



## Royal College of Psychiatrists

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### Consultation Response on the Social Services and Well-being (Wales) Bill

**DATE:** 15 March 2013

**RESPONSE OF:** The Royal College of Psychiatrists in Wales

**RESPONSE TO:** Health & Social Care Committee

The Royal College of Psychiatrists is the leading medical authority on mental health in the United Kingdom and is the professional and educational organisation for doctors specialising in psychiatry. The Royal College of Psychiatrists in Wales represents over 500 Members, Fellows and Inceptors of the College in Wales.

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15 March 2013

Dear Sir or Madam,

**Re: Consultation on the Social Services and Well-being (Wales) Bill**

The College welcomes the opportunity to respond to the above Consultation and current scrutiny of this Bill on whether it meets its objectives for children and other vulnerable people, with particular regard to their well-being and human rights, equality and dignity. We agree with the core principles of the Bill, in particular the requirement that Local Authorities promote the integration of care and support with health services. We believe that legislation can facilitate the improvement of structures and partnership arrangements and provide for both clarity and consistency.

We would like to call the Committee at this stage to consider that the Bill include a measure prohibiting the use of physical punishment on children. This is an opportunity for Wales to realise a long-standing commitment of the Welsh Government and one that many Assembly Members support.

For a more detailed response, our comments on the specific questions laid out in the Committee's Consultation letter can be found overleaf. If you have any queries, please do not hesitate to contact the College.

Kind Regards,

Professor Rob Poole  
Chair, The Royal College of Psychiatrists in Wales

**Q1. Is there a need for a Bill to provide for a single Act for Wales that brings together local authorities' and partners' duties and functions in relation to improving the well-being of people who need care and support and carers who need support?**

A Bill providing for a single Act for Wales that integrates local authority support for people of all ages, including children is welcome. It is vital however that the needs of children and young people remain paramount and that work with and for children is not lost in the greater role of the important work required in safeguarding the higher numbers of vulnerable adults.

**Q2. Do you think the Bill, as drafted, delivers the stated objectives as set out in Chapter 3 of the Explanatory Memorandum?**

The Bill does deliver on most of the stated objectives in Chapter 3 of the Explanatory Memorandum. It refers to the enhanced duties of Local Authorities and Local Health Boards to prevent and reduce the need for social care. However, there is no reference to the benefits of integrating this approach with that of recent Mental Healthcare legislation in Wales such as the Mental Health (Wales) Measure (2010), and the lifespan, integrated Together for Mental Health Strategy for Wales (2012), both of which make strong reference to early intervention and prevention. We think consideration should be given to linking the proposed National Outcomes Framework for Social Care with the current work on national outcomes in mental health.

In line with equality and safeguarding for all ages, the College urges the Committee to recommend the Bill includes a measure to prohibit the physical punishment of children, a long-standing commitment of the Welsh Government. We think this is within the remit of the Bill's objectives and that this Bill provides an opportunity for the Welsh Government to enact this reform. A delay in taking this step would be contrary to Welsh children's well-being. There is now widespread agreement that physical punishment carries no benefits to children and carries multiple risks to child safety, to child development and for adverse effects on behavior and mental health in childhood and adulthood. Hence prohibition of physical punishment also has a role in early intervention and prevention.

**Q3. The Bill aims to enable local authorities, together with partners, to meet the challenges that face social services and to begin the process of change through a shared responsibility to promote the well-being of people. Do you feel that the Bill will enable the delivery of social services that are sustainable?**

The College agrees that the integration of agencies can result in sustainable social services if the mechanisms for integration are robust, both through shared budgets and common legislation and goals. In addition, there needs to be realistic funding for the development of workforce capacity and skills. Financial pressures that result in the reduction of third sector provision will impact negatively on the ability of the Bill to enable social services that are sustainable.

**Q4. How will the Bill change existing social services provision and what impact will such changes have, if any?**

The development of new services like Families First and Integrated Family Support Services (IFSS) offer a more holistic approach for Local Authorities and their partners. We would hope that the Bill would further strengthen these services, particularly as the outcomes of these services are expected to be cost effective in the long term.

The establishment of the new Safeguarding Children Boards, which will be geographically based, will enable smoother working with other agencies and avoid duplication. We would also hope that the Bill would strengthen the Boards' position.

**Q5. What are the potential barriers to implementing the provisions of the Bill (if any) and does the Bill take account of them?**

The biggest barrier to implementation is that financial pressures will result in reduction in effective multi-agency partnerships at a local level.

**Q6. In your view does the Bill contain a reasonable balance between the powers on the face of the Bill and the powers conferred by Regulations? Please explain your answer.**

**Q7. What are your views on powers in the Bill for Welsh Ministers to make subordinate legislation (i.e. statutory instruments, including regulations, orders and directions)?**

## **Q8. Other Comments**

In general, the introduction of effective early intervention and prevention is costly in the short term. This fact is not clearly acknowledged. There is no explicit mention of the financial benefits of better integrated early intervention and prevention across social care and health (for example, primary mental health support services as defined in Mental Health (Wales) Measure). We would like to see reference to integration across social & health care of the elderly whether in the community, residential home or hospital.