

Pwyllgor Iechyd a Gwasanaethau Cymdeithasol

HSS(2)-18-06(p.3)

Dyddiad y cyfarfod: Dydd Mercher 13 Rhagfyr 2006

Lleoliad: Ystafell Pwyllgor 1, Senedd, Cynulliad Cenedlaethol Cymru

Teitl: Cyfarwyddiadau Gwasanaethau Deintyddol Byrddau Iechyd Lleol 2007 y Gwasanaeth Iechyd Gwladol 1977.

Diben

1. Mae'r papur hwn yn rhoi i'r Pwyllgor y cyfle y gofynnodd amdano i ystyried y ddeddfwriaeth sy'n ymwneud â Chyfarwyddiadau Gwasanaethau Deintyddol Byrddau Iechyd Lleol 2007 y Gwasanaeth Iechyd Gwladol 1977.

Crynodeb

2. Yn ei gyfarfod ar 13 Hydref 2006 dewisodd y Pwyllgor y darn hwn o ddeddfwriaeth i graffu arno. Bydd y ddeddfwriaeth a gynigir yn caniatáu i Fyrddau Iechyd Lleol sicrhau bod Byrddau o'r fath yn defnyddio fframwaith cyffredin a chyson wrth ddarparu gwasanaethau deintyddol gofal sylfaenol yn uniongyrchol.

Cefndir

3. Cyn 1 Ebrill 2006 roedd gwasanaethau deintyddol cyflogedig yn Lloegr wedi bod yn cael eu darparu o dan un allan o dri chynllun, sef Gwasanaethau Deintyddol Cymunedol (CDS), cynlluniau peilot Gwasanaeth Deintyddol Personol Cyflogedig (PDS) neu Ymarferwyr Deintyddol Cyffredinol (GDS). Gwnaethpwyd y rheoliadau GDS newydd ar 31 Mawrth 2006 felly roedd angen gwneud trefniadau gwahanol ar gyfer Ymarferwyr Deintyddol Cyffredinol cyflogedig ac ar gyfer cynlluniau peilot PDS cyflogedig. Ar 1 Ebrill cyhoeddodd Lloegr Gyfarwyddiaid i Ymddiriedolaethau Gofal Sylfaenol er mwyn sicrhau eu bod yn gweithredu yn yr un dull cyffredin â gwasanaethau a gomisiynir gan ddeintyddion contract annibynnol er mwyn hybu mwy o hyblygrwydd a dewis yn y tymor hirach.

4. Yn dilyn cyflwyno'r contract deintyddol newydd ar 1 Ebrill 2006 mae cyfrifoldeb ar Fyrddau Iechyd Lleol yng Nghymru yn awr i sicrhau bod darpariaeth ddigonol o ofal deintyddol sylfaenol ar gyfer eu holl drigolion, gan gynnwys plant a phobl gydag anghenion iechyd arbennig. Gall Byrddau Iechyd Lleol ddarparu gwasanaethau o'r fath trwy:-

- Wneud contract gyda chontractwyr deintyddol annibynnol o dan GDS a PDS
- Comisiynu gwasanaethau deintyddol cymunedol a gwasanaethau PDS ar gyfer

Ymddiriedolaethau Gwasanaeth Iechyd Gwladol

- Darparu gwasanaethau deintyddol yn uniongyrchol eu hunain

5. Argymhellir bod Llywodraeth Cynulliad Cymru yn sicrhau bod Byrddau Iechyd Lleol yng Nghymru yn cael yr un hyblygrwydd, a bod unrhyw wasanaethau deintyddol cyflogedig a ddarperir yn uniongyrchol gan y Byrddau Iechyd Lleol yn cael eu darparu yn yr un dull cyffredin â gwasanaethau a gomisiynir oddi wrth ddeintyddion contract annibynnol. Byddai'r ddeddfwriaeth arfaethedig hefyd yn gosod rhai safonau eraill y bydd eu hangen gan wasanaethau deintyddol y Bwrdd Iechyd Lleol sy'n adlewyrchu'r safonau sy'n ofynnol mewn gwasanaethau a ddarperir trwy drefniadau PDS cyflogedig.

Goblygiadau Cyllidol

6. Does dim goblygiadau cyllidol yn gysylltiedig â'r ddeddfwriaeth arfaethedig. Nid yw'r ddeddfwriaeth yn gosod unrhyw gostau ychwanegol ar y sector cyhoeddus, busnesau bychan, elusennau na'r sector gwirfoddol.

Targed ar gyfer Gweithredu

7. Unwaith bod y Pwyllgor wedi rhoi ystyriaeth i'r Cyfarwyddiadau, fy mwriad yw eu cyflwyno i'r Pwyllgor Busnes ar 16 Ionawr 2007 gyda golwg ar roi drafft terfynol gerbron y Cyfarfod Llawn ar 30 Ionawr 2007. Yn amodol ar gymeradwyaeth y Cynulliad Cenedlaethol bydd y Cyfarwyddiadau'n dod i rym ar 1 Chwefror 2007.

Gweithredu yn y Pwyllgor Pwnc

8. Gwahoddir y Pwyllgor i:

- ystyried y papur hwn, a
- nodir bwriad i symud ymlaen gyda'r Cyfarwyddiadau drafft yn unol â rheol sefydlog 29.

Brian Gibbons AC

Y Gweinidog Dros Iechyd a Gwasanaethau Cymdeithasol

Person cyswllt: Paul Parker, Gwasanaethau Deintyddol ac Optometrig, ffôn: 029 2082 5404

To: Business Committee

From: Brian Gibbons AM

Minister for Health and Social Services

Standing Order 29.3(lii) Explanatory Memorandum In Respect Of:

National Health Service Act 1977

The Local Health Board Dental Services Directions 2007

Summary

These Directions set out the procedures that Local Health Boards (LHBs) are required to follow if they directly provide primary care dental services to ensure a common and consistent framework is used by LHBs.

Enabling Power

1. The powers enabling these Directions to be made are contained in section 16BB(4) of the National Health Service Act 1977.

Background

2. From the 1 April 2006, LHBs, as local commissioners, now have the responsibility to ensure adequate provision of primary care dentistry to all their residents including children and those with special health needs. LHBs can provide such services by :-

- contracting under the General Dental Services (GDS) and the Personal Dental Services (PDS) with independent dental contractors;
- commissioning community dental services and PDS services for NHS Trusts; and
- directly providing primary care dental services.

3. Prior to 1 April 2006 salaried dental services in England and Wales had been provided under one of three routes: Community Dental Services; Salaried PDS pilots; or Salaried GDP's. However, the new GDS Regulations came into force on 1 April 2006, making it necessary to make alternative arrangements for salaried GDPs and likewise salaried PDS pilots. Therefore, on 1 April 2006, England issued Directions to Primary Care Trusts to ensure a common approach with those services commissioned from independent contractor dentists and in the longer term promote greater flexibility and choice.

Effect

4. These Directions will ensure that Local Health Boards in Wales have similar flexibility as in England and that any salaried dental services directly provided by LHBs are done so through a common approach with those services commissioned from independent contractor dentists. The Directions also set out other standards required of the LHB dental services, which reflect those required of services delivered under salaried PDS agreements. The principle implications are in respect of the Performers List and patient charges. These are just minor standards which will ensure a consistency with the rest of the primary dental care in relation to a number of matters, these include a 'service statement' providing information as specified in the Directions, the services to be provided, how to express a preference of practitioner and a patient information leaflet.

Target Implementation

5. It is intended that the proposed Directions be made on 30 January 2007 and come into force on 1 February 2007. If these target dates are not met it will mean that Local Health Boards would not have the full capability to employ salaried dentists, unlike their English counterparts as the legislation has been in place in England since 1 April 2006.

Financial Implications

6. There are no financial implications for the Assembly in relation to these Directions. The Directions do not impose any additional costs on the public sector, small businesses, charity or the voluntary sector.

Consultation

With Stakeholders

These Directions were part of the general consultation on the GDS and the PDS Contract between key stakeholders, the British Dental Association, Department of Health and the Welsh Assembly Government, which took place prior to the introduction of the new General Dental Services and Personal Dental Services contracts on the 1 April 2006. No comments were received directly relating to these Directions.

With Subject Committee

8. These Directions, under the title The National Health Service Act 1977 Primary Care Trust Dental Services Directions 2006, were notified to the Health and Social Services Committee, via the list of forthcoming legislation, on 5 July 2006 (HSS(2)-12-06 (p.2a) item no: HSS 28(06)) and identified for detailed scrutiny. The Committee are due to scrutinise the Directions at its meeting on 13 December 2006.

Consideration by Legislation Committee

9. These Directions are scheduled to be considered by the Legislation Committee on 23 January 2007.