# WRITTEN STATEMENT

# BY

# THE WELSH GOVERNMENT

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| **TITLE** | **Consultation on proposals for primary legislation in relation to children’s social care, Direct Payments for continuing health care, mandatory reporting and regulation and inspection** |
| **DATE** | **17 August 2022** |
| **BY** | **Julie Morgan MS, Deputy Minister for Social Services** |

I am determined that we continue our efforts to improve the quality of experience for everyone who uses social care services in Wales. I have today issued a [consultation document](https://gov.wales/proposed-changes-legislation-social-care-and-continuing-health-care) which sets out a number of proposals for changes to primary legislation that will contribute to these improvements.

As part of our [Updated Programme for Government](https://gov.wales/programme-for-government-update), the [Co-operation Agreement](https://gov.wales/co-operation-agreement-2021) with Plaid Cymru and ongoing work with the Designated Member, Sian Gwenllian MS, we are committed to working with social partners to eliminate profit from the care of children looked after. The consultation sets out how this will help deliver on our wider vision to redesign how we look after children and young people, so we can do the best for them, their families and communities by providing services that are locally based, locally designed and locally accountable.

In our Programme for Government, we have also committed to improving the continuing health care and Direct Payments interface. In our consultation, we propose to enable adults who are eligible for Continuing NHS Healthcare to access Direct Payments, which will allow them to decide how, when and by whom their care and support needs are met. We believe this will further strengthen the voice and control of service users and their carers, and better support disabled and seriously ill adults to maintain their independence.

In this consultation, we also reflect on other important areas where the existing legislative framework might be improved, both in the light of the experience of operating this framework and also thinking ahead to the forthcoming findings of the Independent Inquiry into Child Sexual Abuse. This includes consideration of the duties to report children and adults at risk within the [Social Services and Well-being (Wales) Act 2014](https://www.legislation.gov.uk/anaw/2014/4/contents), and whether these duties should be expanded to include a legal requirement upon individuals within relevant bodies to report those at risk of harm, including through abuse or neglect.

In the consultation, we also explore a number of areas within the [Regulation and Inspection of Social Care (Wales) Act 2016](https://www.legislation.gov.uk/anaw/2016/2/contents/enacted) where we believe minor improvements could be made to enable the existing regulatory frameworks to operate more effectively. This includes legislative change to clarify and improve how Social Care Wales supports and regulates the social care workforce, and how Care Inspectorate Wales undertakes functions relating to the regulation and inspection of ‘regulated services’. Finally, we propose to extend the definition of a ‘social care worker’ to include all childcare and play workers. This will reinforce Social Care Wales’ support for people working in the sector.

Through this consultation, closing on 7 November, I look forward to engaging with all those who have an interest in continuing to improve our health and social care system. I welcome all views and insights and look forward to a productive dialogue in the coming months.

This statement is being issued during recess in order to keep members informed. Should members wish me to make a further statement or to answer questions on this when the Senedd returns I would be happy to do so.