

**HSC(6) 36-24 Papur 1 | Paper 1 - Action for Children**

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Senedd Cymru | Welsh Parliament

Y Pwyllgor Iechyd a Gofal Cymdeithasol | Health and Social Care Committee

Bil Iechyd a Gofal Cymdeithasol (Cymru) | Health and Social Care (Wales) Bill

Ymateb gan Action for Children, | Evidence from Action for Children

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**General principles of the Bill**

**1. What are your views on the general principles of the Health and Social Care (Wales) Bill?**

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AFC are in favour of the general principles of the Bill. The removal of the pursuit of profit from the 'looked after system' is the right thing to do on behalf of the children. The current system lends itself to perceiving children as a commodity, they are referred to in contractual language such as 'how many placements do you have' instead of 'how many children do you care for' this is a systemic problem. The language also needs to shift as an important cultural indicator of intent.

**2. Is there a need for legislation to deliver the Welsh Government's stated policy intention?**

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Yes

**Please outline your reasons for your answer to question 1**

legislation is required otherwise change will be limited

**3. What are your views on Part 1, Chapter 1 of the Bill (sections 1-13), which makes provision intended to restrict the extraction of profit by providers of children's care home services, secure accommodation services and fostering services**

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We are hopeful that this will work

**4. What are your views on Part 1, Chapter 2 of the Bill (sections 14-22 and schedule 1), which makes a number of amendments in relation to social care services, social care**

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**workers and local authority social services, intended to ensure that the 2014 and 2016 Acts can operate fully and effectively**

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We support these changes

**5. What are your views on Part 2 of the Bill (sections 23-26 and schedule 2), which relates to health care, and makes amendments to the National Health Service (Wales) Act 2006 in order to enable the introduction of direct payments within NHS Continuing Healthcare**

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**6. What are your views on Part 3 of the Bill (sections 27-30) which contains a number of general provisions, including in relation to regulations, interpretation, consequential and transitional provisions, and coming into force provisions**

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We are concerned that the transitional arrangements may not be long enough and force a crisis in the already overloaded existing provision.

### **Implementation and impact of the Bill**

**7. Are there any potential barriers to the implementation of the Bill's provisions? If so, what are they, and are they adequately taken into account in the Bill and the accompanying Explanatory Memorandum and Regulatory Impact Assessment?**

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**8. Are any unintended consequences likely to arise from the Bill?**

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The focus for children is primarily in relation to the quality of their experience, removal of profit alone does not ensure quality provision takes its place, neither does the current regulatory framework ensure quality given that outcomes remains poor . There is a risk that less provision is available in the short to medium term as the 3rd sector and LA's attempt to develop services. Fostering in particular is suffering a recruitment crisis and risk that makes this worse should be considered, also how it lands on public perceptions.

**9. What are your views on the appropriateness of the powers in the Bill for Welsh Ministers to make subordinate legislation (as set out in Chapter 5 of Part 1 of the Explanatory Memorandum?)**

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**10. What are your views on the Welsh Government's assessment of the financial and other impacts of the Bill as set out in Part 2 of the Explanatory Memorandum?**

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**11. What are your views on the Welsh Government's integrated impact assessments (set out in Part 2 of the Explanatory Memorandum), including the Children's Rights Impact Assessment**

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### **Development of the policy and legislative proposals**

**12. What are your views on the approach taken by the Welsh Government to the development of the policy and legislative proposals reflected in the Bill.**

**Among any other issues, please consider in particular the approach to engaging and consulting with stakeholders**

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AFC have been engaged in the process and have welcomed the Welsh govts consultation

### **Any other issues**

**13. Are there any other issues that you would like to raise about the Bill, the accompanying Explanatory Memorandum and Regulatory Impact Assessment, or any related matters?**

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