

FLINTSHIRE COUNTY COUNCIL

REPORT TO: SOCIAL & HEALTH CARE OVERVIEW & SCRUTINY
COMMITTEE
DATE: MONDAY, 2 JULY 2012
REPORT BY: DIRECTOR OF COMMUNITY SERVICES
SUBJECT: SOCIAL SERVICES (WALES) BILL CONSULTATION

1.00 PURPOSE OF REPORT

1.01 To provide an update on the draft Social Services (Wales) Bill and Flintshire County Council's response to the recent consultation paper.

2.00 BACKGROUND

2.01 In February 2011 the Deputy Minister for Social Services published the White Paper "Sustainable Social Services for Wales: A Framework for Action." The paper outlined how high quality, responsive, citizen centred social services are essential to a successful Wales. Recognising that Wales is building from a position of strength, the paper identifies the need for social services to reshape and refocus in response to the changing social and financial context.

2.02 The proposed Social Services (Wales) Bill is intended to provide the Welsh Government with the legislative framework to take forward "Sustainable Social Services for Wales." The Bill will become the first Social Services Act of the Assembly using the National Assembly's newly extended powers.

2.03 The Welsh Government state that the Bill will:

- Simplify the diverse legislative framework that currently regulates social care in Wales;
- Make access to services much easier and more understandable to those who need them; and
- Give people a strong voice and real control.

2.04 The Bill will cover social care services for both children and adults and, *"as far as it is possible and appropriate, integrate the arrangements for both of these groups so that social care services are provided on the basis of need and not of age"*.

2.05 A consultation paper on the proposed Bill was published by the Welsh Government on March 12th and closed on June 1st 2012. This set out the Welsh Government's legislative proposals in the following areas:

- Maintaining and enhancing the wellbeing of people in need;
- Giving citizens a stronger voice and real control;
- Strong national direction and local accountability for delivery;
- Safeguarding and protection;
- Regulation and inspection; and
- Adoption and transitions for disabled children and young people.

The paper attached at Appendix 1 provides a summary of each section of the draft Bill.

2.06 Senior Managers across the County Council were involved in compiling numerous responses to the consultation. These include the North Wales Social Services Improvement Collaborative response, the Association of Directors for Social Services Cymru response and the Carers Officers Learning and Improvement Network response. The County Council also submitted an individual response that focused on areas of specific importance to the staff in Flintshire and this response is set out at Appendix 2 (copies are also available from the Members' Library). This response was submitted to the Welsh Local Government Association and to Welsh Government.

3.00 CONSIDERATIONS

3.01 The Bill is a fundamental development for the Welsh public sector. Flintshire's consultation response is positive in its acknowledgment that the Bill has the potential to assist in transforming services. However, our response also highlights some key considerations for Welsh Government.

3.02 The Bill repeatedly states that Welsh Government do not see the need for any additional resources. Flintshire's response raises concerns about whether there will be sufficient resources available to meet increased commitments and expectations in the face of growing demand for services, especially when the proposed changes could considerably increase entitlement to assessment and the provision of social care services.

3.03 Flintshire's considered response also advocates for flexibility in how local authorities deliver services in order to be responsive to local need and protect local democracy.

3.04 The response highlights that the proposals in the Bill cannot be achieved by Social Services alone. Commitment by all statutory partners will be required to fully take forward and implement the change programme.

3.05 As noted earlier in this report, the consultation period has now closed. The next step is for the Welsh Government to publish a summary of the representations and the action that it will take in response. A final version of the Bill is expected to be introduced to the National Assembly in October 2012.

4.00 RECOMMENDATIONS

4.01 Informal Cabinet receives this report for information and notes the consultation response.

5.00 FINANCIAL IMPLICATIONS

5.01 There are no resource implications as a direct consequence of this report.

6.00 ANTI POVERTY IMPACT

6.01 None.

7.00 ENVIRONMENTAL IMPACT

7.01 None.

8.00 EQUALITIES IMPACT

8.01 None.

9.00 PERSONNEL IMPLICATIONS

9.01 None.

10.00 CONSULTATION REQUIRED

10.01 See 11.01.

11.00 CONSULTATION UNDERTAKEN

11.01 Targeted consultation was undertaken with relevant staff across the Council, the Corporate Management Team, Social Services for Children and Social Services for Adults to compile the response. Input was also received from the Corporate Equalities team.

12.00 APPENDICES

12.01 Appendix 1- Social Services Bill Summary
Appendix 2- Social Services Bill FCC Consultation Response

LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985

BACKGROUND DOCUMENTS

- Welsh Government White Paper, “*Sustainable Social Services for Wales: A Framework for Action*,” 2008
- Welsh Government Consultation Paper, “*Social Services (Wales) Bill*,” 2012

Contact Officer: Neil Ayling, Director of Community Services
Telephone: 01352 702500
Email: neil.j.ayling@flintshire.gov.uk