

**Wales Alliance for Mental Health
Cynghrair Iechyd Meddwl Cymru**

21 April 2015

Health and Social Care Committee

Consultation on the Regulation and Inspection of Social Care (Wales) Bill

The Wales Alliance for Mental Health (WAMH) welcomes the opportunity to provide written evidence on the Regulation and Inspection of Social Care (Wales) Bill to the Committee to assist in its scrutiny of the Bill. As a membership organisation, the Wales Alliance for Mental Health seeks to improve the lives of people experiencing mental ill health in Wales by:

- Setting the agenda for mental health debate
- Being a powerful and influential platform that articulates clearly, and with integrity, the views of our membership
- Promoting excellence
- Ensuring equity for all protected characteristics

The current membership consists of: Bipolar UK, Diverse Cymru, Gofal, Hafal, Mental Health Foundation, Mental Health Matters, Mind Cymru and Samaritans

We strongly believe that this piece of legislation provides an opportunity to further integrate the regulation and inspection of health and social care services in Wales, to ensure people with experience of using services, and carers, are fully involved in service inspections and delivery, and that any form of abuse is never tolerated. We are therefore limiting our comments to these 3 specific aspects where we think there is scope to significantly strengthen this piece of legislation:

Greater Health and Social Care Integration

Part 9 – Co-operation and Joint Working by the Regulatory Bodies, etc. (Sections 174 – 180)

There is an increasing focus on better integrating health and social care, and delivering flexible services that are designed to address people's needs and requirements as opposed to merely trying to fit people into very narrow and specific service models. People receiving health and social care and support do not necessarily distinguish between social care workers and health care workers, and want services that are flexible and more tailored to meeting their needs.

We believe that as part of this push towards greater health and social care integration it is essential for all of us to be fully assured that the care being provided is of the highest quality,

and would like to see the scope of this Bill broadened to include joint quality standards across health and social care, the registration and regulation of health care support workers, and the merging of the health and social care regulators, i.e. HIW and CSSIW.

Engagement and Involvement of Service Users in Service Inspections and Delivery, etc.

Part 1 Chapter 3 – Service Inspections (Sections 32-33)

We think it is important to ensure that people who have had experience of using services form a key part of the inspection team. This is particularly important when it comes to inspecting mental health services where we think it is essential that detailed and specialist knowledge from someone who has experience of having used the service is vital.

This would require these lay reviewers who have experience of having used services to receive training in inspection techniques and processes, but could also involve current or former service users training and briefing other inspection staff on key points to look at for, etc.

The annual return required (under Section 8) to be developed and submitted by service providers should include evidence showing how service users, carers and other citizens have been involved and made a difference to the design, planning, delivery and evaluation of services, as well as how service users and carers have been engaged and involved in the design of their own individual care and support plans to demonstrate that services have been designed around people achieving meaningful outcomes that have involved people having choices and control over the services they have received

Adopting a ‘Zero Tolerance approach’ to any form of neglect or verbal or physical abuse

Section 4 of the Bill sets out the general objectives of the Welsh Ministers in exercising their functions under Part 1 of the Bill (Regulation of Social Care Services). We believe that these objectives should be far more rigorous and should forcefully spell out that everybody who uses health and social services must be treated with dignity and respect. To drive home this message we think the Bill should state that the Welsh Ministers expect there to be ‘zero tolerance’ across all health and social care services of any form of neglect and verbal or physical abuse.

In addition we think that the general objectives of the Welsh Ministers should include the expectation that high standards includes promoting the provision of a positive and therapeutic environment and culture within all health and social care settings that ensures sufficient personal space, privacy in personal care and confidentiality of treatment and personal information, and that people will be listened to and their views positively valued.

Although much of this may be included within service standards and within subordinate legislation, we think it is important for this Bill to set the tone, and to highlight more forcefully these issues.