

Easy Read

Checking care and support services in Wales

New law from January 2016



Llywodraeth Cymru
Welsh Government

www.gov.wales



This is an Easy Read summary of 'Regulation and Inspection of Social Care (Wales) Act 2016'

April 2016

How to use this document



This is an Easy Read version. The words and their meaning are easy to read and understand.



You may need support to read and understand this document. Ask someone you know to help you.

Some words may be difficult to understand. These are in **bold blue writing** and have been explained in a box beneath the word.

If any of the words are used later in the guide they are shown in **normal blue writing**. If you see words in **normal blue writing** you can look up what they mean in **Hard words** on **page 24**.



Llywodraeth Cymru
Welsh Government

Where the document says 'we', this means the Welsh Government.



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What is care and support?

Care and support can be lots of things like:



- support to live with your family



- support to live in your own home



- care homes



- fostering and adoption.

There are lots of people in Wales who need care and support. They include:



- people of all ages



- disabled people



- people with a learning disability.

Introduction



We have written a new law which says how care and support services will be checked.

This is called the **Regulation and Inspection of Social Care (Wales) Act 2016**.



We wrote the new law after listening to people's views and doing research.



We need to check that care and support services meet the level of quality needed by law.



This is to make sure that people are protected from abuse. And to promote their **well-being**.



Well-being means a person is happy, healthy and is comfortable with their life and what they do.

In Wales care and support services are checked by:



- the **Care Council for Wales (CCW)**



The **CCW** works with care and support workers to make sure they have the right skills to do their job.



- the **Care and Social Services Inspectorate Wales (CSSIW)**.



The **CSSIW** works with service providers to make sure they follow the rules and meet the level of quality needed by law.



The **CCW** and **CSSIW** must protect service users from harm by making sure care and support is as good as it should be.

Changing the way we check services

There have been changes in social services over the last few years.



And there have been changes in the way people need care and support.

We need to:



- make sure the way we check services stays up-to-date



- make sure we look at how people's well-being is affected by the service they get. The **Social Services and Well-being (Wales) Act 2014** says that well-being is at the centre of care and support



- make sure people can get involved in checking services

- learn lessons from things that have gone wrong in the past



For example – when people have been abused by care staff. Like at **Winterbourne View Hospital** in Bristol.



For example – when a service provider has closed without warning, leaving people without care and support. Like at **Southern Cross Healthcare** in England.



- make sure laws about care and support are clear and easy to understand.

The new law



The main aims of the new law are to make sure that:

- care and support in Wales keeps getting better
- people have good well-being.



The new law will make sure that:



- people are involved in the way we check services



- we think about how services affect people's well-being



- service providers have to answer for any mistakes



- we have the best workers in care and support



- the law is easy to understand and is all in one place.

Checking service providers



A service provider can be a local authority, a charity or a private business.

We want the way we check services to help us:



- keep people who use care and support services safe



- make sure services are the best they can be.

Service provider registration



Service providers must register with [CSSIW](#) to provide care and support services in Wales. We will make this easier.

They will only need to register once, even if they provide services in lots of different places.



They will have to say where they provide services. This can be changed if they open new places in the future.



CSSIW will keep a register of service providers. It will be available for people to see it.



Local authority care and support services do not have to register. This is because they must provide these services by law.



They still get checked to make sure they follow the rules and provide good services.

Checking people's well-being



Service providers will have to focus on the well-being of people in their care, instead of worrying about doing things a certain way to pass the checks.



This will bring the way we check services up-to-date with the way services are provided.

We will write a new set of **requirements**.

A **requirement** is something that a service provider must do when providing a service in the proper way.



The requirements will cover practical matters - such as making sure that staff are checked, have the right type of training, and that records are kept properly.



They will also include talking to people to understand what is important to them, and involving people in decisions about their care.

Reports

We want to make sure people have information about the care and support a service provider gives. This will:



- help people understand care services better



- give people more control



- help people choose the services they need.



Service providers will have to write a report each year about the services they provide. It will be called an **annual return**.

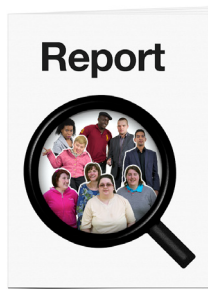


Annual returns from different service providers will have the same layout. So it will be easier to compare service providers.



It will be an **offence** to not write an annual return.
It will be an **offence** to give the wrong information in an annual return.

An **offence** is when you break the law or the rules.



Local Authorities must also write a report each year about their care and support services.



The reports by local authorities will have the same layout so that they can be compared.



The **CSSIW** will also have to write a report each year. The report will say how it has involved people in its work.

Everyone will be able to read the reports.

When providers are not meeting requirements



When providers are not meeting **requirements**, they will be given time to make it better.



Inspectors will be able to work with the service providers to help them get better.



Service providers may have to show the changes they have made are still in place.

This will stop service providers changing things for only a short time. Then letting things go back to how they were.

A service provider can be taken to court if they:



- are not registered to provide a service



- do not provide information when asked. Or information they give is not true



- do not let an inspector check their service. Or they do not follow orders from an inspector



- do not follow certain rules in the way they provide their services.

Responsible individual



Service providers must name a **responsible individual**. This may be the owner or someone with a senior role.

A **responsible individual** is someone in charge of providing the service at an organisation or local authority.



This person will be responsible for certain things. They will have to answer for mistakes.

This is to make sure that the people in charge have to take responsibility if something goes wrong. Not just the people who provide care and support.



If a service is very bad it can be shut down straight away. This is done through Court.



The Court can say when it must be shut down. This means that time can be given if needed to re-home people.

Meeting care needs when providers fail



Sometimes service providers who are a business or charity do not have enough money to keep providing their service. Then they have to close. This is called failing. Sometimes this happens suddenly.



This is what happened with **Southern Cross Healthcare** in England. It closed without warning, leaving people without care and support.



At the moment, if a business or charity that provides care and support fails, the local authority must provide care and support.



The new law says that the **CSSIW** can look at information about how much money some service providers have.



If the **CSSIW** is worried about whether a service provider can keep going, they can tell the local authority.



The local authority will have time to plan how they will provide care and support if that service provider does fail.



This will help service users and families know their care and support is going to continue.



The Welsh Government will write a report for the whole of Wales about whether there is enough care and support available.

Making sure Wales has a good workforce



At the moment the **Care Council for Wales** makes sure care and support workers have the right skills to do their job.

We are changing the name of **Care Council for Wales** to **Social Care Wales**.

Social Care Wales will have more power and more duties. It will:



- develop a strong care and support workforce in Wales



- help make sure care and support workers have the best training



- help to do more research into care and support



- give advice about the best way to provide care and support



- learn from people who use care and support services



- help organisations work together and work with other organisations



- give information to the public about social care.



Workforce register

Certain people who work in care and support will have to register with **Social Care Wales**. They are:



- social workers

- social work students



- children's care home managers and staff

- adult care home managers

- home care managers.



No other care and support workers can register.



To be on the register they must show they are qualified and able to do their job. They must keep their skills and registration up-to-date.



They can be taken off the register if they are no longer fit to do their job. A selected group of people will oversee this. They will make fair decisions.



The new law makes it easier for managers to register.



People can be banned from working in certain care and support jobs. This may be because they have failed to meet the standards needed. They will be added to a list.



People who work in adult care homes or in **people's** homes do not have to register at the moment. But they can be banned from certain care support jobs if they do something wrong.



This helps people to know they can trust the people working in care and support.

Hard Words

Care and Social Services Inspectorate Wales (CSSIW)

The CSSIW works with service providers to make sure they follow the rules and meet the level of quality needed by law.

Care Council for Wales (CCW)

The CCW works with care and support workers to make sure they have the right skills to do their job.

Offence

An offence is when you break the law or the rules.

Responsible individual

A responsible individual is someone in charge of providing the service at an organisation or local authority.

Requirements

A requirement is something that a service provider must do when providing a service.

Well-being

Well-being means a person is happy, healthy and is comfortable with their life and what they do.