

[Regulation and Inspection of Social Care \(Wales\) Bill](#) / [Bil Rheoleiddio ac Arolygu Gofal Cymdeithasol \(Cymru\)](#)

Evidence from Disability Can Do Organisation – RISC 01 / Tystiolaeth gan Sefydliad Disability Can Do – RISC 01

General

1. Do you think the Bill as drafted will deliver the stated aims (to secure well-being for citizens and to improve the quality of care and support in Wales) and objectives set out in Section 3 (paragraph 3.15) of the Explanatory Memorandum? Is there a need for legislation to achieve these aims?

We feel it will deliver the stated aims, we feel it is a strong idea and very necessary for vulnerable people in receipt of care. Legislation is needed because without it things get forgotten and overlooked.

2. What are the potential barriers to implementing the provisions of the Bill (if any) and does the Bill adequately take account of them?

Agencies do not have the adequate resources to allow for additional inspections. It is all about money and they will not be interested in putting extra measures in place especially if they cost money. We feel the local authority may be reluctant to make changes when they do not have the time and the resources to do so. It will be an increased workload that they don't need at the moment and at a time when there are lots of discretionary cuts. Companies cannot cope with the influx of clients all the time let alone the extra work. Local authority should have more power to enforce sanctions if a care agency is not providing the relevant support and meeting the needs. We hope this bill will tackle this.

3. Do you think there are any issues relating to equality in protection for different groups of service users with the current provisions in the Bill?

No we cannot see any. It is tricky for older people who are isolated with no family and care agencies seem to try and get away with more. There is always room for improvement.

4. Do you think there are any major omissions from the Bill or are there any elements you believe should be strengthened?

We think the local authority should have more powers to sanction companies who are repeatedly failing to meet the needs. There should be more onus on the agencies to offer better pay and more training to try and retain staff. The training should be more regulated and monitored.

5. Do you think that any unintended consequences will arise from the Bill? More onus on the local authority who are already struggling. Maybe it should be an independent agency?

#### Provisions in the Bill

The Committee is interested in your views on the provisions within the Bill, and whether they will deliver their stated purposes. For example:

6. What are your views on the provisions in Part 1 of the Bill for the regulation of social care services? For example moving to a service based model of regulation, engaging with the public, and powers to introduce inspection quality ratings and to charge fees.

We feel this is a good idea and that any quality ratings should be made available for public viewing. It depends what the fees are for?

7. What are your views on the provisions in Part 1 of the Bill for the regulation of local authority social services? For example, the consideration of outcomes for service users in reviews of social services performance, increased public involvement, and a new duty to report on local markets for social care services.

It is a good thing to have more public involvement. People should be included more in inspections and in reviews of their care plans. People should have more of a say into what is happening in their lives and if they are not happy they should have the right to access an independent advocate.

8. What are your views on the provisions in Part 1 of the Bill for the development of market oversight of the social care sector?

We do not have any views on this.

For example, assessment of the financial and corporate sustainability of service providers and provision of a national market stability report.

9. What are your views on the provisions in Part 3 of the Bill to rename and reconstitute the Care Council for Wales as Social Care Wales and extend its remit?

We feel Care Council for Wales do not do a great deal at the moment so any extension to remit is a positive step. However we can not see how much difference changing the name will be apart from costing a lot of money.

10. What are your views on the provisions in Parts 4 – 8 of the Bill for workforce regulation? For example, the proposals not to extend registration to new categories of staff, the removal of voluntary registration, and the introduction of prohibition orders.

We feel this is good, it is really important for all care providers to be registered and not just voluntary. We also applaud the introduction of prohibition orders because agencies should be brought to task if they are not fulfilling the need.

11. What are your views on the provisions in Part 9 of the Bill for co-operation and joint working by regulatory bodies?

We think it is an important for bodies to joint working as long as it actually works in practice rather than just a 'tick box exercise'. There has to be a clear process of what joint working is and how to achieve it.

#### Delegated powers

The Bill contains powers for Welsh Ministers to make Regulations and issue guidance, and for Social Care Wales to make Rules.

12. In your view does the Bill contain a reasonable balance between what is included on the face of the Bill and what is left to subordinate legislation and guidance?

This is difficult to answer. We feel there should be more control from the top down. However it is all very well writing it in legislation but it has to be followed through in practice.

#### Financial implications

13. What are your views on the financial implications of the Bill as set out in parts 6 and 7 of the Explanatory Memorandum?

Other comments

14. Are there any other comments you wish to make about specific sections of the Bill?

Kind Regards,

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