

**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

**CABINET**

**30<sup>th</sup> OCTOBER 2014**

**REPORT OF GROUP DIRECTOR, COMMUNITY & CHILDREN'S SERVICES**

**Author: Giovanni Isingrini, Group Director Community & Children's Services Tel: 01443 424140**

**Social Services and Wellbeing Act: Implementation Programme**

**1. PURPOSE OF REPORT**

To update on the overarching expectations which arise from the "Social Services and Wellbeing Act" and determine the implementation programme for the County Borough of RCT

**2. RECOMMENDATION**

It is recommended that Members:

- 2.1 Note the implications of the "Social Services and Wellbeing Act" and approve the implementation programme for the County Borough of Rhondda Cynon Taf.
- 2.2 Support the creation of regional governance arrangements in accordance with Welsh Government requirements.
- 2.3 Support the approach proposed for implementation of the Act.
- 2.4 Consider an initial briefing session for lead members and officers.

**3. LEGISLATIVE PROCESS**

- 3.1 The Social Services and Wellbeing Act received Royal Assent on the 1<sup>st</sup> May 2014 and will be implemented April 2016. The Act creates a new framework that brings together and modernises the law for social services in Wales, increasing the emphasis on preventative actions. It aims to bring people closer to the decisions about the services that affect them, and address the challenges of demographic and economic change. This is one of the first major legislative programmes undertaken by the devolved Government, and within social care and the wider public sector requires a proactive response by stakeholders in order to inform and shape the legislative and regulatory framework.

3.2 The statutory framework comes in three parts:

- i) The Act itself (achieved)
- ii) Regulation - two tranches
  1. tranche 1 available for public consultation November 2014 (see appendix 1)
  2. tranche 2 available for consultation Spring 2015
- iii) Code of Practice – being developed alongside the above

3.3 A second Act is now being progressed addressing the regulatory framework which will impact on key agencies such as Care Council, CSSIW and SSIA. An implementation date for this Act has not yet been determined.

#### **4. VISION FOR THE SS&WB ACT**

The hallmarks for the Act are:

- the citizen to have as much control as possible, services being person centred, through focussing on the outcomes each individual wants to achieve
- being interested in the strengths and capacity each person brings as in their care and support need
- furnishing people with the information, advice and assistance they need, in a way they can use (including exploitation of technology) is key to helping them make good choices about their own way to well-being
- always maximising each person's independence and connecting them to their communities, reducing or delaying their reliance on social care and health interventions
- ensuring that a person gets the additional support they need, where they cannot otherwise achieve their wellbeing outcomes
- when someone does require additional support, avoiding duplicate assessment processes, so the right support is given the first time
- minimising bureaucracy and form filling and keeping things simple (SSIA) <http://www.ssiacymru.org.uk/8596> (e-learning SSIA resource – presentation on the Act, this presents a useful overview of the Act and requirements for various stakeholders)

## **5. UNDERPINNING PREMISE FOR THE ACT**

- 5.1 An underpinning premise within the Act is that the provision of wellbeing services, which promote good health and independence, will reduce the demand on more specialist and costly services. The Act is considered by Welsh Government as being cost neutral. Whilst there has been much debate about the accuracy of this basic premise there is general agreement about its ambition with a recognition that it can be realised without:
- a) A change of expectation about what services should be provided – with an increased emphasis on self-determination – statutory services complementing the individual and family’s ability to care. It is not about doing the same thing in a different way – but changing the offer
  - b) A change of emphasis about how services are provided – building community resilience and market shaping underpinning any reduction of specialist high cost provision
  - c) Engagement of key stakeholders across the public sector – mainstreaming wellbeing into core business
- 5.2 The progression of the Act in Wales has served to reaffirm the Welsh Governments’ decision to locate Social Services within Local Government. This is made with clear expectations that:
- a) The emphasis should be on individuals within families and communities
  - b) The Local Authority and its key partners including Health must embrace its corporate role and responsibility for “wellbeing”
  - c) Services (preventive and specialist) should be planned and delivered in collaboration with key stakeholders such as Health, Third and Independent Sector
  - d) Services should be developed on the same footprint as the local Health Board

## **6. DELIVERING THE WORK PROGRAMME**

- 6.1 Nationally, the Welsh Government has supported a number of stakeholder groups to assist with the progress of the Act and, more recently regulation. For example, over 200 people, since September 2014 in various stakeholder technical groups, have considered the detail of the regulations. The Local Government family has worked to try and rationalise attendance making sure that representation is manageable and allows for regional perspectives. Nevertheless the demand continues to be significant.

- 6.2 The Deputy Minister has also established a national framework to oversee development and implementation of the Act. Nationally there are three main groups representing the leadership, officer and citizen perspective:
- a) National Social Services Partnership Forum
    - To provide Ministers with advice on policy and priorities, so as to achieve the Welsh Government's vision of sustainable social services that are high quality, responsive and citizen centred
    - To deliver practical leadership and action on a programme of change, which will renew social services in Wales in accordance with the Welsh Government's values and principles as set out in "Sustainable Social services: A Framework for Action(Chapter2)  
(Chaired by the Deputy Minister)
  - b) National Social Services Leadership Forum  
  
(Remit as above but chaired by the Director of Social Services and Integration for Wales)
  - c) National Citizen Panel
    - To work as part of the collaborative leadership arrangements, securing the voice of service users and carers in the transformation of social services in Wales
- 6.3 A further Ministerial Group, chaired by Sally Ellis (ex Director Denbighshire), has been established to consider the detail of the proposed "National Institute of Care and Support". The group is intended to build on and extend the functions of the Care Council for Wales and will present its report January/February 2015.
- 6.4 During July 2014 the then Deputy Minister announced her determination to see this model replicated at a Regional level. The Welsh Government has made available a fund of £135,442 to be spent by March 2015 to assist with the delivery of the above.
- 6.5 The proposed approach utilising the grant has been agreed by all relevant partners in accordance with the letter received from Welsh Government and the grant parameters set out therein.
- 6.6. Details of the proposals submitted for the Cwm Taf region are set out in Appendix 2. The priority will be to secure the **capacity and leadership of a named individual at Head of Service level** (at least) to lead a team on each public services footprint to:-
- Lead the creation, by 31 March 2015, of a regional implementation plan

- drive forward the programme of change to implement the Act across the footprint and across footprint partners particularly the NHS, third and private sectors; and
- Work in partnership with WG on the Wales-wide priorities for transformation set out in Sustainable Social Services.

6.7 It has been agreed that Rhondda Cynon taf, as the designated lead agency, will seek to Identify an individual and the project management support to deliver this function. In addition it is proposed that this individual will provide a lead role For this authority (working to the Group Director) in supporting the delivery of the direction of travel laid out by the Social Services and Wellbeing Act.

## **7. IMPLEMENTATION PROGRAMME**

7.1 The corporate approach adopted for the implementation of the Council's change programme provides a robust platform for implementation.

7.2 Nevertheless it will be necessary to ensure a sense of momentum with particular reference to the required change in expectation. Whilst many of the programmes being introduced are in accordance with the required changes there is a need to strengthen our knowledge and ability to shape community based support and commission according to need – for both wellbeing and targeted services. There is a real risk that the citizen and other stakeholders will continue to expect the additional preventive services as well as the continued access to specialist provision without sufficient realisation of a change in expectation about individual and family capacity to respond to need.

7.3 We will also need to ensure that we are well positioned to influence and shape the regional programme, as the expectation is that programmes are developed and implemented on this footprint in an integrated way with health eg. "I particularly want to draw Member's attention to my intention to legislate in relation to population assessment and partnership working in tandem, using the powers to secure that such assessments are undertaken on a regional basis, conforming to the Local Health Board footprint." (Deputy Minister – written statement August 2014) This requirement will be included in the first tranche of regulation to be laid before Assembly May 2015.

7.4 Whilst the noted intention is for the Act to be cost neutral with reference to service expectation and delivery it is evident that preparing for the delivery of the Act will require additional funds and /or re-prioritisation of available resource. Additionally, whilst we have many examples of good community based services our organisational intelligence needs to be strengthened.

7.5 The Welsh Government has noted that the SCWDP Grant (Social Care Workforce Development Programme) which underpins our workforce programme (70% allocation of the overall training budget) should be directed to the effective delivery of the Act across the social care workforce. Again,

documentation from the Welsh Government indicates an expectation of increased regional working.

- 7.6 Initial discussion has taken place within the Community and Children services directorate and it is proposed that we build on existing groups and capacity for the implementation of the Act. Additionally we need to make sure that our business plans have identified priority requirements and implementation programmes.
- 7.7 Given the Corporate requirements it is proposed that the Group Management Team takes on a leadership role for the implementation of the Act supported by relevant Council colleagues. The intention is to establish a quarterly forum Chaired by the Group Director, and including relevant Service Directors, Human Resource and Finance colleagues together with both Social Services portfolio councillors, to oversee successful implementation.

## **8. INITIAL RAISING AWARENESS SESSIONS**

- 8.1 The Welsh Government is leading on the development of workforce development information in support of the delivery of the Act. The first programme, aimed at general awareness, should be available in the autumn. Further workforce programmes will be available providing more targeted information for specialist work areas as the programme develops.
- 8.2 Whilst I understand that good progress is being made to ensure availability of this Information & Awareness pack for the Autumn it is proposed that an initial awareness session be arranged for Community and Children's Services Senior Management Team, in advance of this being available thereby facilitating our collective ability to identify opportunities and risks as we progress the corporate programme.

## **Appendix 1 – Tranches for developing guidance to accompany the Act:**

### **Tranche 1 – for consultation November 2015**

- Population assessments under Part 2 of the Act and partnership working part 6
- Social enterprise
- Assessments and eligibility
- Direct payments
- Adult protection and support workers
- National independent Safeguarding Boards
- Local Safeguarding Boards
- Ordinary residence and disputes about ordinary residence

### **Tranche 2 – for consultation from May 2015**

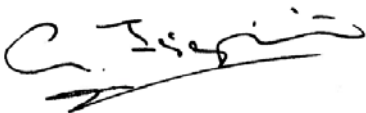
- Preferred Accommodation
- Paying for Care, including
  - Charging
  - Financial assessment
  - Ability to pay
  - Deferred payments
  - Charging for preventative services and assistance
  - Recovery of charges, interest etc.
  - Charge over and interest in land
  - Transfer of assets to avoid charges
- How looked after children are accommodated and mainstreamed, including
  - Care and support plans
  - Looked after children
  - Local authority foster parents
  - Agency arrangements
  - Independent visitors for looked after children
  - Independent reviewing officers
  - Referred cases and review of cases
  - Young people, personal advisers, pathway plans, charging
  - Pathway assessments and plans
  - Accommodation and restriction of liberty
  - Visitors for children
- Partnership arrangements and Partnership Boards
- Complaints and assistance for complaints
- Representations relating to looked after children and other children who may have need for care and support and assistance in relation to these
- Provision of advocacy services
- Provider failure

## Appendix 2 Delivering Transformation Grant 2014/15

### Sustainable Social Services Wales: Delivering Transformation Grant 2014/15

#### Application

Lead Local Authority	Rhondda Cynon Taf County Borough Council (RCTCBC)
Accountable Officer	Gio Isingrini (Group Director Community and Children's Services)  Telephone: 01443 424141  Email: Gio.Isingrini@rctcbc.gov.uk
Other Partners involved in delivery	Merthyr Tydfil County Borough Council (MTCBC) Cwm Taf University Health Board VAMT and Interlink
Estimated total cost of proposal	£135,442

<b>Signature:</b>	
<b>Name:</b>	Gio Isingrini
<b>Designation:</b>	Group Director Community & Children's Services, RCTCBC
<b>Date:</b>	15 <sup>th</sup> September 2014

<b>Signature:</b>	
<b>Name:</b>	Suzanne Griffiths
<b>Designation:</b>	Director Social Services, MTCBC
<b>Date:</b>	15 <sup>th</sup> September 2014

<b>Signature:</b>	
<b>Name:</b>	Stephen Harrhy
<b>Designation:</b>	Director of Primary, Community & Mental Health, Cwm UHB
<b>Date:</b>	15 <sup>th</sup> September 2014



<b>Signature:</b>	
<b>Name:</b>	Ian Davy
<b>Designation:</b>	Chief Officer, VAMT
<b>Date:</b>	15 <sup>th</sup> September 2014

<b>Signature:</b>	
<b>Name:</b>	Simon James
<b>Designation:</b>	Chief Officer, Interlink
<b>Date:</b>	15 <sup>th</sup> September 2014

### **Cwm Taf Proposal**

This proposal has been agreed through the Integrated Health and Social Care (ICF) Strategic Managers Group. The Group brings together senior Officers from across Rhondda Cynon Taf Council, Merthyr Tydfil Council, Cwm Taf University Health Board and lead representatives of the third sector.

The proposal will ensure delivery of the individual grant priorities and key deliverables, as set out in Annex 1 of the grant application letter dated 17<sup>th</sup> July 2014.

#### **Proposed key deliverables**

##### **1. Regional self-assessment completed by 31<sup>st</sup> December 2014**

In order to achieve a robust self-assessment, we will develop a toolkit that will, where relevant, link to existing performance management / service evaluation frameworks (e.g. ACRF) to inform the development of the regional implementation plan.

This self-assessment process will also involve engaging with and listening to service users, staff groups and our wider local communities.

We will also commission an independent support provider to provide a 'critical friend' challenge as part of the self-assessment process.

The key milestones are:

- a. Self-assessment toolkit in place along with service user and staff reference groups 31<sup>st</sup> October 2014
- b. Self-assessment undertaken 30<sup>th</sup> November 2014
- c. Self-assessment critical friend challenge During December 2014
- d. Self-assessment complete and published 31<sup>st</sup> December 2014

## **2. Regional Implementation plans in place by 31<sup>st</sup> March 2015**

As with the self-assessment, we will use the funding to provide a 'critical friend' challenge in the development of the implementation plan.

The key milestones in relation to the regional implementation plan are:

- a. Draft Regional Implementation Plan completed                      31<sup>st</sup> January 2015
- b. Draft Regional Implementation Plan consultation      In February 2015  
with service users, staff and Partner agencies and  
critical friend challenge
- c. Regional Implementation Plan executive approval              In March 2015
- d. Regional Implementation Plan in place                                      31<sup>st</sup> March 2015

## **3. Regional implementation structure in place by 31<sup>st</sup> January 2015 to oversee development and impletion of the Plan**

We will expand the role of the existing Integrated Health and Social Care (ICF) Strategic Managers Group to undertake the role of the Leadership Group (Executive). We will, where possible, also consider expanding the remit of other Groups to incorporate the requirements of the Regional governance structure within existing arrangements across Cwm Taf, consisting of a partnership forum (political) and regional citizen's panel from 2015/16 onwards.

In taking such an approach we will ensure that other schemes funded through the Regional Collaboration Fund and Integrated Care Fund are fully embedded in the overall programme of transformation and that they fully contribute to the transformation agenda.

We will use the funding to appoint a new Regional Transformation Manager from 1<sup>st</sup> October 2014. The Manager will be supported by a Project Officer. The Project Officer has been in post since 1<sup>st</sup> April 2014 and has been continuing to work on the implementation of the new MASH service model rolled forward from 2013/14. The Project Officer is also supporting the development of new service models as part of our regional ICF work.

Internal officer time from across partner agencies will also be committed to support implementation and delivery of this transformation programme, but this has not been included as part of the application.

The key milestones in relation to the regional implementation structure:

Regional Implementation Manager in post	1 <sup>st</sup> October 2014
Leadership Group in place following review of ICF Strategic Manager meeting	30 <sup>th</sup> November 2014
Partnership Forum in place	31 <sup>st</sup> January 2015
Regional citizen's Panel in place	31 <sup>st</sup> March 2015

**Funding Requirements**

<b>Cost Information</b>	<b>Description</b>	<b>£</b>
Appointment: Regional Transformation Manager  Funding from 1 <sup>st</sup> October 2014 to 31 <sup>st</sup> March 2015	The post will lead a Regional Team for Cwm Taf to: <ul style="list-style-type: none"> <li>○ Develop and implement the regional implementation plan</li> <li>○ Drive forward the programme of change to implement the Act across the footprint and across footprint partners particularly the NHS, third and private sectors</li> <li>○ Work in partnership with Welsh Government on the Wales-wide priorities for transformation set out in Sustainable Social Services</li> </ul>	<b>37,042</b>
Secondment: Regional Project Officer  Funding from 1 <sup>st</sup> April 2014 to 31 <sup>st</sup> March 2015	<ul style="list-style-type: none"> <li>○ Provide Regional project management capacity to support implementation of the Act</li> <li>○ Support the implementation of a Cwm Taf MASH service by 31<sup>st</sup> March 2015</li> </ul>	<b>50,900</b>

Regional Implementation Plan / self-assessment process	To fund discrete priorities or immediate readiness actions identified in the self-assessment / implementation planning	<b>20,000</b>
Independent critical friend challenge	To commission critical friend as part of the reassessment process and development of regional plan	<b>7,500</b>
Regional Adoption Service	To provide additional staff capacity and IT infrastructure to assist in the on-going development of Regional adoption service by 30 <sup>th</sup> November 2014	<b>20,000</b>
<b>Total</b>		<b>135,442</b>

### **Governance**

Initially the Integrated Health and Social Care (ICF) Strategic Managers Group will take overall responsibility for the programme and overall supervision of the grant funding. This responsibility will subsequently transfer to the Regional Leadership (Executive) Group once established as referred to above.

As Lead Authority, the Director of Social Services at Rhondda Cynon Taf will act as the Authorised Officer for audit and budget monitoring purposes and will ensure that the monitoring requirement and timeframe as set out in Annex 1 of the grant application letter dated 17<sup>th</sup> July 2014 is complied with.