

General Comment

The Association of Directors of Social Services (ADSS Cymru) is the professional and strategic leadership organisation for social services in Wales and is composed of statutory Directors of Social Services and the Heads of Service who support them in delivering social services responsibilities and accountabilities; a group of more than 80 social services leaders across the 22 local authorities in Wales.

ADSS Cymru welcomes the opportunity to comment on the proposals contained in Paul Davies' Individual Member's Bill, which would create new legislation on autism in Wales.

While ADSS Cymru appreciates that the fundamental objectives at heart of these proposals is to ensure that there is consistent and continued provision to meet the needs of the 34,000 autistic people in Wales, we do not believe, at this stage, there is a need for specific legislation to address the needs expressed by this particular group, their families or their carers.

There are several reasons why we believe this legislation is not required at this time and we will explore and detail those reasons later in this response.

However, it should be noted that the Welsh Government has made strides to strengthen public service provision for people with autism and their families and carers, which has built on its innovative and leading 2008 Autism Spectrum Disorder (ASD) Strategic Action Plan. That plan has been recently reviewed and revised and in addition to the establishment of the All-Age National Integrated Autism Service in 2016, there has been increased levels of investment in both national and local structures, all of which has helped raise the profile of the condition, as well as the development of improved services and the establishment of new services.

Current Legislation

The principle reason why ADSS is at this stage reticent to new specific legislation, is that there are two fundamental pieces of legislation in place – the Social Services and Well-being (Wales) Act 2014 (SSA) and the Well-being of Future Generations (Wales) Act 2015 (FGA) – which aim to develop a common understanding of what

public services are required in an area and to develop joint working between public bodies so that local activity and national goals are aligned around the needs of the citizen. This is very important, particularly in relation to the SSA, as it provides the legal framework for improving the well-being of people who need care and support carers who need support. The SSA is transforming the way social services are delivered through an integrated approach that is focused on achieving the outcomes necessary to promote a person's well-being – as an individual, as part of a family and as part of their community; an approach that is person rather than condition specific.

The Well Being Plan in the FGA is the overarching strategy for public service activity in an area and therefore, the SSA is required to fit in with this broader context for both corporate planning and work across Public Service Boards as well as being a discreet activity. However, given that there has not been sufficient time to imbed and assess the impact of both pieces of legislation in relation to citizens with autism, ADSS Cymru believes it would not be prudent at this stage to invest into a resource intensive process to implement additional legislation.

Moreover, in relation to legislation that is currently in the pipeline, clearly the Additional Learning Needs and Education Tribunal Bill (ALN Bill) has the potential to help improve education outcomes and ultimately life opportunities for children and young people with additional learning needs in Wales. There are key elements of the ALN Bill that will not only destigmatise learning needs support but will also extend the age range of legislative scope, as well as placing a duty on local authorities to prepare and implement Individual Development Plans for pupils, to ensure that there is accountability for the delivery of ALN provision. These elements, coupled with a new ALN Code of Practice and a compulsion for organisations like local authorities and Local Health Boards to collaboratively and flexibly work together, will ensure that children, young people and their families and carers, receive coherent, well co-ordinated support, which will help them achieve positive outcomes.

Guidance

The other fundamental reason why ADSS Cymru believes that specific legislation is not required at this stage is the commitment Welsh Ministers have made to issue statutory guidance on autism under the SAA in this Assembly term, to underpin delivery of the revised Strategic Action Plan. This will ensure that statutory bodies

understand their responsibilities towards people with autism and take action to meet those needs.

The Regional Partnership Boards established under the SAA, are already responsible for ensuring that there are integrated care and support services to meet the need of people in their area localities. Autism has been identified as one of their priority areas for integration and Boards will need to report annually on progress, including in relation to the delivery of the National Integrated Autism Service. Therefore, the announcement in June 2017 to bring forward statutory guidance adds further weight to our view that at this stage, it would not be prudent to add a further layer of legislation.