

SOCIAL SERVICES AND WELL-BEING (WALES) ACT 2014

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## Planning, Commissioning and Co-production



# *Getting in on the Act*

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# Introduction

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**“New commissioning models in health and social care need to recognise the huge, and currently untapped resources that sit within individuals and communities, and support these resources to have an active role within and beyond services to improve health and well-being outcomes and support sustainable change.”**

**(New Economics Foundation)**

Implementation of the **Social Services and Well-being (Wales) Act 2014** requires very significant changes to the way social services are planned, designed, commissioned and delivered.

The National Commissioning Board for Health and Social Care in Wales has emphasised that **“commissioning** social care is much more than councils organising and buying services. It is about how councils, the NHS and other providers anticipate change, plan services to meet future demands and make effective use of the money available<sup>1</sup>.“

In this context, Welsh Government describes **co-production** as “the concept of genuinely involving people and communities in the design and delivery of public services, appreciating their strengths and tailoring approaches accordingly... (it) is fundamentally about doing things ‘with’ rather than ‘to’ people<sup>2</sup>.“

In Wales, the concept of co-production has featured prominently in key plans for different public services. For example, in health, one of the **principles of prudent healthcare** is to “achieve health and well-being with the public, patients and professionals as equal partners through co-production” and under the **Well-being of Future Generations (Wales) Act 2015** involving people is embedded as part of the sustainable development principle. It is also one of the key principles underpinning the **Social Services and Well-being (Wales) Act 2014** (hereafter referred to as ‘the Act’). The principles of the Act are discussed in detail in the **Principles Resource Guide**.

This paper provides a guide to information and resources on **planning** and **commissioning** that support implementation of the Act with particular reference to those that are informed by the principles of **co-production**.

<sup>1</sup> ADSS Cymru (2015) [A National Commissioning Board for Health and Social Care in Wales](#).

<sup>2</sup> Wales Audit Office (2015) [A Picture of Public Services 2015](#).

# What's in this section?

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- An outline of what the Code of Practice in relation to Part 2 of the Act says about planning, commissioning and co-production
- Further information and links to relevant learning resources
- A blend of different materials including presentations, research and evaluation reports, briefings, videos and links to other useful websites



# What does the Code of Practice say about planning, commissioning and co-production?

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## **The Code of Practice and guidance on the exercise of social services functions and partnership arrangements in relation to Part 2 (General Functions) of the Social Services and Well-being (Wales) Act 2014 ('the Code').**

The Code notes that part of the duty to promote well-being means putting robust arrangements in place for encouraging the involvement of people. This means focusing on outcomes rather than processes and outputs so that organisations and arrangements are designed with, and are led by, people who need care and support, and carers who need support. This applies at an individual, organisational and strategic level.

The Code refers to **co-production** as “a way of working whereby practitioners and people work together as equal partners to plan and deliver care and support”, and explains how this approach:

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

In this context, local authorities **must**:

- Put in place transparent arrangements where people are equal partners in designing and operating services
- Ensure these arrangements comprise local and regional panels of commissioners, citizens and providers working together to shape services that meet the needs of people who need care and support
- Report on what they are doing to support co-production in the director's annual report

Section 14 of the Act requires that local authorities and local health boards must jointly carry out an assessment of the needs for care and support, and the support needs of carers in the local authority's area. This assessment must also identify:

- The extent to which those needs are not being met
- The range and level of services to meet those needs
- The range and level of services required to deliver the preventative services required in Section 15 of the Act
- How these services will be delivered through the medium of Welsh

Section 15 of the Act places a **duty** on local authorities to provide a range and level of preventative services, and this Code acknowledges that the increased focus on early intervention and prevention requires recognition of those resources already in place in the community. Here, the principle and practices of co-production are intended to:

**“Build the local core economy of people exchanging their skills, interests and time. They will help to shift the emphasis towards support which is created through the shared interests and common commitment of people with an investment in it.”**

The Code emphasises the importance of **“securing an approach based on co-production at an individual and at organisational and strategic levels”**. It states that “people **must** be involved in the **design and delivery** of services and in the production of a **population assessment**, and that a **co-productive approach** will bring a wide variety of experience, skills and knowledge to these processes.”

Furthermore, local authorities **must** also:

**“Ensure that providers from whom they commission or procure services encourage and enable the involvement of all people in designing the shape of services and how they will operate to deliver personal outcomes, and that providers involve people in evaluation and review.”**

The Code acknowledges that:

**“Welsh Government public services policy is for greater diversity in the delivery of services through mutuals, in-sourcing, joint commissioning and community ownership. It is about empowering people and communities. This reflects a more complex environment and requires strong leadership and a shift in culture and practice.”**

These principles are set out in the **Devolution, Democracy and Delivery White Paper – Reforming Local Government**.

A separate resource guide has been developed in relation to the Section 16 duty to **promote social enterprises, co-operatives, user-led services and the third sector**.

This paper provides a guide to information and resources on **planning** and **commissioning** that support implementation of the Act with particular reference to those that are informed by the principles of **co-production**. It should be read in conjunction with:

- **The Social Services and Well-being (Wales) Act 2014**
- **The Social Services and Well-being (Wales) Act 2014 (Social Enterprise, Co-operative and Third Sector) (Wales) Regulations 2015**
- **The Care and Support (Population Assessments) (Wales) Regulations 2015**
- **Chapter 2 (Population assessment), Chapter 3 (Preventative services) and Chapter 4 (Social enterprises)**



# Where can I find further information and resources?

The following section includes information and resources in relation to:

- The National Outcomes Framework
- The development of population assessments in Wales
- The Welsh National Commissioning Board for Health and Social Care
- Dewis Cymru – a Welsh health and social care website for citizens
- A range of resources on co-production and commissioning

## The National Outcomes Framework

Welsh Government has produced a **National Outcomes Framework** for people who need care and support, and carers who need support, and what they should expect to lead fulfilled lives. They set the national direction for services to promote the well-being of people in Wales who need those services and help provide greater transparency on whether care and support services are improving well-being outcomes for people.

## Social Services and Well-being (Wales) Act 2014 and the Well-being of Future Generations (Wales) Act 2015

The Welsh Government has produced a **factsheet** that provides information about the opportunities and relationship between the **Well-being of Future Generations (Wales) Act 2015** and the **Social Services and Well-being (Wales) Act 2014**. It provides a brief overview of the acts and how they can work together in practice e.g. in assessing the well-being of the local area, working in partnership, and planning in response to the assessments.

The Welsh Local Government Association commissioned a think piece **Strange Bedfellows – Or Cut from the Same Cloth?** (2016) by Netherwood Sustainable Futures about the links between the Well-being of Future Generations (Wales) Act 2015 and the Social Services and Well-being (Wales) Act 2014. It's aimed at informing those involved in corporate and service planning within local authorities and their partners about the key issues they need to consider in responding to the legislation e.g. in preparation for well-being planning and assessments, needs assessments and collaborative work leading up to the specific requirements arising from both sets of legislation by April 2017. The paper doesn't provide a guide to either Act but offers a basic comparison covering: the general scope of each Act; who they aim to involve; what they mean for strategy; the evidence base required; implications for the corporate bodies involved, the public service boards and partnership working; and the accountability framework.

## Population assessments and the data catalogue

Welsh Government has published a technical group report on **population assessments**.

The Social Services Improvement Agency (SSIA) and Public Health Wales (PHW) have developed a **Population Assessment Toolkit** to support the development of population assessment reports required under the Act. They have been working with partners in national and local government, health boards and the third sector to identify what support and assistance they need to help them meet the requirements set out in the Code of Practice and regulations.

On behalf of SSIA, Data Unit Wales has released a **data catalogue** as part of the Population Assessment Toolkit to assist local authorities and local health boards with their statutory requirements under the Act.

The catalogue offers users a range of available data to support the development of population assessments while recognising that needs will vary between areas. It has been developed in conjunction with partners in local authorities and local health boards.

A presentation to the Greater Gwent Health, Social Care and Well-being Partnership on **Population Needs Assessment – Emerging Data** (July 2016) by Phil Diamond provides an example of data collection in one partnership area covering children and young people, older people, health and physical disabilities, learning disabilities, mental health, domestic abuse and sexual offences.

Conwy Community Voice has produced a helpful booklet on **Techniques for Involvement and Engagement** that can be used when planning public consultation, engagement or involvement activities.

A presentation by Sally McManus (2016), **Measuring Well-being**, includes comparative data on well-being across different European countries.

### **The National Commissioning Board for Health and Social Care**

A **National Commissioning Board for Health and Social Care in Wales** has been established to promote best practice in commissioning and procurement for health, care and well-being throughout Wales.

The board includes representatives from local government, health boards, Welsh Government and provider organisations, and plays a central role in building the vision and setting the direction for sustainable services.

The board advises on the resources required to deliver effective, sustainable health, social care and well-being services, and will support the delivery of national and local government priorities of the new Social Services and Well-being (Wales) Act 2014 and the Regulation and Inspection of Social Care (Wales) Act 2016.

The National Commissioning Board is supported by a national provider forum with participants drawn from the independent and voluntary sector. The forum has a key role in helping identify the challenges and barriers to effective service delivery from the perspective of care providers.

Further information is available from the **Association of Directors of Social Services Cymru (ADSS Cymru)** and **SSIA**.

The work of the board is also aligned to work being undertaken by other organisations, including the Care Council for Wales, which sits on the board.

An update on the work of the Board during 2016-17 is **available here**.



## Co-production and commissioning

There are different ways in which commissioners can consider introducing co-production into public services. For example:

- By **commissioning for co-production** – where commissioners require the principles of co-production to be reflected within the services they purchase. In this context, the Code requires that local authorities ensure providers from whom they commission services encourage and enable the involvement of all people in designing services and how they will operate to deliver personal outcomes. Providers are also expected to involve people in evaluation and review processes.
- By **co-producing commissioning** – where people are involved in commissioning from the very beginning. This includes involvement in the assessment process (whether at an individual level or as part of the wider population assessment), agreeing what needs to change so that services can improve people's lives, co-designing services and taking part in reviews and evaluations. In these examples, the commissioners themselves are involved in the co-production process and they involve people using services and carers in commissioning from the outset. In this context, the Code stresses that people must be involved in the production of the population assessment, and in the design and delivery of services.

However, these are not 'either/or' options. Co-production requires a whole system approach which, as the Code emphasises, needs positive action at individual, community, service, organisational and strategic levels.

A report by the **New Economics Foundation** on **Commissioning for Outcomes and Co-Production** (2014) sets out a model for designing, commissioning and delivering services so that they focus on commissioning for outcomes, and promote co-production and social value. The **summary** report includes a helpful table on the differences between conventional commissioning and NEF's approach. The foundation has also developed a **self-assessment framework**.

**Dewis Cymru** is a Welsh social care and well-being website for the public. It's been designed to give people access to the information they need to make choices and take control. This currently includes resources for north Wales, Cardiff, Rhondda Cynon Taff, Merthyr Tydfil and the Vale of Glamorgan, and resources for other parts of Wales will be added in due course. The website has been developed by SSIA, Data Unit Wales and the North Wales Single Point of Access group.

Information about the North Wales Regional Commissioning Board is **available here**.

**Co-producing Commissioning** is a presentation – also produced by NEF – that explains why co-production is relevant to commissioners, the challenges it presents to more traditional commissioning approaches, practical ways to apply co-production in commissioning, suggestions on where to start and how co-production can change roles and culture.

A report by the Wales Audit Office (2015) **A Picture of Public Services** acknowledges that co-production offers opportunities to improve public services in Wales and often requires services to take radically different approaches. The report describes how – while it is not uniquely Welsh – co-production “resonates deeply with some of the public service innovations that came from Wales in the last century” and explains the importance of co-production as a key principle in more recent policy and legislative developments.

**Seeing is Believing** (2015), produced by Public Health Wales, Good Practice Wales and Co-production Wales, draws on co-production initiatives from Wales in health, social care, housing and community development. It includes a wide range of co-production case studies including time banking, integrated services for older people, cancer care, evaluation, the environment, asset-based approaches in relation to direct payments, a co-produced website, citizen activism, service re-design and a children's commissioning consortium.

The latter describes the work of the **Children's Commissioning Consortium Cymru**, a consortium of Welsh authorities who collaborate to commission placements for looked after children. The young people involved have undertaken accredited 'Young Commissioner' training and participate in regional and national commissioning activities, such as asset mapping as part of a needs analysis, developing outcomes and surveys, and contributing to quality assurance and evaluation. *Seeing is Believing* also includes a range of resources on the case for co-production; examples of co-production in practice; guidance and toolkits; and links to relevant networks and websites within Wales and across the UK.

**1000 Lives Improvement** is the national improvement service for NHS Wales, delivered by Public Health Wales, supporting organisations and individuals to deliver the highest quality and safest healthcare outcomes for the people of Wales.

**Good Practice Wales** is an online portal to Welsh public services' good practice and knowledge, and includes resources on co-production and commissioning.

**Co-production Wales** is a voluntary collective of organisations and individuals aiming to make co-production the primary approach to public services in Wales. Its website includes a range of resources, presentations and information on events and training.

**Co-producing Prudent Healthcare: Putting People in the Picture** (2014) by Ruth Dineen looks at the benefits of co-production in increasing the impact of the prudent healthcare principles.

A report on **Co-producing Services – Co-creating Health** (2013), written by Mike Spencer, Ruth Dineen and Andrew Phillips, was produced to enable healthcare organisations and their teams to successfully implement interventions to improve the safety and quality of care using a co-production approach.

**Co-production in Mental Health Commissioning** (2015) was a three-year project delivered by Rethink Mental Illness in partnership with four London boroughs and funded by the Department of Health. The key objective was to create a tested and evidence-based best practice model for using co-production in the commissioning of mental health services. The project focused on services for care leavers, out-of-hours mental health services for young people and mental health services provided within youth offending services. The **website resources** include a getting started guide, evaluation reports, summary of key findings and video material.

The National Development Team for Inclusion (2016) **Embedding Co-production in Mental Health** aims to provide a framework for strategic leads, commissioners and managers responsible for mental health to consider and bring about the cultural and behavioural changes required for co-production to become the 'norm' in the design, commissioning and delivery of mental health services and support. The framework forms part of a set of resources aimed at different audiences including:

- **A position paper** aimed at anyone with an interest in understanding the challenges for progressing co-production in mental health. It's particularly designed for those involved in mental health policy

and development, as well as service users and practitioners who want to engage with and understand transformative co-production.

- **A guide**, *Progressing Transformative Co-production in Mental Health: Some Practical Advice*, aimed at those with an interest in making co-production work in mental health services, especially mental health service users, their organisations and practitioners who want to engage with and understand transformative co-production.
- **A checklist of key questions** to consider and actions to take before, during and following any co-produced activity aimed at everyone involved.

The **Social Care Institute for Excellence (SCIE)** has published a range of relevant resources, including an at-a-glance guide to **Commissioning to Develop and Sustain User-led Organisations** (2010) and **Co-production in Social Care: What It Is and How to Do It** (2015).

**User-led Organisations and Commissioning** (2011), a resource produced by The National Skills Academy for Social Care, provides a series of good practice learning examples.

**Co-production of Health and Well-being in Scotland** provides case studies from both Scotland and Sweden including the Family Nurse Partnership programme, reducing crime and improving health using community assets, and the Esther approach to healthcare in Sweden.

The **Scottish Community Development Centre** website provides links to a range of resources on co-production and asset-based approaches including the **Scottish Co-production Network**.

**People Not Process – Co-production in Commissioning** has been developed by Think Local Act Personal in response to the Care Act 2014 in England, although some of the resources may be of more general relevance.

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