

Health & Social Services Committee

(HSS(2)-01-06)

Meeting date: Thursday 19 January 2006

Meeting time: 9.00am to 12. 15pm

Meeting venue: Committee Room 3 & 4, National Assembly for Wales

Assembly Members in Attendance

Assembly Member	Constituency
Rhodri Glyn Thomas (Chair)	Carmarthen East & Dinefwr
Brian Gibbons (Minister)	Aberavon
John Griffiths	Newport East
Helen Mary Jones	Mid & West Wales
Jonathan Morgan	South Wales Central
Jenny Randerson	Cardiff Central
Karen Sinclair	Clwyd South
Huw Lewis	Merthyr Tydfil and Rhymney

Officials in Attendance

Name	Job title
Ann Lloyd	Head of Health and Social Care Department
Dr David Salter	Acting Chief Medical Officer
Andrew Powell-Chandler	General Dental Services & Optometric Services
Paul Langmaid	Chief Dental Officer
Derek Fishwick	General Medical Services

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Name	Job title
Jane Westlake	Committee Clerk
Julie Owen	Deputy Committee Clerk
Peter Jones	Counsel to the Committee

Item 1: Apologies and Substitutions and Declarations of Interest

1.1 Apologies were received from Lynne Neagle. Huw Lewis Lloyd substituted for Lynne Neagle for items 1, 2 and 4 to 8.

1.2 There were no declarations of interest.

1.3 A verbatim record of the meeting will be available.

1.4 The Minister announced that he had granted approval to progress the implementation of independent prescribing for nurses and pharmacists in Wales.

Action:

The Minister would provide a note on the implementation of the scheme, detailing the proposed timescale, expected costs, membership of the project board and its remit.

Item 2: The Health Bill

2.1 The Bill was scrutinised in accordance with the Committee's agreed protocol for scrutinising legislation, whereby members notify in advance any queries they have or amendments they wish to make. Five points of clarification had been raised. No amendments had been proposed.

2.2 The Committee noted the Minister's response to the points of clarification and was content with the Bill as drafted.

Action

A report on the Committee's conclusions would be laid before the Assembly.

Ann Lloyd would provide a summary of the evidence she had given to the Audit committee on the security management framework in the NHS in Wales.

The Minister would provide a paper to note clarifying the impact of the Appointments Commission on Wales and listing the bodies affected. He would inform the Committee whether the Bill would give new powers to the Secretary of State.

Item 3: Report on Over-indebtedness in Wales

3.1 The Deputy Minister outlined the main points of his report on over-indebtedness. The Committee discussed the how health professionals and social services could be more involved in offering advice to those in debt.

Action

The Chair would write to the Minister for Social Justice and Regeneration and the Minister for Health and Social Services commending the report. The latter was asked to report to the committee within a couple of months on how health professionals and social services could be more involved in implementing recommendation 4

Item 4: i. Health and Social Care (Community Health and Standards) Act 2003 Commencement (Wales) (No.4) Order 2006;

ii. General Dental Services and Personal Dental Services Statements of Financial Entitlements Directions;

iii. Functions of Local Health Boards (Dental Public Health) (Wales) Regulations 2006;

iv. Dental Public Health Directions;

v. Directions to LHBs in respect of General Dental Service contracts and Personal Dental Service agreements; and

vi. General Dental Services and Personal Dental Services Transitional Provisions (Wales) Order 2006.

Paper: HSS(2)-01-06(p.1);

4.1 The regulations were scrutinised in accordance with the Committee's agreed protocol for scrutinising legislation, whereby members notify in advance any queries they have or amendments they wish to make. Two amendments had been proposed and two points of clarification raised.

Amendment 1 – Proposed by Jenny Randerson

Functions of Local Health Boards (Dental Public Health) (Wales) Regulations 2006.

Paragraph 2(2) Delete "to the extent that it considers necessary".

4.2 Although the Minister accepted the principle behind the amendment he did not accept the amendment as such. It was therefore moved to a vote.

The following members voted for

Jenny Randerson

Helen Mary Jones

Jonathan Morgan

The following members voted against

Brian Gibbons

John Griffiths

Karen Sinclair

Huw Lewis

Rhodri Glyn Thomas abstained

4.3 The amendment was not carried.

Amendment 2 – Proposed by Jenny Randerson

Functions of Local Health Boards (Dental Public Health) (Wales) Regulations 2006.

Paragraph 2 (2)(b) insert "regular" before "dental inspection" and insert "all" before "pupils".

4.3 Although the Minister accepted the principle behind the amendment he did not accept the amendment as such. It was therefore moved to a vote.

The following members voted for

Jenny Randerson

Helen Mary Jones

The following members voted against

Brian Gibbons

John Griffiths

Karen Sinclair

Jonathan Morgan

Huw Lewis

Rhodri Glyn Thomas abstained

4.3 The amendment was not carried.

4.4 The Committee was content with the draft regulations as clarified. However members registered their concern that such important legislation as the will not be translated.

Action

A report on the Committee's conclusions would be tabled and submitted to the Business Committee and the Minister .

Item 5: The Confidentiality and Disclosure of Information: General Medical Services and Alternative Provider Medical Services Directions 2006

Paper: HSS(2)-01-06(p.2)

5.1 The regulations were scrutinised in accordance with the Committee's agreed protocol for scrutinising legislation, whereby members notify in advance any queries they have or amendments they wish to make. No amendments had been proposed nor any points of clarification notified.

One point of clarification was raised about levels of access by local health boards to confidential information. The Minister explained that access would be at the highest level

5.2 The Committee was content with the draft regulations as clarified.

Action

A report on the Committee's conclusions would be tabled and submitted to the Business Committee and the Minister.

The Minister to supply copies of the guidance on which organisations could request information under the directions once it had been finalised.

Item 6: Schedule of Proposed Secondary Legislation

Paper: HSS(2)-12-05(p.3)

6.1 The Chair explained that he would consider requests for the Committee to scrutinise earlier entries on the schedule. The Committee identified the following items for consideration.

Ref No	Title
HSS 73 (04)	The Local Safeguarding Children Boards (Wales) Regulations (The Committee noted that the regulations are listed as being due to be made in March – scrutiny would be subject to there being time in the legislative programme.)
HSS 1 (06)	The Commissioner for Older people in Wales (Appointment) Regulations 2006 (provisional title)
HSS 2 (06)	The Community Care (Services for Carers and Children's Services) (Direct Payments) (Wales) Amendment Regulations 2006
HSS 4 (06)	The Care Standards Act 2000 and the Children Act 1989 (Miscellaneous Amendments) (Wales) Regulations 2006
HSS 7 (06)	The National Assistance (Sums for Personal Requirements) (Wales) Regulations 2006
HSS 8 (06)	The National Assistance (Assessment of Resources) (Amendment) (Wales) Regulations 2006
HSS 9 (06)	The Care Standards Act 2000-National Minimum Standards (NMS) for care homes for Younger Adults and for Older People

Members noted that a number of items scheduled did not have an indication of when the legislation would be made. In particular there was concern about:

HSS 9 (03) – Carmarthenshire, Ceredigion and Mid Wales, and North Glamorgan NHS trusts Amendment Orders;

HSS 28 (04) – The National Health Service Complaints Procedure (Wales) Regulations;

HSS 39 (04) – The National Health Service (Pharmaceutical Services) Regulations

Action

Clerk to notify Chair of the Business Committee of items identified.

The Minister agreed to provide more information on when items were due to be timetabled.

Item 7: Forward Work Programme

Paper: HSS(2)-01-06(p.4)

7.1 The Committee agreed its detailed forward work programme for the spring term. At the request of the Minister it was agreed to move the item on Mental Health Services for Children and Young People to 23 March and bring forward Health Commission Wales to 8 March.

Item 8: Appointment of Committee's nominees under the National Assembly for Wales's Code of Practice for Ministerial Appointments to Public Bodies

8.1 The committee agreed that Karin Sinclair and Rhodri Glyn Thomas would be the committee's nominees.

Any Other Business

9.1 Following a request, future meetings of the committee would start at 9:30.

9.2 The Chair asked members to respond to the request regarding a joint meeting to consider the Children's Commissioner's Annual Report by the end of the day.

Committee Service

January 2006