



Dirprwy Brif Swyddog Meddygol
Deputy Chief Medical Officer

Yr Adran Iechyd a Gwasanaethau Cymdeithasol
Department for Health and Social Services

Llywodraeth Cymru
Welsh Government

Katie Sutherland
Acting Senior Coroner
North West Wales

18 March 2022

Dear Mrs Sutherland

Regulation 28 Report to Prevent Future Deaths – Mrs Eirlys Wynne Roberts

Thank you for your letter enclosing the Regulation 28 report following your investigation into the death of Eirlys Wynne Roberts who sadly passed away on 17 July 2021. I am responding on behalf of **Eluned Morgan, Minister for Health and Social Services**.

Welsh Government recognises that people who need care and support, including those who need to move into residential, nursing or EMI care facilities, are generally best cared for within their local communities, and that we should be striving to ensure that there is sufficient provision to meet local demand. However, a range of different circumstances can mean that unfortunately this is not always possible and alternative arrangements must be made.

It is deeply sad and regrettable that Mrs Roberts had her fall and subsequent admission to hospital before she could move into the specialist nursing EMI home that had been secured for her in Gwynedd. Having explored Mrs Roberts' journey it would seem that on this occasion Covid-19 may have had a detrimental impact on securing her a nursing EMI home. At the time of her fall Mrs Roberts was in a specialist EMI home on Anglesey (just 7 or 8 miles away from her home in Bangor) but was awaiting a place in a nursing EMI home having been assessed as also requiring nursing care. Unfortunately a combination of staffing shortages in two local care homes with suitable provision (in part due to Covid 19) and a Covid-19 outbreak in another care home meant that there were delays in her accessing the specialist nursing EMI provision she needed.

When arranging care home placements a range of factors are considered by health and social care commissioners, including the ability of that home to meet the specific care and support needs of an individual and its closeness to their own community and support network, even if that may be just across the border into another County.

With the Regional Partnership Boards established under Part 9 of the Social Services and Wellbeing (Wales) Act 2014 ('the Act'), Local Authorities within a regional (Local Health Board) footprint have developed much stronger working relationships and now actively collaborate to meet the care and support needs of individual across the whole region. This can mean that Local Authorities boundaries become more permeable and less of a barrier to meeting people's needs. Ynys Mon and Gwynedd have a strong track record in working as a sub-regional collaborative.



More broadly Welsh Government clearly recognises the challenges across the health and social care system in ensuring peoples increasingly complex care and support needs can be met within the community, as close to home as possible.

The changing and growing care and support needs of our population alongside the impacts of Covid-19 and the challenges of recruiting and retaining a skilled social care workforce has created unprecedented challenges in our health and social care system. As a Government we are working hard, alongside delivery partners to strengthen our system so it can support people better.

Financial support

During the Covid pandemic the Welsh Government has made significant resources available to local authorities and health boards, to ensure that social care providers can meet the additional costs arising because of the pandemic. The recently published Welsh Government budget for 2022-25 provides an additional £180m to local authorities directly to strengthen the social care sector, with further reform and capital funding also being allocated.

Integrated planning and commissioning

Welsh Government has put in place mechanisms to enable Local Authorities and the NHS to better meet changing population needs. They have clear responsibilities to plan and commission care and support services that meet the needs of their local populations, including the commissioning of residential and nursing care for those who need it. Under the Act, local authorities and health boards are required to work together, through the Regional Partnership Boards, to produce five yearly Population Needs Assessments and Market Stability Reports. These must be based upon assessments of local population needs, the range and level of services required to meet those needs, sufficiency of provision, and the stability and sustainability of the market for regulated services such as domiciliary and residential care. Together these feed into the strategic joint Area Plans, which in turn underpin the commissioning decisions of local authority and NHS partners.

The next round of Population Needs Assessments and Market Stability Reports are due to be published in April and June this year. In preparing their assessments, the Regional Partnership Boards must engage with a wide range of stakeholders, including citizens, carers, third sector and community groups, and care providers, so that the provision of care and support can be appropriately tailored to local need.

The Part 9 guidance of the Act also states that local health boards and local authorities must jointly commission care homes through regional pooled funds. It states that in relation to care homes they should agree an appropriate integrated regional market position statement and a regional commissioning strategy. These should specify the outcomes required of care homes, including the range of services required, and consensus on the methods of commissioning. In addition, the guidance states that local authorities and health boards should:

- agree a common contract and specification;
- agree common contract monitoring criteria and processes that include service user feedback;
- develop an integrated approach to agreeing fees with providers.
- develop an integrated approach to quality assurance; and
- adopt a transparent use of resources. Budgets must be aligned with overall expenditure identified, together with the financial commitments of both agencies to the commissioning of care homes.

In September 2020, the Auditor General wrote to the Welsh Government and copied the letter to all local authority and health board chief executives in Wales, raising concerns about regional

pooled funds in relation to care homes for older people. These concerns emerged from audit work at two of the local authorities in North Wales earlier that year.

The Audit Wales report on care home commissioning for older people published in December 2021 concluded that there were some significant concerns around the practical application of pooled budgets for care-home provision in North Wales, and potentially more widely in Wales.

In January 2021 Welsh Government issued the [Rebalancing Care and Support White Paper](#), proposing legislative and other changes we believe are essential to securing the vision set out in the Act.

These included the development of a strategic National Framework for care and support, which will set standards for commissioning practice, reduce complexity, and focus on quality and outcomes. The implementation of this Framework will be overseen by a National Office within Welsh Government. In addition, we are committed to strengthening regional partnership arrangements to support stronger partnership working and deliver for local populations, with a focus on governance and scrutiny, planning and performance, engagement and voice, integrated service delivery, and rebalancing the social care market.

This programme of work will also enable Welsh Government to respond to Audit Wales concerns by strengthening integrated commissioning practice and specifically the use of pooled funds.

Looking to the future, we are also setting up an Expert Group to support our ambition to create a National Care Service for Wales, free at the point of need and continuing as a public service, as set out in the Co-operation Agreement.

Workforce

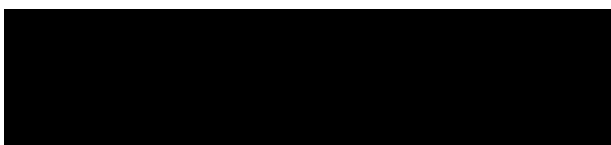
Building a sustainable social care workforce remains a key priority for us, and we have been working with the regulator and the social care sector to meet this challenge. As well as the *WeCare.Wales* national recruitment campaign, which has been running from August 2021, we have increased funding to ensure targeted recruitment initiatives and additional supports to people who are considering entry into social care employment.

In addition, our announcement of the introduction of the Real Living Wage provides a starting point for improved terms and conditions for social care workers, and we continue to work with the Social Care Fair Work Forum to consider what more can be done to attract people into the social care sector.

The Minister for Health and Social Services will write to the Chairs of the seven Regional Partnership Boards in Wales, the Chief Executives of the Health Boards and Directors of Social Services to ask them to review their current provision for older peoples residential care, including EMI beds and to ensure that their imminent Population Needs Assessments and Market Stability Reports robustly explore the sufficiency of provision. Any action to improve the commissioning and sufficiency of such provision should then be set out in their forthcoming Area Plans.

We hope you find this information helpful.

Yours sincerely



[REDACTED]
Deputy Chief Medical Officer
Copied to:

Eluned Morgan MS, Minister for Health and Social Services
Julie Morgan MS, Deputy Minister for Social Services
[REDACTED], Chief Social Care Officer for Wales