

Health and Social Services Committee

Report to the Assembly 2006 - 2007

1. Introduction

1.1 Standing Order 9.9 requires subject committees to report to the Assembly on their progress in fulfilling their forward work programme. This report covers the period 1 May 2006 to 31 March 2007.

2. Membership

Brian Gibbons (Minister)
John Griffiths
Helen Mary Jones
Jonathan Morgan
Lynne Neagle
Jenny Randerson
Karen Sinclair
Rhodri Glyn Thomas (Chair)

3. Meetings

3.1 During the period the Committee met formally 17 times. All meetings were held in public, except when the Committee was deliberating on its findings and conclusions on the review of Cancer Services for the People of Wales.

4. Remit and Responsibilities

4.1 The Committee's remit is based on the portfolio of the Minister for Health and Social Services, which covers all aspects of health care; food safety; social services and social care. The portfolio is attached at Annex 1.

4.2 The responsibilities of subject committees as set out in Standing Orders are attached at Annex 2.

5. Aims and Objectives

5.1 The Committee set out its aims in the Strategic Forward Work Programme for the year from May 2006. The aims have been to scrutinise the policies of the Welsh Assembly Government and to monitor their implementation to ensure that the people of Wales have access to services to improve their health and are provided with health and social care when it is needed.

5.2 The Committee agreed that in reviewing and developing policy it would make recommendations that would lead to high quality, cost effective services that were properly regulated and inspected.

6. Progress

6.1 The Committee has continued to concentrate on the scrutiny of legislation and the scrutiny and review of policy and its implementation. It has also received regular reports from the Minister on priorities identified in the Strategic Forward Work Programme.

7. Policy Development and Review (Standing Order 9.7)

Following preliminary consultation early in 2006, on 5 April the Committee agreed to undertake a policy review of cancer services for the people of Wales with the following terms of reference:

- i. to review equality of provision and equity of access to the full range of high quality cancer services that meet the National Cancer Standards;
- ii. to identify the barriers to good service and recommend measures to overcome them;
- iii. to report the Committee's findings to the Assembly by 2 March 2007.

The Committee appointed an expert reference group under the chair-ship of Dr Andrew Fowell, MacMillan Consultant in Palliative Medicine at North West Wales NHS Trust, to advise on the complexities of cancer services. The group covered a wide range of disciplines and the voluntary sector. It met four times, including a final meeting with the Committee on 13 December to advise the Committee on the evidence it received during the review.

On 25 April the Committee issued a consultation letter seeking views on a number of issues that had been highlighted in the preliminary consultation process. Thirty seven responses were received.

In July, the Chair, Rhodri Glyn Thomas AM, Jonathan Morgan AM and Jenny Randerson AM, visited the Centre François Baclesse, a cancer centre in Caen, Normandy, accompanied by Professor the Baroness Finlay of Llandaff, who had facilitated the visit through her working contacts with the Centre, and Dr Fowell.

In September the Committee considered all the evidence it had received and decided to narrow its focus and concentrate on those areas which were not already being developed actively and where there was felt to be scope to influence change. The Committee took oral evidence at meetings between July and December 2006.

The Committee's report was published on 5 February and was debated in plenary on 14 March.

Other Issues of Policy Development and Review

The Review of cancer services occupied much of the Committee's time, but in May the Committee discussed progress in implementing 'Agenda for Change' with the Royal College of Nursing.

Mental Health remained one of the Committee's priorities and in May it discussed the European Union's green paper on Mental Health. The Chair wrote to the Director General for Health with the Committee's comments. In June it heard from the organisation Hafal, about the issues facing men with mental health problems and the work of the organisation in supporting them.

8. Scrutiny of Legislation (Standing Order 9.8 (i))

8.1 The Committee regularly received a schedule of secondary legislation proposed by the Welsh Assembly Government, from which Members identified items they considered should be scrutinised by the Committee.

8.2 The Committee has scrutinised 19 pieces of secondary legislation, in accordance with the agreed protocol.

8.3 Two UK Parliament Bills were remitted by the Assembly in plenary to the Committee for scrutiny:

- i. The Commissioner for Older People's (Wales) Bill; and
- iii. The Mental Health Bill;

8.4 The Committee considered the Commissioner for Older People's Bill in May and the report was tabled on 23 June. The Committee had considered the draft Bill a year previously.

8.5 The Committee scrutinised the Mental Health Bill in January. Members were concerned about aspects of the Bill and the Chair wrote to the Minister asking him to seek framework powers for Wales so that the legislation would be compatible with mental health policy in Wales.

9. Monitoring and Scrutiny (Standing Order 9.7 (ii) and (iii))

9.1 The Committee has continued to focus on monitoring the Assembly Government's performance and that of its agents and the three Inspectorates. The Minister's report has provided a regular vehicle for this.

9.2 Following concerns about the problems in the Ambulance Service in Wales, on 28 June the Committee recommended terms of reference for a review of the service and that the Auditor General should be invited to undertake it. In January the Committee discussed the Auditor General's report and the Welsh Ambulance Services NHS Trust's modernisation proposals. On 14 March the Committee considered the Welsh Assembly Government's response to the report and proposals

10. Appointments (Standing Order 9.8)

The Committee's nominees, Rhodri Glyn Thomas AM and Karen Sinclair AM, were consulted about 56 public appointments.

11. Budget (Standing Order 9.8)

11.1 The Committee considered and commented on the Assembly Government's proposed budget for 2007-08. The Chair's letter conveying the Committee's recommended priorities is attached at Annex 3.

12. Cross-cutting Issues

12.1 In June 2006 the committee discussed the report of the review on safeguarding vulnerable children ('Keeping Us Safe'), which had been chaired by Gwenda Thomas AM. On 8 March, the Committee met jointly with Education, Lifelong Learning and Skills Committee, Social Justice and Regeneration Committee and the Committee on Equality of Opportunity to discuss the report of the Children's Commissioner for Wales for 2005-06.

13. The Statutory Schemes

13.1 The Committee has taken account of the National Assembly's statutory schemes for relations with the local authorities and the voluntary sector, and the sustainable development scheme in the course of its work. Similarly it has had regard to the requirements of the Race Relations Act and the duty placed on the Assembly under s120 of the Government of Wales Act 1998 to have regard to the principle of equality of opportunity for all people.

13.2 In October, the Disability Rights Commission presented its report on health inequalities and on 1 March, the Committee scrutinised the Minister on the Assembly Government's response to the report.

Rhodri Glyn Thomas AM
Chair

The Committee's Portfolio

In accordance with s57(4) of the Government of Wales Act 1998, the Committee's portfolio follows that of the Assembly Minister:

- All aspects of the National Health Service in Wales, including general practice and primary care, **other than** (i) oversight of the medical professions; (ii) policy on surrogacy, xenotransplantation, embryology and human genetics; and (iii) licensing of medicines. (These matters are not devolved to the National Assembly.)
- Charges for NHS services, including prescription, dental and ophthalmic and optical charges.
- The provision of services in Wales to the mentally ill.
- All aspects of public health in Wales, including food safety.
- The regulation of poisons.
- The activities of the Food Standards Agency in Wales.
- Genetically-modified food (**but not the cultivation of genetically-modified crops - this is for the Minister for Environment, Planning and Countryside**).
- Policy on care in the community.
- Policy on the provision of social services for children, including the regulation of playgroups, activity centres and childminding.
- Oversight of the social services activities of local authorities in Wales including the issuing of statutory guidance.
- Oversight of
 - the Care Council for Wales;
 - the Wales Centre for Health;
 - the Healthcare Inspectorate Wales;
 - the Care Standards Inspectorate for Wales.
- Regulation of private care and nursing homes in Wales.
- Inspection of, and reporting on, the provision of social services by local authorities in Wales (via the Social Services Inspectorate for Wales).
- Adoption and fostering services in Wales (**but not adoption of children by UK residents abroad**).
- Cross-cutting responsibility for health improvement, and older people and carers.

Duties of the Committee

The Health and Social Services Committee is one of seven subject committees. The responsibilities of the subject committees are set out in the National Assembly's Standing Orders :

"9.7. Each subject committee shall

- i. contribute to the development of the Assembly's policies within the fields for which the relevant Assembly Minister is accountable to the Assembly;
- ii. keep under review the expenditure and administration connected with their implementation; and
- iii. keep under review the discharge of public functions in those fields by public, voluntary and private bodies.

Each subject committee shall also, within the relevant fields,

- i. advise on proposed legislation affecting Wales, including performing its functions under SO22 (now SO24);
- ii. provide advice to the Assembly Cabinet on matters relating to allocation of the Assembly's budget in accordance with Standing Order 19 (now SO21);
- iii. perform its functions under Standing Order 21 (complaints) (now SO23);
- iv. perform any functions assigned to it under the Code of Practice on Public Appointments Procedure made by the Assembly under Standing Order 20 (now SO22); and
- v. consider matters referred to it by the Assembly within its fields."

Standing Order 9.9 requires the subject committee to maintain a rolling programme of work covering periods of at least 12 months.

**Pwyllgor Iechyd a Gwasanaethau
Cymdeithasol
Health and Social Services Committee**

Bae Caerdydd / Cardiff Bay
Caerdydd / Cardiff CF99 1NA

Eich cyf / Your Ref
Ein cyf / Our Ref HSS(2)-10-06

Brian Gibbons AM
Minister for Health and Social
Services

6 July 2006

Dear Minister,

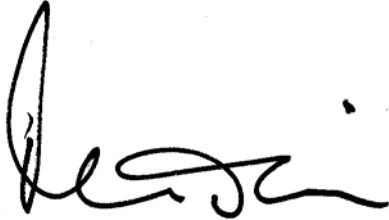
BUDGET PROPOSALS 2007-08

The Finance Minister has asked for the Committee's strategic priorities for next year's budget by 7 July. The Health and Social Services Committee considered your paper (HSS(2)-10-06(p4)) at our meeting on 15 June and identified the following priorities:

- mental health services, particularly child and adolescent services;
- the ambulance service;
- capital funding to reconfigure hospital services and develop community based services to implement *Designed for Life*;
- the drugs budget;
- implementation of the Townsend formula;
- the development of clinical networks; and
- implementation of the recommendations of the Committee's review of cancer services.

I look forward to seeing your detailed proposals in the autumn. I am copying this letter to Sue Essex and Members of the Committee.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Rhodri', with a stylized flourish at the end.

Rhodri Glyn Thomas AM
Chair