

Dawn Bowden MS
Minister for Social Care

26 July 2024

Dear Dawn

Health and Social Care (Wales) Bill

Thank you for attending our evidence session on 17 July, along with your officials, to discuss the Health and Social Care (Wales) Bill.

During that session, there were a few follow-up actions. We would also like to take this opportunity to raise one other, separate matter with you following our evidence session with Care Inspectorate Wales. For convenience, I have included all of these matters in the annex to this letter.

When the Committee returns after the summer recess, we will be considering a draft of our report on the Bill. It would be helpful to have your response in advance of this, **by Friday 6 September**, so that our report can reflect its contents.

A copy of this letter goes to Mike Hedges MS, Chair of the Legislation, Justice and Constitution Committee, and Peredur Owen Griffiths MS, Chair of the Finance Committee.

Yours sincerely



Sam Rowlands MS
Temporary Chair, Health and Social Care Committee

Croesewir gohebiaeth yn Gymraeg neu Saesneg. We welcome correspondence in Welsh or English.

Health and Social Care (Wales) Bill

1. In relation to the **elimination of profit from children looked after**, we asked Care Inspectorate Wales whether the provisions in the Bill and explanatory memorandum relating to supplementary placements will act to effectively 'legalise' and normalise unregistered placements in Wales. This is because the Bill, as drafted, does not prohibit any unregistered placement being used for a child of any age. Further, paragraph 55 of the explanatory memorandum refers to a placement meaning accommodating a child in unregistered accommodation on a temporary basis or in cases of urgency. In response, the Inspectorate told us:

"we made a query to Welsh Government about that. And my understanding is that that is an incorrect use of the word. So, sometimes, the words 'unregulated' and 'unregistered' are mixed up. So, what we've been told is that the intention was that that reference should be 'unregulated'. (...) we were content with the response that we got that that was an unintentional reference within the explanatory memorandum, and sure that will be—I'm hoping that will be—altered."

[For the full exchange, see paragraphs 204-209, RoP, 17 July 2024]

Can you confirm your position in relation to the above and, in particular, whether you intend to make any changes to the relevant provisions of either the Bill or explanatory memorandum.

2. In relation to issues with **continuing healthcare**, local authorities are calling for an urgent review of the whole CHC process. The Welsh Government has given a commitment to review the current CHC Framework within five years of implementation, with the next review anticipated to take place in 2026/27.

You gave an undertaking to ask the Cabinet Secretary for Health and Social Care to update the committee on progress with the review of the current CHC Framework. As part of this, we would like to hear whether there is any scope to bring this review forward, and whether there is merit in doing this so that any changes that are needed to be made to the existing system can happen in tandem with the introduction of direct payments for CHC.

3. Also in relation to **continuing healthcare**, we have heard from health board representatives that there is currently no performance framework for CHC, as it is in the process of being revised. They said this framework was critical, and should include metrics to capture and measure progress and success. You agreed to ask the Cabinet Secretary to provide us with an update of work in this area, including details of when the revised framework will be put in place.