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Y Dirprwy Weinidog Plant a Gwasanaethau Cymdeithasol  
Deputy Minister for Children and Social Services



Llywodraeth Cymru  
Welsh Government

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Chair  
Health & Social Care Committee  
National Assembly for Wales  
Cardiff Bay  
Cardiff, CF99 1NA

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*Dear Mark,*

Thank you for asking me to present oral evidence to the Health & Social Care Committee's evidence gathering session on 20 June as part of its inquiry into residential care for older people. I hope this aided the Committee's inquiry considerations.

As an outcome of the session I agreed to provide information on two specific points which Committee Members raised. These were how the Care & Social Services Inspectorate Wales (CSSIW) is consulting with trade unions as part of its plan to modernise its regulation and inspection process and information on Welsh Government targets for increasing the use of extra care facilities as a means of meeting the needs of older people. This is below together with clarification I think the Committee would find useful on two issues raised during the session, as well as providing copies of documents I promised.

On the first issue I understand from the Chief Inspector that CSSIW has had a staged approach to its engagement on its modernisation programme. In terms of trade unions this engagement initially included those unions that predominately represented its staff while the detail of its programme was being developed further. CSSIW has now reached a point where it is able to widen that engagement further and is inviting those trade unions which represent the social care workforce to its three regional engagement events planned for September in Cardiff, Carmarthen and Wrexham. These events will enable CSSIW to meet with all of its stakeholders and discuss, among other things, its modernisation work with them.

On the second I understand from the Minister for Housing, Regeneration and Heritage that since 2002, and with Welsh Government funding, 27 extra care schemes have been completed across Wales providing 1,270 homes where people can maintain their independence. A further nine schemes are under construction or at an advanced stage of planning with the result that over £140 million in Social Housing Grant has been spent on schemes to date. For the financial years 2006-07 to 2009-10 local authorities were required to bid for Welsh Government funding for extra care schemes with successful bids being included in the extra care programme. The Welsh Government is committed to funding all schemes in that programme (which were part of the bidding process) and has also provided a commitment to funding an extra care scheme for Rhondda Cynon Taf and Powys, which are the only authorities in Wales without extra care amongst their older person's accommodation provision.

From 2011-12, however, I understand that a new approach has been introduced to allocating the Social Housing Grant Programme. This followed recommendations from the Essex Review and also detailed collaborative work with the WLGA and Community Housing Cymru (CHC). The existing programme of extra care schemes is being honoured but any further schemes will be funded from local authorities' Main Programme allocation.

The Main Programme is the major part of the Social Housing Grant Programme; it is distributed by an agreed formula between the 22 authorities. Local authorities follow the principles laid out in the Welsh Government Programme Management Guide (which was developed in collaboration with the WLGA and CHC). As a consequence it is up to each local authority to assess the housing need in its area and decide which schemes are of strategic importance and priority, and also which housing associations will develop the schemes. Carmarthenshire County Council is already taking forward two extra care schemes and Torfaen County Borough Council is taking forward one scheme.

On the issue of extra care housing the Committee appeared concerned that while an older person entering residential care would have that service regulated by CSSIW they would not if the person entered an extra care facility. For clarity I should stress that this is not the case. In that scenario CSSIW would regulate the domiciliary care element of the service people living in extra care housing would receive as part of its regulation of personal care under the Care Standards Act 2000. In addition CSSIW would, as part of its work with local authority social services (who are often the commissioners of care packages for tenants in such schemes) inspect and review the quality of outcomes for individual older people living in extra care facilities with their permission. CSSIW also has statutory powers to enter any premises in which social services are being delivered if it has concerns over the provision of those services.

Another issue where the Committee raised concerns was in relation to care home staffing ratios. I should highlight that the focus here is on ensuring that the number of staff, their competence and the way in which they are deployed, is sufficient to promote the health and welfare of people using the service. This means focussing on the needs of the people using the service, the way that is reflected in care and delivery plans and the success of the service in meeting those needs. Consequently advice from the Chief Inspector is that setting rigid staffing ratios would be no guarantee of the delivery of a safe and competent service and would carry the risk of promoting a 'tick box' approach to both service delivery and inspection.

As a result the Care Homes (Wales) Regulations 2002 do not set any requirements for staffing ratios within a care home but they do require the registered person to have regard to the size of the home, the statement of purpose and the number and needs of the people using the service before ensuring *'that at all times suitably qualified, competent, skilled and experienced persons are working at the care home in such numbers as are appropriate for the health and welfare of service users.'* Where the home is also providing nursing care and/or medicines or medical treatment to service users the registered person is required to ensure *'that at all times a suitably qualified, registered nurse is working at the home.'* In addition, if commissioners set contractual requirements concerning staffing in respect of individual care plans then CSSIW would take account of this in its inspections.

Lastly, I promised to send the Committee further information on the Knowledge Transfer Partnership that Swansea University and the Welsh Government are taking forward and I attach a briefing paper on that. Also, I mentioned our public information guide *"Thinking About A Care Home? - a guide to what you need to know"*. This guide is a user friendly publication for those facing residential care and their families to answer the initial questions they will have and to signpost them as to where they can get further information and advice. The guide has been publicised to local authorities, the NHS and a wide range of

organisations who deal with or represent older and disabled people. The guide can be accessed through the following link:

<http://wales.gov.uk/topics/health/publications/socialcare/guidance1/carehome/?lang=en>

I hope that Members find this information helpful for their inquiry.

*Yours sincerely,  
Gwenda*

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