

Rebalancing Care and Support Programme

Consultation questions

Name: Jake Smith

Organisation: Carers Wales

Telephone number: 029 2081 1370

Email: jake.smith@carerswales.org

Your address: Unit 5, Ynys Bridge Court, Cardiff, CF15 9SS

Consultation Questions – Chapter 1

Carers Wales is the national membership charity for unpaid carers in Wales. As part of Carers UK, we provide a range of information resources for carers, support carers to balance caring with employment and provide carer-focused wellbeing initiatives. We also conduct research into the experiences of carers in Wales and use our findings to respond to policy developments and campaign for better support for carers.

Rather than answer each consultation question in turn, we have chosen to group our comments under each consultation chapter heading.

Chapter 1 - Part 8 - Code of Practice - National Framework for Commissioned Care and Support

The principles and standards set out in this Code are likely to enhance the level of consistency in social care commissioning in Wales. We welcome that the Code says that local authorities and local health boards must act in accordance with the requirements of the Code and that commissioners will need to establish appropriate monitoring and evaluation mechanisms to assure themselves of compliance with the Code. We further note that the proposed National Office for Care and Support will have a role in “*overseeing and supporting the implementation and management...of the Code*”.

Unpaid carers are the backbone of the health and social care system in Wales. We therefore welcome the sections in the Code which promote the importance of co-production with service users and carers, including in the visual representation of the commissioning cycle. Meaningful co-production requires carers to be involved at every stage of the process, so it is welcome that Standards 1 and 2 of the Standards for Ethical and Effective Commissioning state that local authorities and local health boards must ensure they have sufficient skills and capacity to “*Co-design, plan, deliver/secure, monitor and co-evaluate services with care and support providers, people in need of care and support and carers in need of support*”. Effective co-production at every stage increases the likelihood that services will meet the needs of individuals. The quality of co-production with carers and service users varies too much across Wales at present, so we welcome further requirements to embed co-production in practice. Effective monitoring and enforcement of the Code in this and other regards is vital however in ensuring co-production is actually realised as intended.

Standard 10 states that brokerage (referring to the process of arranging care and support for individuals) “*should always have the needs and wishes of the person in need of care and support at the heart of the process.*” To help achieve Welsh Government’s objective of a social care system that delivers ‘what matters’ to individuals, we believe this language should be strengthened from “*should*” to ‘must’.

We welcome that the Code says the Welsh Government’s co-produced Charter for Unpaid Carers should be read by any professional involved in designing and

delivering services for carers. The Code says statutory partners should take steps to empower carers to understand their rights and recognise when they are being compromised. To help fulfil his aspiration, we suggest part of this must include a requirement to publicise forms of redress for carers, including complaints processes and sources of advocacy, and call for the addition of language covering these forms of redress in this section.

Consultation Questions- Chapter 2

Chapter 2 - Pay and Progression Framework proposals

We welcome the creation of a national pay and progression framework for the social care workforce as one of numerous interventions needed to tackle the workforce challenges in social care which are the cause of so much additional pressure on people needing care and their carers. The ambition of the framework is likely to be limited however by the suggestion in the proposal that it will be voluntary. It is clear substantial changes are needed to address the crisis in the social care workforce. Consideration must therefore be given to whether the pay and progression framework, or elements of it, can have a greater level of compulsion on employers and commissioners. Otherwise, there needs to be a clear account, currently lacking in the proposal, of how a voluntary framework will be encouraged and monitored throughout Wales. Without steps such as these, there is a risk the framework will fall short of having its desired impact on the workforce.

Unpaid carers and the people they look after will often interact with and be supported by a range of social care professionals. Occasionally, and especially when there is staff turnover, this can lead to uncertainty about the role and responsibilities of the social care professionals they are interacting with or who they may seek to reach out to. It is commendable therefore that the framework aims to make it easier for individuals receiving care and their families to understand the roles of those providing their care and the competencies required. To help achieve this ambition, it would be beneficial for families to receive information that would indicate which of the broad proposed job bands and descriptors the social care professional assigned to them falls within. Otherwise, it will be difficult and time consuming for families to understand the nature of the role of the professional assigned to them and then compare this to the various job bands in the framework.

Consultation Questions- Chapter 3

Chapter 3 - National Office for Care and Support proposals

At present, there is an unacceptably high level of variation in the delivery of social care across Wales. There is substantial evidence that the rights of unpaid carers under the Social Services and Well-being (Wales) Act 2014 are routinely not delivered in practice. This evidence base includes the [Track the Act evaluation](#)

[series](#) published by Carers Wales, the [2019 inquiry of the Senedd Health and Social Care committee](#) into the Social Services and Well-being Act in relation to carers, and the Welsh Government-commissioned [independent evaluation of the Act](#) published in March 2023. In addition to the evident gap between legal obligations and delivery on the ground, carers tell us they resent the ‘postcode lottery’ of care and support they feel is evident across Wales. Additionally, there is much work still to be done to integrate health and social care services, with carers reporting it is often confusing, frustrating and time-consuming to navigate the boundaries between health and social care services when seeking to arrange care for their loved ones. There is clearly a pressing need to ensure greater consistency of social care delivery and integration between health and care services. We agreed with the belief, expressed by the Expert Group in their Autumn 2022 report ‘[Towards a National Care and Support Service for Wales](#)’, that a National Office for Care and Support should ensure action is taken at a national level to resolve any barriers which local authorities and local health boards have identified but which they cannot resolve themselves. We therefore welcome the proposed objectives of the National Office in this consultation to provide “*national direction to enable improved national, regional, and local outcomes*” and to “*promote integration of services to create seamless health and social care services*”.

The report of the Expert Group, published in Autumn 2022, recommended that “*membership of the National Care and Support Office should contain/access a significant number of citizens voices...such as [those with] experience of disability [and] unpaid carers*”. The consultation proposal states that the National Office will “*embody the four fundamental principles of the Social Services and Well-being (Wales) Act 2014: voice and control, prevention and early intervention, well-being, and co-production*”. However, the proposed design and functions of the National Office in this proposal do not reflect the level of citizen voice and co-production called for by the Expert Group. Plans for the National Office must set out clearly the mechanisms it will utilize to practice meaningful co-production with service users and carers as well as their representatives in the operation of the National Office’s functions.

Unpaid carers are the backbone of the social care system in Wales. Analysis conducted by the University of Sheffield in 2023 found that unpaid carers [saved Wales £10.6 billion in 2021](#) by providing care which services would otherwise have to provide. This value of unpaid caring is at least equivalent to Welsh Government annual spending on the NHS. The proposal rightly talks about working with Social Care Wales, the workforce regulator, to amplify “*positive messages about working in social care*”. However, the report of the Expert Group recommended that the National Office could lead on awareness work to highlight the “*symbiotic relationship*” between the paid care workforce and unpaid carers, and that unpaid carers must be reflected in the Office’s efforts to create stronger public recognition for social care. The proposal should be developed to include an objective of raising the public profile of unpaid carers and their symbiotic relationship to the paid workforce as called for by the Expert Group.

The proposal states that the National Office will “*develop the use of data, harnessing current data sets and cleaning these and will move towards putting in place advanced analytics and modelling tools*”. The report of the Expert Group suggested that a National Office could establish a national ‘what matters’ data bank of identified needs from service users and carers to map future service need. The National Office could play a useful role in establishing such a data bank to understand the extent to which ‘what matters’ is being delivered in practice, and we would suggest this should be an objective of the National Office.

Consultation questions – Chapter 4

Chapter 4 - Part 2 - Code of Practice- (General Functions)

Chapter 4 of the Code of Practice rightfully sets out an aspiration to “*create a more diverse and mixed economy of care*” through a range of providers including social enterprises, co-operatives and user-led services. Despite the commitment to promoting co-operatives and social enterprises contained within the Social Services and Well-being (Wales) Act 2014, it appears many local authorities have to date conducted only limited work in this area, with co-operative/social enterprise-based provision for care services across Wales presently limited. We therefore welcome the strengthened language around this area in the Code, but also believe that greater recognition should be given to the benefits of allowing carers to pool their direct payments to create their own alternative and innovative sources of care.

Chapter 5 states that “*local authorities must put in place robust arrangements for encouraging and enabling the involvement of people at all stages of the design and operation of care and support and preventative services*” and that they must create “*an environment locally to ensure that service user and carer voices are heard*”.

Unpaid carers bring a wealth of experience to service design and decision making, so we welcome this content in Chapter 5. We note however that some local authorities have far stronger mechanisms for engaging with carers on an ongoing basis than others, and so would suggest that in the spirit of this Code local authorities should ensure they have a permanent mechanism for co-production with carers.

The ‘Creating the Right Environment’ section of Chapter 5 highlights the importance of leadership in creating a positive environment that is conducive to co-production. While agreeing with this point, our engagement with Carer Representatives in RPBs and on other bodies revealed the importance of organizational cultures that understand and value co-production, with senior buy-in critical. We therefore suggest this section should be strengthened with reference to leadership of local authorities and senior managers undertaking training on co-production so they can discharge their duties effectively.

The ‘Measuring Success’ section contains welcome requirements on gathering information on whether support is achieving the things that matter to people. This section could be strengthened through requirements to measure the performance of

co-productive exercises as they have a significant bearing on the ultimate performance and suitability of services.

We would suggest that the 'Resources' section should include the Welsh Government's [Regional Partnership Boards: charter for service user, carer, third sector and provider members](#) as well as the Welsh Government's [Charter for Unpaid Carers](#).

Consultation Questions- Chapter 5

Chapter 5 - Part 9 - Statutory Guidance (Partnership Arrangements)

We support placing a duty upon RPBs to work with the Citizen Voice Body to engage more effectively with citizens in the work of the regional partnership but believe this should exist alongside continued engagement with a range of organisations, including charities and other third sector groups, who routinely engage with service users and carers and who represent their needs in local, regional and national decision making.

We agree with expanding the list of members of regional partnerships to include the Wales Ambulance Trust, a representative of primary care providers and County Voluntary Councils.

We further agree with new provisions around recruitment and support for board members, including role descriptors, transparent and accessible arrangements for recruitment, and steps to support board members, in particular service users and carers, so they can participate fully in the work of the regional partnership. In support of these objectives, we suggest RPBs should be required to take into account the content of the Welsh Government's Regional Partnership Boards: charter for service user, carer, third sector and provider members which contains co-produced guidance on supporting RPB board members, and that this should be signposted to in guidance.

Regional Partnership Boards have an important role to play in ensuring co-production with carers is actioned in accordance with the Social Services and Well-being (Wales) Act 2014. In light of variable practice across RPBs and in the interests of transparency which reinforces accountability, we welcome that Regulation 12 will be strengthened with regards to RPBs accounting for their co-production activities in their annual reports which are to be published online.

Consultation Questions- Chapter 6

Chapter 6 - Part 8 - Code of Practice on the role of the Director of Social Services (social services functions) and changes to the Local Authority Social Services Annual Report Regulations.

We support the proposed amendments to the Local Authority Social Services Annual Reports Regulations but believe clarifying guidance may be needed to ensure the

extent to which 'what matters' is being delivered for citizens, and the ways in which co-production duties are being fulfilled, are consistently and fully set out in Annual Reports.