

Code of practice in relation to the performance and improvement of social services in Wales

FRONT COVER

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This code revokes the Code of practice in relation to measuring social services performance issued in April 2016

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1. Introduction

1.1 This code of practice is issued under section 145 of the Social Services and Well-being (Wales) Act 2014.

1.2 The Social Services and Well-being (Wales) Act 2014 is available at:

<http://www.legislation.gov.uk/anaw/2014/4/enacted>

1.3 This code revokes the Code of practice in relation to measuring social services performance issued in April 2016.

1.4 This code should be read in conjunction with all relevant codes of practice issued under the Social Services and Well-being (Wales) Act 2014.

1.5 Local authorities, when exercising their social services functions, must act in accordance with the requirements contained in this code. Section 147 (Departure from requirements in codes) does not apply to any requirements contained in this code.

1.6 Local authorities must have regard to any guidelines set out here. In this code of practice a requirement is expressed as “must” or “must not”. Guidelines are expressed as “may/may not” or “should/should not”.

1.7 This code of practice applies only to local authorities in relation to their social services functions as set out in the Social Services and Well-being (Wales) Act 2014.

1.8 Partner bodies should also take account of and use this code of practice to understand how their work facilitates improvement in social care, specifically when working collaboratively with local authorities or contributing to the well-being outcomes of people who need care and support or carers who need support.

1.9 This revised code has been developed following formal consultation and through working co-productively with local authorities and other key stakeholders from across Wales. The new code sets out the performance and improvement requirements for local authorities in relation to the Social Services and Well-being (Wales) Act 2014 and establishes a revised set of quality standards that all local authorities must aspire to. The code has been strengthened to ensure that both performance *and* improvement have an equal weighting in relation to the support provided by local authorities to people in need of care and support and carers who need support. The performance and improvement framework has also been made more flexible by publishing all data requirements in separate guidance to enable local authorities to collect a wider range of data.

2. Vision

2.1 This code of practice sets out how improvement in services and for individuals will be supported, measured and sustained by local authorities. Through the effective implementation of this code of practice, and through utilising the wide range of approaches set out in the performance and improvement framework, Wales will develop as a data rich nation where data and evidence are used routinely to inform policy decisions and to improve outcomes.

2.2 Wales has a history of ambitious and innovative practice in supporting people who need care and support and carers who need support. All local authorities in Wales must continue to strive towards this continuous improvement.

2.3 The approaches and requirements set in this code of practice are equally relevant to both local authorities and to Welsh Government. This code of practice will be used to:

- require local authorities to focus on both performance **and** improvement
- set out the range of different types of data that local authorities must be collecting and accessing to inform their performance and improvement
- raise expectations in relation to the quality and consistency of data gathered by local authorities
- ensure local authorities are fulfilling their core functions as set out in the Social Services and Well-being (Wales) Act 2014, the associated legislation and codes of practice
- ensure there is a clear, nationally understood approach to inform performance and improvement that is shared between Welsh Government and local authorities
- ensure local authorities, Welsh Government and other partners within the social care sector can access consistent and comparable data that provides clear evidence of progress, identifies areas where further work is needed and accurately and reliably informs policy at a local and national level
- inform the structure and content of the Local Authority Social Services Annual Report¹ (commonly referred to as the Director's Report)
- provide an understanding of the delivery of the social services function to inform strategic governance and decision-making at an authority-wide level.

¹ As required by section 144A of Social Services and Well-being (Wales) Act 2014.

3. Purpose

3.1 This code of practice has a number of purposes which all local authorities must be aware of and comply with. The purposes of this code are as follows:

- To set out the quality standards
- To set out the performance and improvement framework
- To set out the data and evidence that local authorities must collect to evidence their progress towards achieving the quality standards
- To ensure that local authorities use data and evidence effectively
- To ensure that local authorities understand their responsibilities for improving the well-being outcomes of people who need care and support and carers who need support

3.2 The intention of this code of practice is to achieve the following aims:

For individuals:

- enable people to understand the quality of care and support that they are entitled to from their local authority
- enable people to understand how local authorities are measured in relation to their delivery of social services

For practitioners:

- enable practitioners to understand and use evidence effectively to support and improve their practice
- ensure that practitioners are fully aware of their role in collecting accurate data and evidence so that performance and improvement can be properly measured and the impact on the well-being outcomes of people in need of care and support and carers who need support can be captured
- understand that practitioners must be skilled, well qualified and supported with a clear focus on improvement

For local authorities:

- enable local authorities to understand the wider, strategic direction for social care that they must be working towards and their role in achieving this
- enable local authorities to focus on how they are performing – for people in need of care and support and carers who need support, and at an organisational level
- enable local authorities to understand the importance of data and evidence in informing their performance and improvement – specifically in their understanding and effective use of quantitative data, qualitative data and the use of research and evidence
- enable local authorities to understand how Welsh Government will hold them to account for their performance in relation to social services
- enable local authorities to understand what they do well, to recognise and share best practice within and between local authorities and recognise what they do less well, what they might do differently, and what needs to be put right
- enable local authorities to share evidence with a wide range of partners in order to facilitate collaborative working and support effective integration
- ensure that practitioners are skilled, well qualified and supported and are able to use data and evidence effectively to inform improvement
- inform the broader strategic understanding of how the local authority is operating as a whole, is using its resources and delivering for the people in its area.

For Welsh Government:

- ensure that all local authorities are working towards the same high standards
- ensure that quality is central to all care and support, that all local authorities are aspiring to the same high level of quality and that there is equity for people in relation to their experiences of care and support across Wales

- ensure that all local authorities are using comparable approaches and methodologies to monitor performance and inform improvement
- ensure that the evidence gathered from local authorities can be used to monitor performance at a local and national level, to inform improvement across the social care sector and to shape national policy

3.3 This code of practice is part of a wider ambition for local government. It is seeking to achieve a real and sustained change in how social services in Wales are measured and reported on and how the information gathered is used to inform the future of social services in Wales. Local authorities must understand the importance of data and evidence and understand the range of benefits that the effective, ongoing use of high quality and reliable data and evidence can have on understanding performance and informing improvement.

3.4 This code of practice, and the quality standards and performance and improvement framework that are set out within it, provide local authorities and Welsh Government with a clear direction as to how performance and improvement in social services must be approached at both a national level and at a local level.

3.5 There will also be the need for the collection of more locally specific data, and this will be determined by each local authority for themselves.

4. The Quality Standards

4.1 The quality standards set out the Welsh Government's expectations at a national level of the quality of support that local authorities must be providing. The standards are set out in the table below:

The Quality Standards			
People	Prevention	Partnerships and Integration	Well-Being
All people are equal partners who have voice, choice and control over their lives and are able to achieve what matters to them.	The need for care and support is minimised and the escalation of need is prevented, whilst ensuring that the best possible outcomes for people are achieved.	Effective partnerships are in place to commission and deliver fully integrated, high quality, sustainable outcomes for people.	People are protected and safeguarded from abuse and neglect, and any other types of harm.
Effective leadership is evident at all levels with a highly skilled, well qualified and supported workforce working towards a shared vision.	Resilience within our communities is promoted and people are supported to fulfil their potential by actively encouraging and supporting people who need care and support, including carers, to learn, develop and participate in society.	People are encouraged to be involved in the design and delivery of their care and support as equal partners.	People are supported to actively manage their well-being and make their own informed decisions so that they are able to achieve their full potential and live independently for as long as possible.

4.2 The quality standards are intended to be aspirational, and not a check list to be met. They are designed to challenge local authorities, to raise ambition and to encourage innovation.

4.3 The standards are linked to the seven well-being goals as set out in Section 4 of the Well-being of Future Generations (Wales) Act 2015 and linked to the

definition of well-being as set out in Section 2 of the Social Services and Well-being (Wales) Act 2014.

4.4 The standards aim to ensure that all people who need care and support and carers who need support are able to access the right support at the right time from the right place, and that there are appropriately experienced and / or qualified professionals in place to deliver this. Specifically, this includes:

- the support provided to people accessing information and advice;
- the support provided to people who need care and support and carers who need support; and
- the support provided to the social services workforce.

4.5 Local authorities will be expected to demonstrate their progress against the quality standards annually via the Local Authority Social Services Annual Report². This evidence must be a combination of the data and evidence gathered through the performance and improvement framework, alongside any local data or other approaches that the local authorities consider to be appropriate to them.

4.6 The quality standards have been designed so that they fully align to the four core principles of the Social Services and Well-being (Wales) Act 2014³ and to Care Inspectorate Wales' Code of practice for review of local authority social services⁴.

4.7 For each core principle, two quality standards have been developed. The quality standards have been designed to cover adults, children and carers, and the social care workforce where this is relevant.

Consistency with Care Inspectorate Wales

4.8 The four headings of the quality standards – people; prevention; partnerships and integration; and well-being - deliberately align to the headings used in Care Inspectorate Wales' Code of practice for review of local authority social services. This is to ensure that there is consistency in approach between Welsh Government and Care Inspectorate Wales and that local authorities understand how this code and the Code of practice for review of local authority social services align.

4.9 This is further developed through consistent descriptions of the four headings. These descriptions have been developed by Welsh Government and Care Inspectorate Wales to ensure that both codes of practice are using shared language.

4.10 The four headings for the quality standards and the shared descriptions are set out below:

² As required by section 144A of Social Services and Well-being (Wales) Act 2014.

³ i.e. people, prevention, partnerships and integration and well-being

⁴ <https://careinspectorate.wales/sites/default/files/2019-04/190401-code-of-practice-lass-en.pdf>

People

4.11 A rights-based approach places people at the centre of services and communities; providing clarity and transparency about rights and responsibilities. People have a strong voice and control over services they receive, underpinned by an agreement on whether advocacy⁵ is required. This supports a focus on what matters to them, the outcomes they want to achieve, and how they can use their own strengths and resources to promote their own wellbeing. The importance of positive risk taking in strengths-based practice is understood and well managed. Practitioners and managers ensure practice and supervision are grounded in the most up-to date knowledge, evidence-based practice and other relevant materials, including legislation, government guidance and learning from reviews.

Prevention

4.12 Proportionate and consistent leadership and governance ensures population needs drive organisational change, as both local authorities and local health boards focus on preventative approaches to locally identified care and support needs. The positive integrated approach to a culture of prevention is evidenced through joint working, supportive infrastructure and aligned delivery systems. A prudent approach to resource allocation ensures the right help is available at the right time and together with seamless services this prevents escalation of need and improves the quality of the individual's journey through the health and social care system. Services and outcomes are proportionate, targeted, sustainable and supported through promotion of social enterprises, co-operatives, user led services and the third sector, all of which build the local core economy of people exchanging their skills and interests. Preventative activity can be anything that helps meet an identified need and ranges from wide-scale measures aimed at the whole population to more targeted individual interventions.

Partnership and Integration

4.13 Through trust, shared commitment and collaboration, local authorities and local health boards contribute resources and work with local people to identify needs and develop integrated population assessment reports. These reports underpin the shaping, commissioning and provision of sustainable services. Value and sustainability are achieved through shared objectives and a focus on; continuous improvement through engagement with people who use services, self-evaluation, innovation and use of evidence-based practice. At an individual level, services are co-produced based on a relationship of equals between practitioners and people who need care and support and carers who need support. Success is measured by gathering information about whether support is achieving the things that matter to people and how organisations are driving improvement at population and individual levels.

⁵ Welsh Government has published a separate Code of Practice on Advocacy, this can be found at <https://gov.wales/sites/default/files/publications/2019-12/social-services-and-well-being-wales-act-2014-part-10-code-of-practice-advocacy.pdf>.

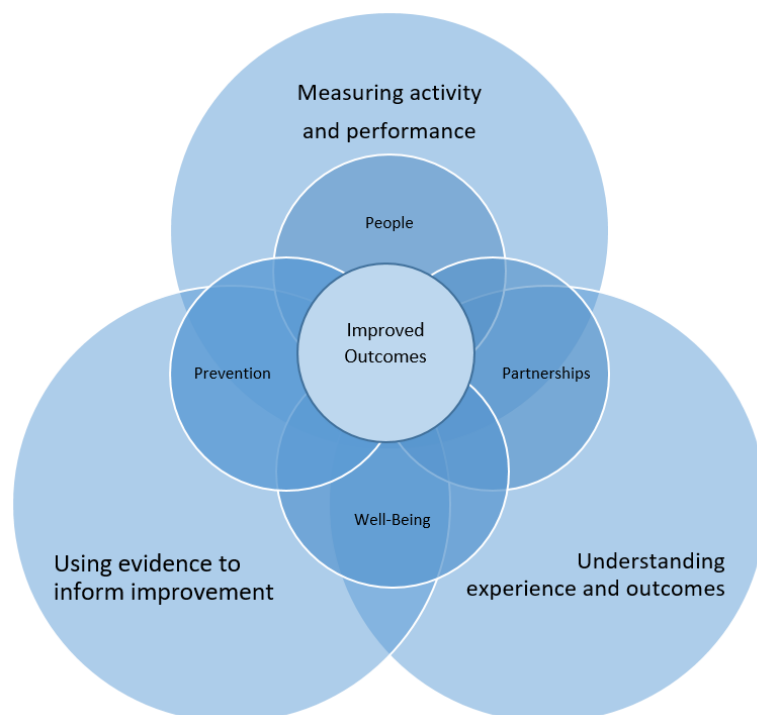
Well-being

4.14 Local authorities exercising functions under the Social Services and Well-being (Wales) Act 2014 ensure they make a positive contribution to the well-being of people who need care and support and carers who need support. At an individual level this includes seeking out the person's wishes and feelings, respecting their dignity, taking into account their culture, beliefs and other characteristics and building upon their circumstances, capabilities, networks and communities. Working in partnership with people to develop creative solutions is key to improving the quality of care, securing well-being and preventing the development of people's needs for care and support. We measure success in relation to outcomes for people rather than process.

5. Performance and Improvement Framework

5.1 The performance and improvement framework has been designed to support local authorities to evidence their progress against the quality standards, and to inform decisions both for social services and at a corporate, organisational level. The evidence gathered will enable local authorities to understand their performance in relation to the Social Services and Well-being (Wales) Act 2014, will inform their quality improvement activities and must also be used to inform the Local Authority Social Services Annual Report⁶.

5.2 The diagram below sets out the performance and improvement framework and shows how all of the components of the framework must align in order to achieve improved outcomes for people in need of care and support and carers who need support.



5.3 The performance and improvement framework contains three component parts. These are:

- Measuring activity and performance
- Understanding experience and outcomes
- Using evidence to inform improvement

⁶ As required by section 144A of Social Services and Well-being (Wales) Act 2014.

Measuring activity and performance

5.4 This provides the context in which local authorities are working by providing clear and accurate information on the numbers of people moving through the social care system and identifying the resulting demand on services.

5.5 This data will be gathered annually through a range of nationally prescribed metrics. Local authorities should also gather their own data to reflect their own locally defined priorities.

Understanding user experience and outcomes

5.6 This provides local authorities with information on the quality of people's experiences of social care, as well as how and if they are achieving their well-being outcomes.

5.7 This data will be gathered through a range of nationally prescribed approaches. Local authorities should also gather their own data to reflect their own locally defined priorities.

Using evidence to drive improvement

5.8 Evidence enables local authorities to understand the wider social care context and how their provision and practice can be improved.

5.9 Evidence should be used at all levels in the social care system in order to ensure that improvement is informed and is achieved consistently and sustainably. This will include:

- **Individual level** – Social care practitioners undertaking their own research or using evidence as part of a professional qualification or to inform their own practice.
- **Local level** – Local authorities using evidence to shape services, to inform improvement and understand best practice.
- **Regional level** – Regional partnership boards using this code of practice to shape their own work to inform improvement and commissioning and to understand how the routine use of data and evidence must complement both local and national priorities.
- **National level** – Welsh Government using evidence to understand the effectiveness of national policy, to inform future policy development and to ensure that improvement across Wales is being achieved

6. Well-being

6.1 Core to the Social Services and Well-being (Wales) Act 2014 is the requirement that all people in need of care and support and carers in need of support must be supported to achieve the well-being outcomes that matter most to them. The performance and improvement framework must be used by local authorities to contribute to the achievement of these well-being outcomes.

6.2 The meaning of well-being is set out in Section 2 of the Act and applies to all people who need care and support and carers who need support. In accordance with the Act wellbeing in relation to a person means wellbeing in relation to any of the following;

(a) physical and mental health and emotional well-being;

(b) protection from abuse and neglect;

(c) education, training and recreation;

(d) domestic, family and personal relationships;

(e) contribution made to society;

(f) securing rights and entitlements;

(g) social and economic well-being;

(h) suitability of living accommodation.

In relation to a child, “well-being” also includes—

(a) physical, intellectual, emotional, social and behavioural development;

(b) “welfare” as that word is interpreted for the purposes of the Children Act 1989.

In relation to an adult, “well-being” also includes—

(a) control over day to day life;

(b) participation in work.

6.3 Section 5 of the Act puts a duty on any person exercising functions under the Act to seek to promote the well-being of people who need care and support and carers who need support. This overarching duty applies to all persons and bodies exercising functions under this Act, including the Welsh Ministers, local authorities, local health boards and other statutory agencies.

6.4 Section 8 of the Act places a duty on Welsh Ministers to issue a statement relating to the well-being of people who need care and support and carers who need support. The well-being statement must specify the outcomes that are to be achieved in terms of the well-being of people who need care and support and

carers who need support, and the measures against which achievement of those outcomes is to be assessed.

7. Strategic Improvement

7.1 This code of practice forms part of Welsh Government's wider commitment to support strategic improvement across the whole of the social care sector in Wales. This code links explicitly to Care Inspectorate Wales' Code of practice for review of local authority social services functions⁷ and to Social Care Wales' statutory role to protect, promote and maintain the safety and wellbeing of the public in Wales, as set out in Section 68 of the Regulation and Inspection of Social Care (Wales) Act 2016. Local authorities should apply this code of practice within the knowledge of this wider context.

⁷ <https://careinspectorate.wales/sites/default/files/2019-04/190401-code-of-practice-lass-en.pdf>

8. Accountability

8.1 Welsh Government will use the evidence gathered through this code of practice to understand the impact local authorities are having, at a national, regional and local level, on the well-being outcomes of people who need care and support and carers who need support. Welsh Government will facilitate collaborative working between local authorities and their partners to ensure the evidence gathered through this code of practice is regularly and routinely shared, understood and used effectively to inform improvement across the social care sector.

8.2 Care Inspectorate Wales will use the evidence gathered through this code of practice to inform the review of local authority social services through statutory inspection regimes and performance evaluation activity as set out in the Regulation and Inspection of Social Care (Wales) Act 2016 and the Code of practice for review of local authority social services functions⁸.

8.3 In addition, Social Care Wales, through their statutory role to protect, promote and maintain the safety and wellbeing of the public in Wales, as set out in Section 68 of the Regulation and Inspection of Social Care (Wales) Act 2016, will have a key role in supporting practitioners, local authorities and the wider care sector to understand and use data and evidence effectively to ensure that improvement is achieved creatively and sustainably.

8.4 Local authorities must use the data and evidence gathered through this code of practice to inform the content of Local Authority Social Services Annual Reports⁹ as well as the wider corporate-level understanding of how the organisation is operating as a whole. The publication of this information will support transparency and help people to access the information they need to understand the effect that social services are having in their local area.

⁸ <https://careinspectorate.wales/sites/default/files/2019-04/190401-code-of-practice-lass-en.pdf>

⁹ As required by section 144A of Social Services and Well-being (Wales) Act 2014.

9. Associated Guidance

9.1 All local authorities must ensure that they fully comply with all guidance that is published in relation to this code of practice.