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Llywodraeth Cymru
Welsh Government

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Consultation Document

Social Services and Well-being (Wales) Act 2014

Code of Practice on the Role of the Director of
Social Services under Part 8 of the Act

Date of issue: 23 October 2015

Action required: Responses by 4 December 2015

Overview

This consultation seeks your views on code of practice on the role of the director of social services under Part 8 (Social Services Functions) of the Social Services and Well-being (Wales) Act 2014.

How to respond

You can respond to this consultation by completing, by midnight on the closing date, the consultation response form at the back of this document and returning it to us by post to:

Sustainable Social Services Implementation
Branch
Social Services Directorate
Welsh Government
Crown Buildings
Cathays Park
Cardiff
CF10 3NQ

Alternatively the consultation response form is available on our website (www.gov.wales/consultations/?lang=en) and can be returned to us by e-mail to: sswbimplementation@wales.gsi.gov.uk.

Further information and related documents

Large print, Braille and alternative language versions of this document are available on request.

The Social Services and Well-being (Wales) Act 2014:
www.legislation.gov.uk/anaw/2014/4/contents/enacted

Contact details

For further information:

Sustainable Social Services Implementation
Branch
Social Services and Integration Directorate
Crown Buildings
Cathays Park
CARDIFF
CF10 3NQ

email: sswbimplementation@wales.gsi.gov.uk
telephone: 029 2082 6880

Data protection

How the views and information you give us will be used

Any response you send us will be seen in full by Welsh Government staff dealing with the issues which this consultation is about. It may also be seen by other Welsh Government staff to help them plan future consultations.

The Welsh Government intends to publish a summary of the responses to this document. We may also publish responses in full. Normally, the name and address (or part of the address) of the person or organisation who sent the response are published with the response. This helps to show that the consultation was carried out properly. If you do not want your name or address published, please tell us this in writing when you send your response. We will then blank them out.

Names or addresses we blank out might still get published later, though we do not think this would happen very often. The Freedom of Information Act 2000 and the Environmental Information Regulations 2004 allow the public to ask to see information held by many public bodies, including the Welsh Government. This includes information which has not been published. However, the law also allows us to withhold information in some circumstances. If anyone asks to see information we have withheld, we will have to decide whether to release it or not. If someone has asked for their name and address not to be published, that is an important fact we would take into account. However, there might sometimes be important reasons why we would have to reveal someone's name and address, even though they have asked for them not to be published. We would get in touch with the person and ask their views before we finally decided to reveal the information.

This consultation

This consultation seeks your views on code of practice in relation to the role of the director of social services under Part 8 (Social Services Functions) of the Social Services and Well-being (Wales) Act 2014 ('the Act').

The code of practice will be issued under section 145 of the Act, which allows the Welsh Government to issue codes of practice to local authorities on the exercise of social services functions. The list of social services functions is set out in Schedule 2 of the Act.

Where are we now?

The Act, which received Royal Assent on 1 May 2014, sets a new legal system for social services, and is due to come into force in April 2016. The Act creates a framework that brings together and modernises the law for social services in Wales, increasing the emphasis on preventative action, bringing people closer to decisions about the services that affect them, and addressing the challenges of economic and demographic change.

Section 144 of the Act requires a local authority must appoint a director of social services for the purposes of its social services functions. A local authority may not appoint a person to be its director unless it is satisfied that person has demonstrated competencies specified by the Welsh Ministers in code of practice or regulations.

Evidence for change

Social Services are at the heart of Welsh society. Many of these services are delivered in partnership with others, including housing, health and education services. There has been, and will continue to be, shifts in the public's expectations of care and support, as a result of demographic change and changes in our society. In addition, demand is rising across social services, yet the financial outlook for public services is challenging.

The role of the director of social services will be essential in providing the strategic leadership necessary to ensure the effective implementation of the Act.

Previous statutory guidance on the role and accountabilities of the director of social services was published June 2009 and issued under Section 7 of the Local Authority and Social Services Act 1970.

The proposals

In delivering the requirements of the Act, the director of social services will be accountable for the quality and delivery of services and play a crucial role in securing the essential political and corporate support for social services. The director of social services will provide effective service and performance management; a clear sense of strategic direction; professional leadership for staff and services; and foster effective joint working relationships both within and outside the local authority.

This code of practice aims to identify:

- the required competencies of a director of social services;
- the governance and accountability arrangements for the director;
- the specific functions of the director in delivery of the Act including, the director's role and responsibilities in relation to safeguarding, looked after children and maintaining standards across the whole social care workforce;
- the requirement to prepare and publish an annual report.

Consultation Response Form

Your name:

Organisation (if applicable):

Email/telephone number:

Your address:

Questions

Competencies required of a director of social services

1. To what extent do you agree that the competencies identified at paragraph 82 are the right ones to ensure a director of social services can effectively deliver a local authority's social services functions?

Agree Tend to agree Tend to disagree Disagree

Are there other competencies you would expect a director of social services to demonstrate? If so, please clarify.

Delivering Results

2. To what extent do you agree that the role of director of social services is clear?

Agree Tend to agree Tend to disagree Disagree

What would help clarify the director's role in delivering results?

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|--|--|---|-----------------------------------|
| Accountability | | | |
| 3. (i) To what extent do you agree that the accountability of the director of social services is adequately defined? | | | |
| Agree <input type="checkbox"/> | Tend to agree <input type="checkbox"/> | Tend to disagree <input type="checkbox"/> | Disagree <input type="checkbox"/> |
| What could make this clearer? | | | |
| | | | |
| (ii) To what extent do you agree that the director of social services' corporate role within the local authority is adequately defined? | | | |
| Agree <input type="checkbox"/> | Tend to agree <input type="checkbox"/> | Tend to disagree <input type="checkbox"/> | Disagree <input type="checkbox"/> |
| What could make this clearer? | | | |
| | | | |
| Promoting well-being | | | |
| 4. To what extent do you agree that the role and responsibility of the director of social services in promoting co-operation to improve the well-being of people with care and support needs is clearly set out? | | | |
| Agree <input type="checkbox"/> | Tend to agree <input type="checkbox"/> | Tend to disagree <input type="checkbox"/> | Disagree <input type="checkbox"/> |
| If the role requires additional clarification how could this be achieved? | | | |
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Workforce planning

5. To what extent do you agree that the role and responsibility of the director of social services in relation to workforce planning across the sector is adequately defined?

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|---------------------------------------|---|--|--|
| Agree <input type="checkbox"/> | Tend to agree <input type="checkbox"/> | Tend to disagree <input type="checkbox"/> | Disagree <input type="checkbox"/> |
|---------------------------------------|---|--|--|

If the role requires additional clarification how could this be achieved?

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Annual Report

6. To what extent do you agree that the requirements in relation to the production of an annual report are sufficient to ensure effective scrutiny and accountability of the director of social services?

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|---------------------------------------|---|--|--|
| Agree <input type="checkbox"/> | Tend to agree <input type="checkbox"/> | Tend to disagree <input type="checkbox"/> | Disagree <input type="checkbox"/> |
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What additional requirements would support production of a robust annual report?

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7. We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them.

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Responses to consultations are likely to be made public, on the internet or in a report. If you would prefer your response to remain anonymous, please tick here.