



DEPARTMENT OF HEALTH AND SOCIAL SECURITY

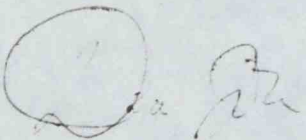
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From the Secretary of State for Social Services

The Rt Hon John Wakeham MP
Lord President of the Council
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/ March 1988


RESIDENTIAL CARE: REPORT OF THE WAGNER COMMITTEE

In March 1986, with Norman Fowler's support, the National Institute of Social Work (NISW) commissioned a comprehensive review of residential care. The full terms of reference were:

"To review the role of residential care and the range of services given in statutory, voluntary and private residential establishments within the personal social services in England and Wales; to consider, having regard to the practical constraints and other relevant developments, what changes, if any, are required to enable the residential care sector to respond effectively to changing social needs; and to make recommendations accordingly."

Lady Wagner has sent me an advance copy of her report, which is to be published by NISW on 9 March, when Lady Wagner will chair a press conference.

The summary of recommendations is enclosed with this letter. Most of them are about the way in which residential homes should be run, and the standards and principles that should pertain. Here the main issues for the Government arise from the proposals for

- a uniform system of registration and inspection;
- independent inspection;
- specific areas of good practice where central policies and guidance will be expected.

E.R.

All of this is - and will be seen to be - relevant to current concerns about the treatment of people in residential settings, particularly those who are old and infirm.

But the report also proposes that local authorities should have the leading responsibility for strategic planning of accommodation and the design of suitable "packages" of home care for individuals; and that anyone for whom residential care is an option should have access to a nominated social worker. These proposals thus raise the same difficult political issues as are raised in Sir Roy Griffiths' report on community care.

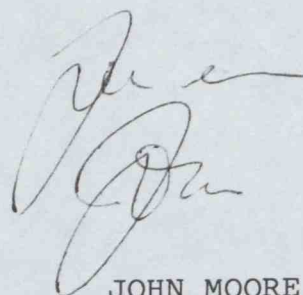
We shall have to assess the financial implications of the proposals, as the report acknowledges. First impressions suggests that the Committee may have been over-idealistic about what is practicable. It is more than disappointing that they have failed to cost their proposals.

The proposals affecting the role of local authorities, including the proposed study of a voucher system, will have to be considered alongside Sir Roy Griffiths' report on community care.

This was an independent review, and a holding statement on publication is all that will be required or expected. Although Ministers were involved in the commissioning of this review, I do not consider a formal statement by way of Written Answer is necessary. In reply to inquiries, I intend to authorise the response shown in the attachment to this letter.

I shall be considering the substantive issues in consultation with those colleagues directly concerned.

Copies of this letter go to the Prime Minister, other members of the Cabinet, the Chief Whip and Sir Robin Butler.



Handwritten signature of John Moore, consisting of a stylized cursive script.

JOHN MOORE

PROPOSED LINE TO TAKE

The Government will consider the committee's proposals and make known its conclusions in due course, while taking account of Sir Roy Griffiths' report on community care.

The Government attaches importance to securing proper arrangements to protect the dignity, personal rights, and safety of all those in residential care. Where the Committee recommends changes in practice and services to meet particular needs, the Government will want to take account of the views of service providers, as well as the financial implications which the Committee acknowledges need to be evaluated, before deciding on any central guidance. Those directly concerned will be consulted before decisions are taken, but there is much that can be pursued through local initiative without waiting on central guidance.

RECOMMENDATIONS

Positive Choice

1. Local authorities should take the lead in the strategic planning of accommodation and support services. (Chap 6.10)
2. A statutory duty should be placed on local authorities to propose a reasonable package of services, enabling a person to remain in their own home if that is their choice and it is reasonable for them to do so. (Chap 3.22)
3. Statutory and voluntary agencies should use every means available to contact informal carers in their area, so as to find out what support they may need. (Chap 5.9)
4. Further study should be given to a system of Community Care Allowances, which would enable people with special needs to procure care services of their choice. (Chap 3.19)
5. Anyone for whom residential provision might be an option should have available to them the skill of a nominated social worker, whose primary responsibility will be to act as their agent; a nominated social worker should always be appointed where a prospective user has no relative and is deemed unable to exercise effective choice. (Chap 3.6)
6. Local authorities should develop systems of delegated budgeting where nominated social workers exercise direct control over financial resources. (Chap 3.16)
7. The public library service in each locality should coordinate, and periodically update, comprehensive information on the range of services available. (Chap 3.2)

Rights of the Individual

8. Every adult person entering a residential establishment with a view to an extended stay should be entitled to a trial period during which nothing would be done to dispossess them of their previous accommodation. At the end of the trial period, acceptance of the terms and conditions of the residential establishment should constitute a contract binding on both sides. (Chap 4.14)

9. All people in residential establishments capable of arranging their own affairs should be entitled to retain their pension or allowance book, and to pay from it the agreed sum for accommodation and services. Residents should be eligible for Housing Benefit in the assessment of their accommodation commitment. (Chap 4.15)

10. No one should be required to share a bedroom with another person as a condition of residence. (Chap 4.12)

11. In new residential homes as from 1990, and in existing homes as from 1995, there should be only two double rooms to every ten rooms. (Chap 4.12)

12. Each person in a residential establishment should be entitled to a personal key for their own room. (Chap 4.9)

13. There should be a statutory review every six months for those residents who are unable to exercise effective choice or give effective consent. (Chap 3.17)

14. Each local authority should have a clear and well-publicised complaints procedure, and comparable measures should be taken by private and voluntary agencies. (Chap 3.21)

15. People who require assistance in presenting their complaints should have the services of an advocate or personal representative who is entirely independent of those providing the service. (Chap 3.23)

16. Information about the agency's complaints procedure should be made available to children and parents. Children in all forms of residential care should have access to an independent advocate. Consideration should be given to extending the system of guardian ad litem to enable families and children to request a guardian ad litem to safeguard children's interests. (Chap 10.22, 23)

17. The differing levels of capital disregard and of personal allowance in the local authority, voluntary and private sectors should be brought into line at the higher levels. (Chap 4.16)

Particular Needs

18. Residential services for children should be among the options available to children and their parents, and should be developed to offer: respite care; a staged transition from hospital to family care; integrated education and care; a means of keeping siblings together. (Chap 10.13)

19. Greater importance should be attached to the educational and health needs of children in care. (Chap 10.20, 21)

20. The needs of children and young people from ethnic minority groups should receive particular attention. (Chap 10.15)

21. Adequate accommodation should be made available to young people on leaving care. (Chap 10.25)

22. Education and training for young people with mental handicap should aim at enabling them to live with minimum support in ordinary housing. (Chap 10.35)

23. The Government should ensure that adults with physical disabilities receive sufficient financial help to enable them to purchase the services they require. (Chap 10.31)

24. The provision of supportive accommodation to enable people with disabilities to leave the parental home needs to be expanded. (Chap 5.13)

25. Investment is needed to extend the range of services in the community for people with or recovering from mental illness. (Chap 10.43)

26. Residential services should be developed for a variety of purposes for people with alcohol and drug problems. (Chap 10.50)

27. Proper provision must be made for elderly mentally infirm people. This will entail close cooperation between health and social services. Nursing home type facilities should be developed in association with existing residential establishments. (Chap 10.61)