

Public Policy Statement - Summary

Social Care

September 2023

Summary

This policy statement covers:

- Dignity and training (including nutrition and hydration)
- Regulation and inspection of social care
- Quality and commissioning
- Assessment, eligibility and unmet need
- Preventative services
- Co-production and multi agency working
- Digital exclusion
- Welsh language provision

Social care is a term that covers a wide range of services that can be delivered at home, in the community or any number of other places. The term is used to describe any service that helps people who have support needs to live well¹ and remain independent for as long as possible. An ageing population and increasing numbers of people with complex long-term health and care needs were already putting the social care system under pressure prior to the Covid 19 pandemic. Social services, as statutory services, have a degree of legal protection that is not enjoyed by all local authority services, but legal protection does not extend to include the level of resourcing needed to provide social care to all that need it.

Staying well, feeling good and remaining as independent are of vital importance to everyone in Wales. To this end, social care needs to be flexible, person-centred and outcomes-focused to enable older people to maintain their independence for as long as possible and to do those things that they have identified as being of importance to them. Social care should be appropriate, timely and easily accessible, with a greater level of consistency in terms of both the services provided and the criteria that must be met to access them.

¹ The Social Care Institute for Excellence (SCIE) in England defines social care as “all interventions provided or funded by statutory and/or independent agencies, which support older people, younger adults and children in their daily lives and provide services which they are unable to provide for themselves, or which it is not possible for family members to provide without additional support.” SCIE (2005): Developing social care: values and principles, p1

Ineffective and poor quality social care increases pressures on the Welsh NHS both for admissions and leaving hospital when medically well. Older people are being placed at higher risk of emergency admission, especially as more people are now living longer with long-term and chronic conditions. Older people who are medically fit to be discharged remain in hospital because they lack the appropriate social care support that would allow them to return home. Alternatively, some older people are inappropriately discharged without checks having place to ensure that they will be safe and cared for at home during their recovery.

Older people aged 65 and over account for 21.3% of the population of Wales and this is the highest proportion of all UK countries.² The need for social care increases with age and the proportion of the population aged 65 and over in Wales has been growing at a faster rate than the proportion of the population aged between 18 and 64 and this is a trend that will continue in coming decades. The number of people aged 65 and over is projected to increase by 16.1% to 776,300 by 2030. The number of people aged 75 or older is projected to increase by 23.9% to 380,200 by 2030.³

There appears to be no clear formula used for the distribution of social care resources. The 2019 Report on Innovative Funding Models to Meet Social Care Needs 2020⁴ highlighted the that while the preceding 5 years had been broadly flat for adult services, the same time frame saw a 13% per capita spend on older people. Age Cymru believe there should be a fair funding model that considers levels of need for older people.

The covid pandemic has shone a spotlight on issues with social care that were already in existence pre-pandemic. Our two reports in delays in access to social care show that despite efforts of social care departments across Wales to adapt to meet the needs of an ageing population, their efforts have been severely hampered through the pandemic effects, and a frailer Welsh population that have not had access to the range of services and social opportunities that help with health and wellbeing, as well as the cost of living crisis.⁵

The pressures on the current social care system mean that increasingly older people feel 'done to' rather than 'worked with.' A reset is needed to ensure that the voice of older people is at the centre of all decisions and developments that impact upon their health and wellbeing, including the social care they receive.

² Population and Household Estimates, Wales: Census 2021 available at: <https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/populationestimates/bulletins/populationandhouseholdestimateswales/census2021>

³ National population projections (interim data): 2020 based, available at <https://www.gov.wales/national-population-projections-interim-data-2020-based>

⁴ <https://www.adss.cymru/en/blog/post/innovative-funding-models-to-meet-social-care-needs>

⁵ In 2022 we published our Why are we waiting? delays in access to social care report. and in 2023 we published an update to this work www.agecymru.org.uk/why-are-we-waiting

A lack of resourcing of social care is eroding the legal rights of older people on choice in their social care and in some cases eroding their right to dignity in care.

The Social Services and Well-being (Wales) Act 2014

Welsh Government had introduced the Social Services and Well-being (Wales) Act 2014 ('The Act') in 2014 in recognition of the then growing demand for social care.

The United Nations Principles for Older Persons⁶ include rights on care that include rights to health care, social and legal services, dignity and respect. These have been included in the intentions of the Social Services and Wellbeing Act.

This established the legal framework to deliver sustainable social services and came into force on 6 April 2016. New legislation on the regulation and inspection of social care was also developed. The Act introduces completely separate social care legislation for Wales, with England having the Care Act 2014.

The Act includes a range of duties to provide preventative services, a legal requirement to assess care needs for those needing social care services and their unpaid carers and increased duties on safeguarding. It introduced a legal requirement for local authorities to commission advocacy support for the first time. Under the Act, local authorities are required to develop and update population needs assessments (PNAs) with their Regional Partnership Board partners. PNAs are intended to be used to develop services that respond to the needs of their regional and local populations. The Act required Regional Partnership Boards (RPBs) to work together to improve knowledge and quality in commissioning care services. RPB membership comprises an Elected Member from each local authority in the region; Health; Social Care; Housing; Registered Social Landlords; Education; a third sector representative; a member of the public and a carer.

The Act was intended to provide the framework to move towards a more person-centred and preventative approach to the provision of care in Wales. However, improvements expected through the Act have still not been fully realised. Age Cymru's Why are we waiting? (2022) and Why are we still waiting? (2023) reports on delays in access to social care for older people highlight the demonstrate how these failures are affecting older people. In 2022 we found there were long delays for many older people across Wales in getting an assessment for their care needs, and further delays in getting care in place. Discussions with social care leads across Wales told us of efforts to address backlogs and meet more of the needs of older people through newer ways of working. The 2023 research found that despite these efforts, the majority of improvements expected had been overtaken by much higher demand for social care from a frailer population with higher levels of care needs – delivered from a stretched workforce who are also impacted by not being able to provide the right

⁶ <https://www.ohchr.org/en/instruments-mechanisms/instruments/united-nations-principles-older-persons>

response to their clients. In particular, changes that were being discussed in 2022 were still often in development a year on.

An evaluation of the Act in 2023 found that there is still much work to do to achieve the aims of the Act.⁷ While there is evidence that local authorities across Wales are moving towards newer ways of working, change was largely stalled as a result of the pandemic. The evaluation shows:

- Voice and control in decision making remains limited.⁸
- The Act's aim to improve multi agency working (which is vital to improving outcomes for the majority of older people's needs) has in the main not resulted in a cultural shift where all agencies' voices are equally heard.⁹ This is equally true of partnership working, which is vital to good quality care.¹⁰

It is clear that despite the additional funding that has been provided from Welsh Government to address resourcing issues, additional investment is still needed to protect the independence, wellbeing and dignity of older people.

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⁷ Evaluation of the Social Services and Well-being (Wales) Act 2014: process evaluation, Welsh Government 12th January 2021 available at: <https://www.gov.wales/evaluation-social-services-and-well-being-wales-act-2014-process-evaluation>

⁸ Voice and Control Research to support the Final Report of the Evaluation of the Social Services and Wellbeing (Wales) Act 2014 <https://www.gov.wales/voice-and-control-research-support-final-report-evaluation-social-services-and-well-being-wales-act-2014>

⁹ Multi-agency working Research to support the Final Report of the Evaluation of the Social Services and Wellbeing (Wales) Act 2014 <https://www.gov.wales/multi-agency-working-research-support-final-report-evaluation-social-services-and-well-being-wales-act-2014>

¹⁰ Co-production Research to support the Final Report of the Evaluation of the Social Services and Wellbeing (Wales) Act 2014 <https://www.gov.wales/sites/default/files/statistics-and-research/2023-03/co-production-research-to-support-the-final-report-of-the-evaluation-of-the-social-services-and-well-being-wales-act-2014.pdf>