



Prifysgol Cymru  
Y Drindod Dewi Sant  
**University of Wales**  
Trinity Saint David

# ECAY5005: Health and Social Care: Disability and Wellbeing

## The Social Services and Wellbeing (Wales) Act 2014 2023

*Trawsnewid Addysg; Trawsnewid Bywydau*  
*Transforming Education; Transforming Lives*



[www.uwtsd.ac.uk](http://www.uwtsd.ac.uk)



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

# What is an 'Act'?

- An Act of Parliament creates a new law or changes an existing law. An Act is a Bill that has been approved by both the House of Commons and the House of Lords and been given Royal Assent by the Monarch. Taken together, Acts of Parliament make up what is known as Statute Law in the UK.

(UK Parliament, 2021)

**How familiar are you  
with this Act?**



# History of the Act

- In 2011, the Law Commission proposed that the many confusing and conflicting social care statutes
- The Commission's recommendation was for a single, clear, modern statute and code of practice that would pave the way for a coherent social care system
- Recommendations included:
  - Putting the individual's well-being at the heart of decision-making using new statutory principles
  - Giving carers new legal rights to services
  - Placing duties on councils and the NHS to work together
  - Building a single, streamlined assessment and eligibility framework

# History of the Act

The Social Services and Well-being (Wales) Act received Royal Assent and became law on 1 May 2014

The Act was implemented in April 2016

For the first time, social care legislation for Wales and England were separated

The main difference between them is that the Welsh Act applies to people in need of any age and their carers. The English Act is mainly confined to the needs of adults

# Summary

## (Welsh Government, 2015)

---

The Social Services and Well-being (Wales) Act changes the social services sector:

---

People have control over what support they need, making decisions about their care and support as an equal partner

---

New proportionate assessment focuses on the individual

---

Carers have an equal right to assessment for support to those who they care for

---

Easy access to information and advice is available to all

---

Powers to safeguard people are stronger

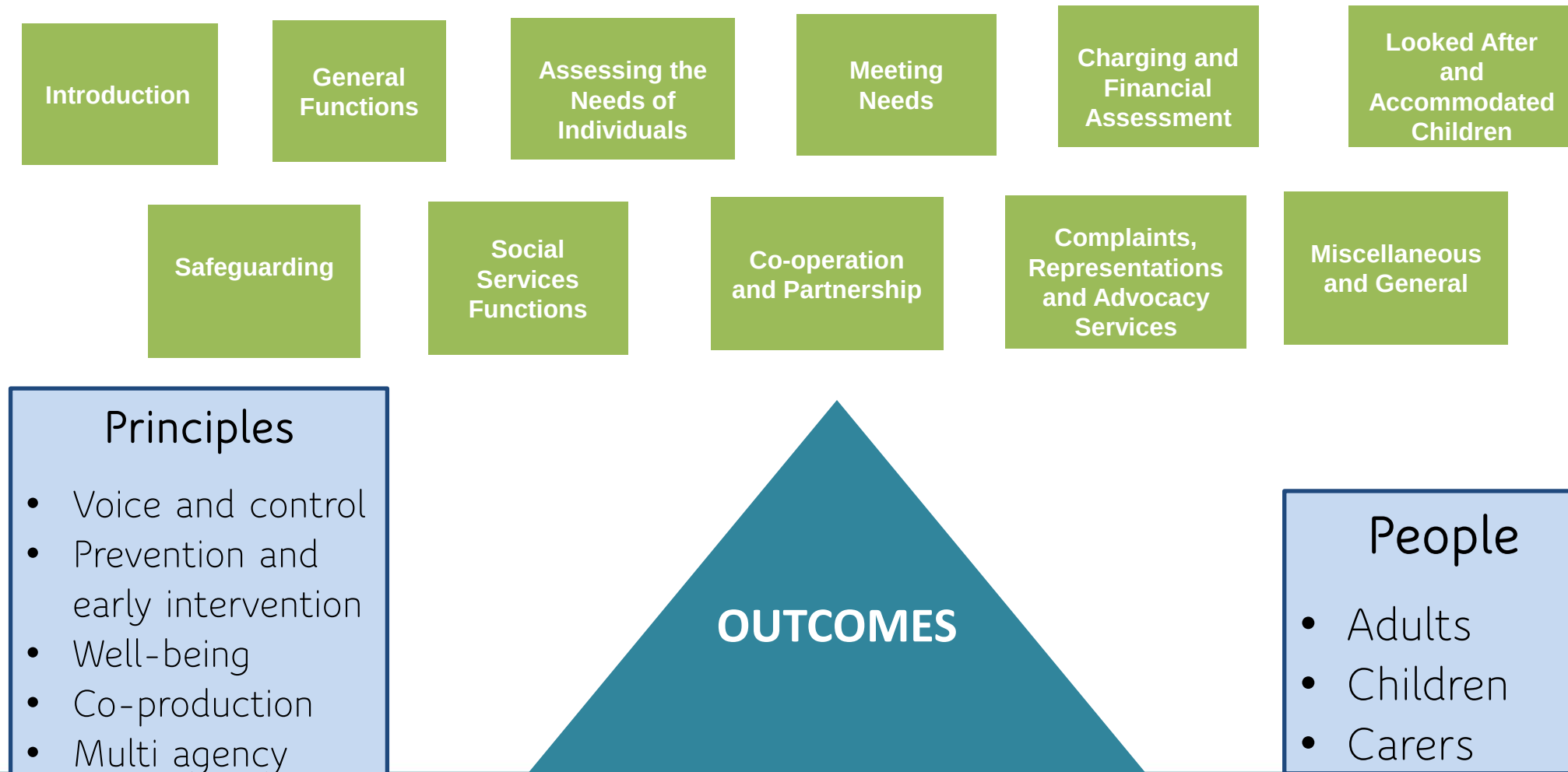
---

A preventative approach to meeting care and support needs is practised

---

Local authorities and health boards come together in new statutory partnerships to drive integration, innovation and service change

# Parts, Principles and People (Social Care Wales, 2017)



# The Act emphasises:



- Increased citizen engagement and ensuring voice and control for people who need care and support, and carers who need support
- Prevention and early intervention
- The promotion of well-being
- Co-production – citizens and professionals sharing power and working together as equal partners
- Multi agency working and co-operation.

(Care Council Wales, 2017, p. 1)

The Act supports people who have care and support needs to achieve **well-being**

**People** are at the heart of the new system by giving them an equal say in the support they receive

**Partnership** and co-operation drives service delivery

Services will promote the **prevention** of escalating need and the right help is available at the right time

(Welsh Government, 2015)



Prifysgol Cymru  
Y Drindod Dewi Sant  
**University of Wales**  
Trinity Saint David

# Key ideas of the act

*Trawsnewid Addysg; Trawsnewid Bywydau*  
*Transforming Education; Transforming Lives*



[www.uwtsd.ac.uk](http://www.uwtsd.ac.uk)

# Defining 'well-being'

Section 2 defines the meaning of 'well-being' as:

1. physical and mental health and emotional well-being;
2. protection from abuse and neglect;
3. education, training and recreation;
4. domestic, family and personal relationships;
5. contribution made to society;
6. securing rights and entitlements;
7. social and economic well-being;
8. suitability of living accommodation.

(Social Services and Wellbeing (Wales) Act 2014, Part 1, Section 2)



# 'Well-being'

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.

(Social Services and Wellbeing (Wales) Act 2014, Section 2)

# Wellbeing: An alternative definition

- Well-being is about more than just being healthy; it can also include:
- Being safe
- Having somewhere suitable to live
- Being involved in decisions that impact your life
- Having friends
- Being part of good, strong communities
- Having every chance to do well in education
- Feeling good about your life
- For adults – being able to work
- For children – being able to grow up happily and successfully, and being well-looked after

(Social Care Wales, 2017)

# Wellbeing (section 5)

## Requires any person exercising functions under the Act to:

- Seek to promote the well-being of people who need care and support, and of carers who need support.
- This overarching duty includes:
- Welsh Ministers, local authorities, local health boards and other statutory agencies.
- Responsibility for well-being must be shared with people who need care and support, and carers who need support.
- People's assets must be recognised
- People should be empowered to contribute to achieving their own well-being.
- To promote well-being, local authorities need to understand what matters to people and the well-being outcomes they wish to achieve.

(Care Council Wales, 2017, p. 3)



**How does/doesn't society  
support this definition of  
well-being?**

*Trawsnewid Addysg; Trawsnewid Bywydau*  
*Transforming Education; Transforming Lives*

# Voice and Control

- Having a strong voice and real control is central to the Act
- It seeks to achieve well-being and an appropriate level of independence.
- Everyone has a right to be heard as an individual and as a citizen.
- Citizen engagement is a central theme of the Act
- Advocacy has an important role to play in underpinning the wider requirements of the Act in terms of well-being, safeguarding and prevention.
- It can support people to express their views and making informed choices.

# TASK/Discussion

- Reflect on your practice/experiences, and outline ways that you currently work with individuals, so they have voice and control over their lives



# Prevention

- Prevention and early intervention are at the heart of the Welsh Government's programme of change (Prudent Healthcare not mentioned in the Act)
- Promoting well-being must include a focus on delaying and preventing the need for care and support
- Appropriate information, advice and assistance must be made available at the right time and in the right place to enable people to retain control over their day-to-day lives
- Local authorities must empower people to produce innovative solutions for delaying, preventing and meeting the needs for care and support through local networks and communities
- Section 16 of the Act to promote social enterprises, co-operatives, user-led services and the third sector.

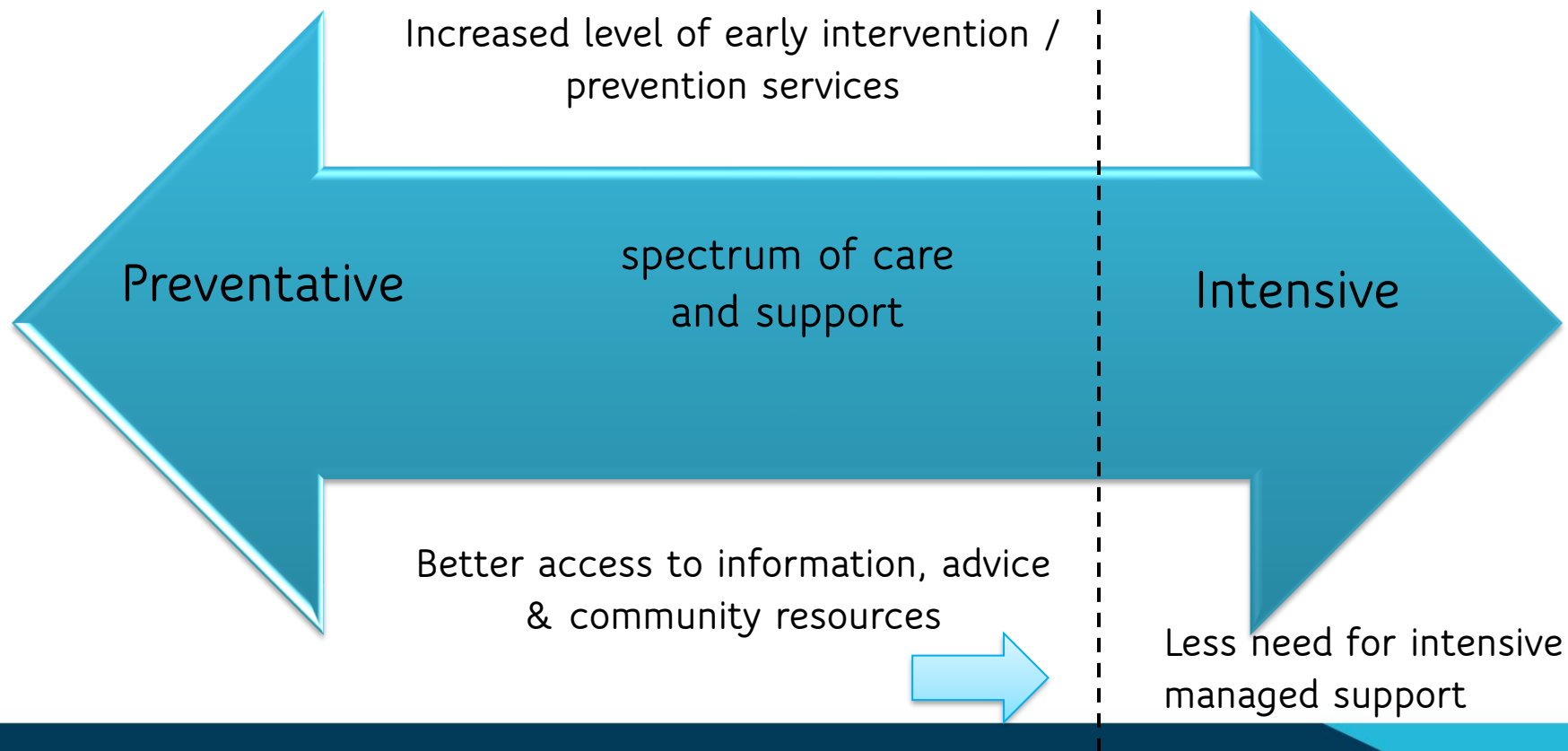
(Care Council Wales, 2017, p. 4)



# What is the Act trying to achieve: prevention

More well-being support

(Social Care Wales, 2017)



# Co-operation and Partnership

(Social Services and Wellbeing Act (Wales) 2014, Part 9)



Requires the local authority to promote co-operation with relevant partners and others



Imposes a duty on relevant partners to co-operate with and provide information to local authorities on their social services functions



Promotes integration of care and support with health services

# Co-production:

practitioners and people work together as equal partners to plan and deliver care and support.

- Recognises people as assets who have a positive contribution to make to the design and operation of the services they use and that builds on capabilities
- Develops mutuality and reciprocity
- Invests in networks to share information
- Supports and empowers people to get involved with the design and operation of services
- Empowers people to take responsibility for, and contribute to, their own well-being
- Ensures that practitioners work in partnership with people to achieve well-being outcomes at an individual and service level
- Blurs distinctions between providers and people who need care and support and carers who need support
- Involves people in designing outcomes for services
- Facilitates rather than delivers services

(Care Council Wales, 2017, p. 5)

# Multi-Agency Working

- Collaboration across organisations will help make sure the principles of voice and control are achieved through the design and operation of services.
- Act requires local authorities to make arrangements to promote co-operation relating to people with needs for care and support
- E.g., efforts to prevent or delay the development of care and support needs should be closely aligned to other responsibilities including housing, leisure and education.
- Relevant partners, such as the NHS, must comply with a request to co-operate in relation to the delivery of well-being outcomes (except where this would be incompatible with their other duties).
- The Act enables Welsh Ministers to require a combination of local authorities and local health boards to enter into partnership arrangements.

(Care Council Wales, 2017, p. 5)



Prifysgol Cymru  
Y Drindod Dewi Sant  
**University of Wales**  
Trinity Saint David

# Disability and the Social Services and Well-being Act (Wales) 2014

*Trawsnewid Addysg; Trawsnewid Bywydau*  
*Transforming Education; Transforming Lives*



[www.uwtsd.ac.uk](http://www.uwtsd.ac.uk)

# Definition of disability used in the Act

- The Act follows the definition set out in the Equality Act 2010 (Part 2. Chapter 1. Section 6:1):
  - A person (P) has a disability if —
  - P has a physical or mental impairment, and
  - the impairment has a substantial and long-term adverse effect on P's ability to carry out normal day-to-day activities.

# Disability and prevention

(Social Services and Wellbeing Act (Wales), 2014, Part 2, Section 15)

- Preventative services
- (1) A local authority must provide or arrange for the provision of a range and level of services which it considers will achieve the purposes in subsection (2) in its area.
- (2) The purposes are—
  - (d) minimising the effect on disabled people of their disabilities
- Requires local authorities to establish and maintain registers of sight-impaired, hearing-impaired and other disabled people (section 18)

# Carers of disabled people

(Social Services and Well-being Act (Wales) 2014, Part 3, Section 24)

- Local authorities must assess whether needs support – now or in the future
- What the support may be – now or in the future
- This applies in relation to a carer who is providing or intends to
- provide care for:
  - (a) an adult or disabled child who is ordinarily resident in the authority's area, or
  - (b) any other adult or disabled child who is within the authority's area.



- The Act is designed to ensure that:
- People can ask for the help they need when they need it to prevent their situation getting worse
- Carers can access support to assist them in their caring roles and maintain their own well-being
- **Do you think this works in practice?**



Prifysgol Cymru  
Y Drindod Dewi Sant  
**University of Wales**  
Trinity Saint David



# Measuring the mountain

Iredale and Cook (2020)  
University of South Wales

*Trawsnewid Addysg; Trawsnewid Bywydau*  
*Transforming Education; Transforming Lives*

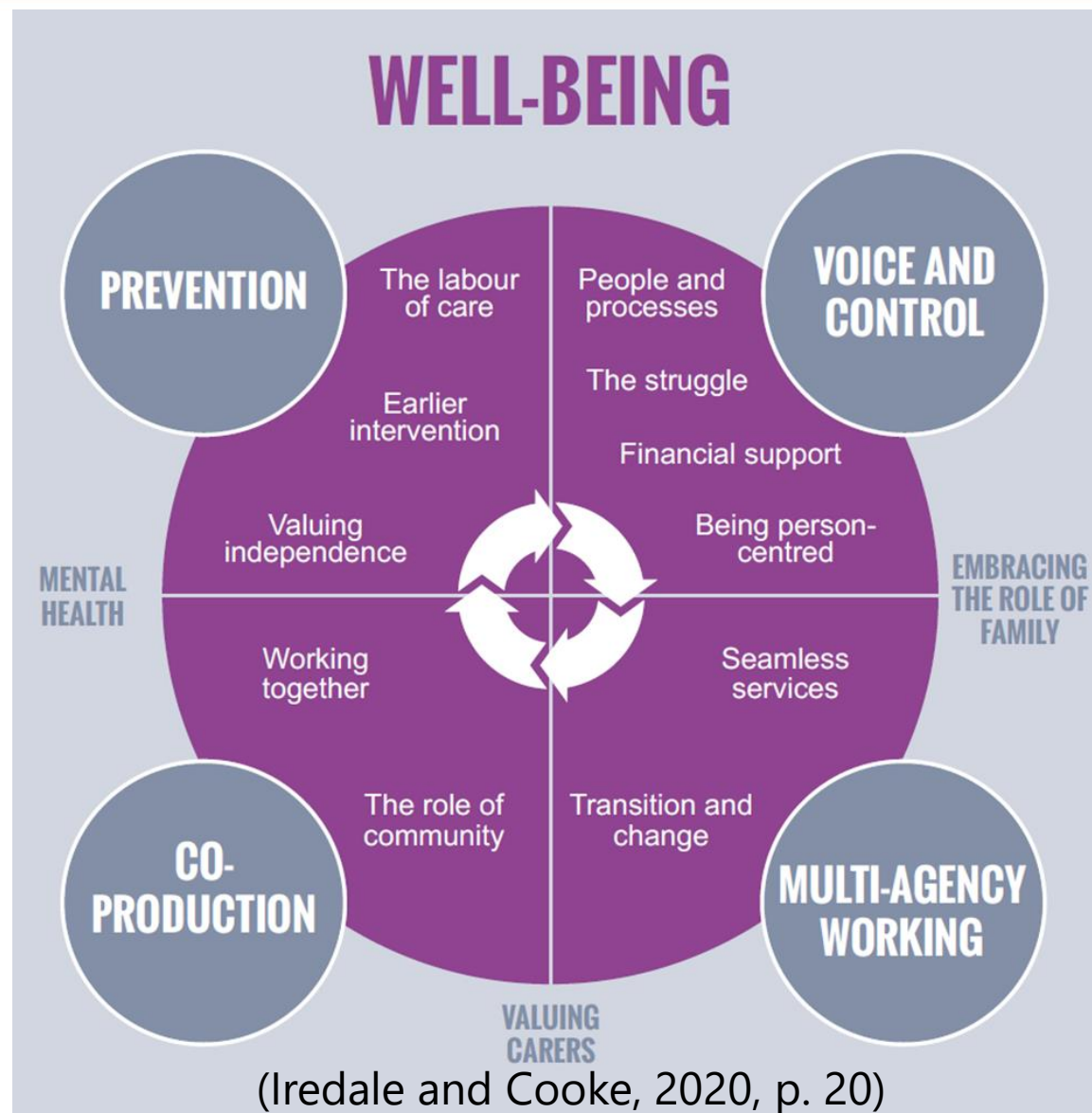


[www.uwtsd.ac.uk](http://www.uwtsd.ac.uk)

# Measuring the Mountain

- Measuring the Mountain is a community-based action research project funded by Welsh Government
- It evaluated the early impact of the Social Services and Well-being (Wales) Act 2014.
- Focused on the experiences of people who use care and support services and people who are unpaid carers
- Based on: 520 stories from 421 individuals across Wales. 68% were women, 40% were disabled and 46% had caring responsibilities; they were aged from 12 to 99 with 28% aged 65 and above.
- The focus was on lived experiences of social care in Wales and people were free to share whatever stood out to them.
- The project had two main components:
  - story-gathering of lived experiences from around Wales
  - a Citizens' Jury on what really matters in social care

Iredale and Cooke (2020)



# Prevention

The labour of care - 46% (193) said that they looked after, cared for or helped someone, of these 54% (105) said that they cared for someone for 100 or more hours a week. Women reported undertaking significantly more caring activity than men. A psychical and physical cost was paid by carers. Carers felt ignored by professionals

Earlier intervention - When asked whether they had been supported to prevent their situation from getting worse, 54% of respondents felt that they had not been. There was a lack of understanding or awareness about who to turn to when seeking support

Valuing independence - Maintaining their own, or a loved one's independence was a theme running through many of the narratives.

(Iredale and Cooke, 2020, pp. 21-37)

# Voice and control

**People and processes** - Thoughtful individuals and well-structured processes were seen to be the primary enablers in people having voice, choice and control in their experiences. Being listened to, feeling valued and being taken seriously were important to people.

**The struggle** - Many stories showed the struggles that people experienced to get support: experiences of having no voice or control, and their struggle to be heard in decisions about their own, or their loved ones' support. Words like 'fight', 'battle' and 'struggle' were repeated.

**Financial support** - Financial support was significant factor in many people's experiences and their capacity to feel in control, i.e., accessing direct payments and Personal Independence Payments (PIP)

**Being person-centred** - several stories described process-led support that failed to meet people's needs. Often these stories outlined the need for an individual to fit in with the support being provided rather than the support being designed to fit around them.

(Iredale and Cooke, 2020, pp. 39-57)

# Multi-agency working

Seamless services - When asked to think about the story they had just shared and consider if the different services and providers had worked together well, 26% of respondents agreed that they had, while 59% disagreed. People who felt that services had not worked together well were much more likely to feel negatively about their overall experience.

Transition and change – Moving from services, between services, from partner to carer, or from health to ill health. Many of these stories described difficulties inherent to periods of change and transition and these flashpoints in people's experiences reveal missed opportunities to provide better, more continuous support.

(Iredale and Cooke, 2020, pp. 58-66)

# Co-production

Working together - Sharing power between those delivering services and those who would use them is core to coproduction. However, for that to happen, people have to have their voices heard and responded to and they have to have choice and control

The role of community - Community groups play a hugely important role in many people's lives. They are described in stories by some as a 'lifeline' and many describe being unsure what would have happened to them if the group had not been there. They were a fundamental part of people's lives and social network.

(Iredale and Cooke, 2020, pp. 68-79)

# Wellbeing

Recognising mental health needs – mental health problems were interwoven in all the stories either directly (i.e., the individual had a diagnosis) or indirectly (i.e., the toll of caring on the carers mental health). There was a clear need for better mental health provision

Valuing unpaid carers - Carers reported feeling guilty, frustrated, isolated and upset. These feelings are heightened when mechanisms that were designed to support carers and enhance their well-being are not utilised, or are utilised ineffectually

Embracing the role of the family - if one person has care needs, often the whole family is impacted, particularly when it involves children. Stories described situations in which people were caring for one another or caring for someone whilst being unwell themselves

(Iredale and Cooke, 2020, pp. 80-90)

# Some criticism

- Take into consideration what we learned about health inequalities
  - The words:
    - 'deprivation'
    - 'poverty'
    - 'inequality'
    - 'inequity'
    - 'austerity'
- are missing from the act...



# Questions



# References

- Care Council Wales (2017) SOCIAL SERVICES AND WELL-BEING (WALES) ACT 2014: The main principles underpinning the Act: voice and control, prevention and early intervention, well-being, co-production and multi agency. Available at: [https://socialcare.wales/cms\\_assets/hub-downloads/Principles-Resource-Guide\\_March-17.pdf](https://socialcare.wales/cms_assets/hub-downloads/Principles-Resource-Guide_March-17.pdf) (Accessed 8th February 2021)
- Equality Act (2010) Available at: <https://www.legislation.gov.uk/ukpga/2010/15/contents> (Accessed 8th February 2021)
- Iredale, R. and Cooke, K. (2020) Understanding what matters in social care: experiences of care and support services and being an unpaid carer in Wales. Available at: <http://mtm.wales/ckfinder/userfiles/files/Measuring%20the%20Mountain%20Story%20Gathering%20FINAL%20REPORT%202020.pdf> (Accessed 8th February 2021)
- Social Care Wales (2017) Learning resources: Social Services and Well-being (Wales) Act 2014. Available at: <https://socialcare.wales/hub/resources> (Accessed 8th February 2021)
- Welsh Government (2015) Social Services and Well-being (Wales) Act 2014: The Essentials. Available at: [social-services-and-well-being-wales-act-2014-the-essentials.pdf](https://gov.wales/social-services-and-well-being-wales-act-2014-the-essentials.pdf) (gov.wales) (Accessed 8th February 2021)