru
Yvonne Rodgers	Barnardo's Cymru
Brigitte Gater	Action for Children
Chris Davies	Social Services Improvement Agency
Andrea Gray	Mental Health & Vulnerable Groups (Welsh Government)
Ann Noyes	Adult and Children's Health Policy (Welsh Government)
Chris Humphrey	Strategy Inspector, CSSIW (Welsh Government)
David Clayton	Delivering Policy for Children and Adults (Welsh Government)
Huw Maguire	Family Support (Welsh Government)
Lynda Chandler	Integration Policy and Delivery (Welsh Government)
Martin Semple	Office of the Chief Nursing Officer (Welsh Government)
Rachel Brown	Primary and Community Care Policy (Welsh Government)
Stephen Gear	Safeguarding Team (Welsh Government)

Facilitator

Professor Keith Moultrie, Institute of Public Care, Oxford Brookes University

Policy Team

Lee Davis, SS Assessment and Care Planning (Welsh Government)

Heather Giles, SS Assessment and Care Planning (Welsh Government)

Deputy Director

Margaret Provis, SS Leadership and Improvement (Welsh Government)

Yr Adran Iechyd a Gwasanaethau Cymdeithasol
 Department for Health and Social Services



**Grŵp Technegol Gwasanaethau Cymdeithasol ar
 Gymwysedd**

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David Street	Cyfarwyddwyr Corfforaethol Gwasanaethau Cymdeithasol Cyngor Bwrdeistref Sirol Caerffili
Stewart Greenwell	Arbenigwr Datblygu Strategol Cymdeithas Cyfarwyddwyr Gwasanaethau Cymdeithasol Cymru
Carys Lord	Pennaeth Rheoli Busnes ac Arloesi, Cyngor Sir Bro Morgannwg
Jackie Davies	Rheolwr Gwasanaethau Cyllid a Chomisiynu, Blaenau Gwent
Sue Darnbrook	Pennaeth Gwasanaethau Oedolion, Cyngor Sir Ceredigion
Colin Turner	Pennaeth Diogelu Gwasanaethau a'r Teulu, Cyngor Bwrdeistref Sirol Pen-y-bont ar Ogwr
Julie Thomas	Cyfarwyddwr Rhaglenni Datblygu ac Integreiddio NCN/ Cyfarwyddwr Gofal Cymhleth, Bwrdd Iechyd Prifysgol Aneurin Bevan
Rhian Davies (<i>Paul Swann</i>)	Cadeirydd Grŵp Cyfeirio Anabledd Cymru a Chyfarwyddwr Anabledd Cymru Wales
Ceri Jackson	Is-gadeirydd Cynghrair Henoed Cymru a Chyfarwyddwr RNIB
Keith Bowen (<i>Beth Evans</i>)	Cadeirydd Cynghrair y Gofalwyr a Chyfarwyddwr Cynhalwyr Cymru
Steve Harris	Cyfarwyddwr Dewis CIL ac aelod o Cynghrair Cymru ar gyfer Gofal a Gyfarwyddir gan Ddinasyddion
Amy Clifton	Age Cymru
Yvonne Rodgers	Barnardo's Cymru
Brigitte Gater	Gweithredu dros Blant
Chris Davies	Asiantaeth Gwella Gwasanaethau Cymdeithasol
Andrea Gray	Iechyd Meddwl a Grwpiau Agored i Niwed (Llywodraeth Cymru)
Ann Noyes	Polisi Iechyd Oedolion a Phlant (Llywodraeth Cymru)
Chris Humphrey	Arolygydd Strategaeth AGGCC (Llywodraeth Cymru)
David Clayton	Cyflawni Polisi i Blant ac Oedolion (Llywodraeth Cymru)
Huw Maguire	Cymorth i Deuluoedd (Llywodraeth Cymru)
Lynda Chandler	Polisi a Chyflawni Integreiddio (Llywodraeth Cymru)
Martin Semple	Swyddfa'r Prif Swyddog Nyrsio (Llywodraeth Cymru)
Rachel Brown	Polisi Iechyd Oedolion a Phlant (Llywodraeth Cymru)
Stephen Gear	Y Tîm Diogelu (Llywodraeth Cymru)

Hwylusydd

Yr Athro Keith Moultrie, y Sefydliad Gofal Cyhoeddus, Prifysgol Oxford Brookes

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 Heather Giles, Asesu a Chynllunio Gofal Gwasanaethau Cymdeithasol (Llywodraeth Cymru)

Dirprwy Gyfarwyddwr

Margaret Provis, Arwain a Gwella Gwasanaethau Cymdeithasol (Llywodraeth Cymru)