

SOCIAL SERVICES AND WELL-BEING (WALES) ACT 2014

Resources to support the promotion
and development of social enterprises,
co-operatives, user-led and third
sector organisations



Getting in on the Act

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Introduction

Implementation of the Social Services and Well-being (Wales) Act 2014 requires very significant changes in the way social services are planned, commissioned and delivered characterised by a stronger emphasis on:

- **prevention and early intervention**
- the promotion of **well-being** and how services can help people achieve what matters to them
- **co-production** – citizens and professionals sharing power and working together as equal partners, seeing people as assets, and ‘working with not to’
- **multi agency working and collaboration**

Reflecting these principles, **Part 2, Section 16** of the Act places a duty on local authorities to promote social enterprises, co-operatives, user-led services and the third sector to deliver care and support and preventative services for adults, children, young people, carers, their families and communities. It also requires local authorities to promote the involvement of people for whom these care and support and preventative services are to be provided, in their planning, design and operation.

BRIEF DEFINITIONS:

A **social enterprise** is a business with primarily social aims, with profits re-invested back into its services or the community.

A **co-operative or co-operative arrangement** is an organisation or group of people acting autonomously and voluntarily to meet common economic, social and cultural needs and aspirations.

A **user-led organisation** is one that is run and controlled by people who use services.

The **third sector** is made up of many sorts of organisations. They are always independent, non-governmental bodies, established voluntarily by people motivated to achieve social goals.

The aim of the duty is to expand the range of not-for-profit service models in the social care sector. The intention is to increase the diversity of provision available, tap into and support innovation and creativity, and increase community resilience.

The following sections outline the Welsh Government’s Code of Practice in relation to the promotion of these types of organisation and provides further information about, and links to, relevant resources.

What do the codes of practice and guidance say about these organisations?

Welsh Government's Code of Practice and guidance on the exercise of social services functions in relation to Part 2 (General Functions) of the Social Services and Well-being (Wales) Act 2014.

Chapter 4 of the Code of Practice sets out the Welsh Government's expectations in relation to the promotion of social enterprises, co-operatives, user-led services and the third sector in relation to the Act.

It provides an introduction to the aim and scope of Part 2, Section 16 of the Act, which establishes a duty on local authorities to promote the development in their area of not-for-private profit organisations to provide care and support, and support for carers and preventative services. Local authorities must also promote the involvement of people for whom these care and support and preventative services are to be provided, in the design and operation of that provision.

The duty to promote, means that local authorities 'must take a proactive approach to planning and delivering models that will meet the well-being needs of all people – children, young people and adults – in promoting models which are based on social values'.

Chapter 4 includes:

- An outline of the context of the Welsh Government's public services policy for greater diversity in the delivery of services through mutuals, in-sourcing, joint-commissioning and community ownership
- Definitions of what the Welsh Government means by social enterprises, co-operatives and the third sector with links to relevant resources
- Further information about the local authority 'duty to promote' and the five key areas that are crucial in both supporting local authorities in this duty and as a way by which local authorities can demonstrate how they are delivering on their duty i.e. co-production; measuring success; creating the right environment; planning, promoting and delivering; and collaboration



Where can I find further information?

Is the Feeling Mutual? New Ways of Designing and Delivering Public Services in Wales.

Based on work commissioned by the Welsh Government through the Wales Co-operative Centre, this paper was produced by Keith Edwards and published in July 2015. It examines the potential role of co-operatives and mutuals in public service delivery, and provides an overview of the current position and the potential for these types of organisation to be developed as an alternative to ceasing or privatising services. It showcases examples of these models in action within Wales and elsewhere. The Welsh Government is working with partners to develop **an action plan in response to the report's proposals that will be published in autumn 2015.**

The report of the **Welsh Co-operatives and Mutuals Commission** recognises the benefits of developing the Co-operative and Mutuals economy in Wales.

Social Firms Wales is the National Support Agency for Social Firm Development. It works alongside Social Firms UK and is committed to the creation of employment opportunities for disadvantaged people through the development and support of Social Firms in Wales.

The **Wales Co-operative Centre** is a co-operative development agency working across Wales to promote social, financial and digital inclusion through a range of projects. They provide information and business support for social enterprises and co-operative organisations, and offer a range of relevant resources.

Social Business Wales provides advice about how to set up a social business, as well as information about running, growing and financing a social business.

The Wales Co-operative Centre and Social Business Wales have produced a detailed guide **Getting Social Businesses in on the Act** (2016). As well as a brief overview of the Social Services and Well-being (Wales) Act, it explains how social businesses can engage with the implementation of the Act e.g. as part of the population assessment; the development of preventative services; co-operation and partnership, and the emerging Regional Partnership Boards; co-production; and information, advice and assistance services. The Wales Co-operative Centre has also published a **Directory of Social Businesses in Wales.**

The **Social Co-operation Forum for Wales** was established to bring together all those working to develop co-operative models of support in the field of social care and well-being. This is particularly important following the introduction of the Social Services and Well-being (Wales) Act in April 2016. The Forum believes that user-led and multi-stakeholder co-operatives, embracing co-operative principles of democracy and co-ownership are ideal models for achieving the Act's aspirations. The Forum is a membership network promoting co-operative models of social care and well-being. They promote social care innovation in Wales based on co-operative values and methods of working, with particular but not exclusive emphasis on user-controlled delivery models.

Care to Co-operate is an initiative developed by the Wales Co-operative Centre and the Social Co-operation Forum, which aims to help people who need care control the care they receive by connecting them with people in their communities who can help them set up care co-operatives. The initiative is funded by Welsh Government and is a free service. It can help by finding members; choosing a Board; agreeing a mission and vision; developing a business idea; finding finance; choosing a legal structure; helping with compliance issues; recruiting staff; and running a co-operative business.



Increasing the Role of Social Business Models in Health and Social Care: An Evidence

Review (Public Policy Institute for Wales, 2016) examines the existing evidence about factors that enable Social Business Models to operate successfully in health and social care settings and to consider the implications for Wales.

The **Citizen Directed Co-operatives Cymru Project** (CDCC) is an innovative project delivered in partnership between Disability Wales and the Wales Co-operative Centre funded by the Big Lottery Fund's BIG Innovation fund until March 2018. The project aims to support greater voice, choice and control for disabled people through the development of citizen directed co-operatives as a new way to manage direct payments.

In July 2015, Gwynedd was named a Social Enterprise County as part of the **UK Social Enterprise Places programme**. Gwynedd was the first county in Wales to receive Social Enterprise County status. Under this programme, registered Social Enterprise Places are given support to reach out to, and involve, local councils, businesses, charities, consumers and budding social entrepreneurs; bringing them together to grow their social enterprise communities. The programme aims to raise awareness and build the markets for social enterprise at a local and national level. More information about the programme is available from Social Enterprise UK.

Co-production Wales and **Working With Not To** provide a wide range of resources on co-production, including case studies of not-for-profit organisations and training events.

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 foundation has also developed a useful **Self-assessment Framework**.

A series of **five factsheets on user-led co-operatives** and the Social Services and Well-being (Wales) Act 2014 has been published on the Hub. The factsheets, which were developed by Disability Wales and the Social Co-operation Forum, feature an overview of user-led co-operatives, a guide to user-led co-operatives under the Act, and information about how to set up your own co-operative.

Kinder Communities: The Power of Everyday Relationships (Ferguson, 2016), published by the Joseph Rowntree Foundation (JRF) and The Carnegie Trust, considers the importance of everyday relationships and kindness in communities. It draws on the Carnegie UK Trust's work on the enabling state, which hands communities and individuals the power to shape and contribute to their own well-being and JRF's programme of research on how everyday help and support happens in informal relationships between individuals and in neighbourhoods. Drawing on relevant evidence, the report considers what factors might enable or inhibit forming and maintaining everyday relationships and the capacity to act in kindness.

Community Catalysts has produced a helpful guide, **Marketing for Community Enterprises**.

Community Development Cymru's **Strengthening Community Assets** page provides links to resources on community development and asset-based approaches.





Fostering through Social Enterprise (FtSE) is a membership organisation for independent fostering agencies that are registered charities, not-for-profit organisations, co-operatives, social enterprises and community interest companies. Member agencies in Wales include: Action for Children; Barnardo's; The Foster Care Co-operative; Supported Fostering Services; and The Adolescent and Children's Trust (TACT).

The **European Commission's Social Business Initiative** website offers a range of resources about social entrepreneurship.

Join the Buy Social Revolution is a video developed by Social Enterprise UK that provides a brief introduction to social enterprises.

FairShares is a brand and development model for self-governing social enterprises operating under Association, Co-operative and Company Law. It offers a multi-stakeholder approach through its integration of entrepreneurs, producers, consumers and investors.

Fulfilling the Duty, a report by Barod and commissioned by Welsh Government, provides helpful information about how opportunities can be created for people to set up and run their own care and support services including case studies.

Co-operation and Co-operatives in the Development of Direct Payments Schemes in Wales (2013) was produced by Northumbria University for Disability Wales and the Wales Co-operative Centre. It describes the nature, scope and diversity of co-operatives and includes case studies from Wales, England and Scandinavia.

The **Social Care Institute for Excellence (SCIE)** has a large number of relevant and helpful resources, including reports, knowledge reviews and practice guides, as well as an at-a-glance guide to **Commissioning to develop and sustain user-led organisations**.

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

The **Wales Council for Voluntary Action (WCVA)** provides support and leadership for the third sector in Wales. Its website offers detailed advice on getting started as a voluntary sector organisation, governance, funding, volunteers, employing and managing staff, managing money and other assets, training courses, current policy developments and publications. It also includes links to all County Voluntary Councils in Wales and a bilingual helpdesk.

The Welsh Government's website features information about the **Welsh Government Third Sector Scheme**.

Cymorth Cymru is the umbrella body for providers of homelessness, housing-related support and social care services in Wales. Its website provides information about current policy developments, training events, case studies and other publications, including a report on the **Promotion of Social Enterprise, User-led Services and the Third Sector in Delivering Social Care** (March 2014), produced by Cymorth Cymru with grant support from Welsh Government.

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