

HEALTH AND SOCIAL SERVICES COMMITTEE

REPORT TO THE ASSEMBLY

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 April 2004 to 31 March 2005.

2. Membership

2.1 Membership during the year was:

David Melding (Chair)	Jonathan Morgan
Jocelyn Davies	Lynne Neagle (from January 2005)
Brian Gibbons (Minister) (from January 2005)	Karen Sinclair (from January 2005)
John Griffiths	Gwenda Thomas (to January 2005)
Jane Hutt (Minister) (to January 2005)	Rhodri Glyn Thomas
Ann Jones (to January 2005)	Kirsty Williams
Val Lloyd	

3. Meetings

3.1 During the period the Committee met formally 13 times. All meetings were held in public. In receiving evidence for its review of the interface between health and social care services, the Committee met in Wrexham.

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; children and young people, including childcare. 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 period from May 2004 to December 2004, which it approved on 5 May 2004. 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 concentrated on the scrutiny of legislation and its policy reviews. 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)

Review of the Interface between Health and Social Care Services

7.1 The Committee continued to take evidence during the summer term and began to consider its conclusions and recommendations in October. The final report was launched on 3 March 2005 at the Forge Centre, Port Talbot, and many of the people that had given evidence were able to attend. The report was debated in plenary on 9 March and the Committee will receive the response of the Minister for Health and Social Services in the summer.

Review of the National Service Framework for Mental Health - Standard 2: User and Carer Participation

7.2 At its meeting on 23 June, the Committee agreed it would undertake a short policy review of Standard 2 of the Mental Health National Service Framework - User and Carer Empowerment, which would also encompass children and adolescent mental health services. Consultation began in July and 47 responses were received by the closing date. 10 individuals/organisations have given oral evidence to the Committee. The organisations represented a wide range of interests, including voluntary organisations, NHS, and local authorities.

7.3 The Committee will consider the evidence it has received over the summer and report to the Assembly later in the year.

Other Issues of Policy Development and Review

7.4 The Committee discussed the Welsh Assembly Government's draft Sustainable Development Action Plan and recommended a number of areas for inclusion in the plan to the Minister for Environment, Planning and the Countryside.

7.5 The Committee continued to monitor the provision of child protection services, following publication of Lord Laming's report of the inquiry into the death of Victoria Climbié, and received a report from the Chief Inspector of Social Services on the audit of local authority responses to the Victoria Climbié Inquiry report

7.6 Following discussion of the proposed access criteria for tertiary fertility services, the Committee may return to the subject once the Minister's response to their concerns had been received.

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

8.1 The Committee regularly receives a schedule of secondary legislation proposed by the Welsh Assembly Government, from which Members identify any items they consider should be scrutinised by the Committee.

8.2 The Committee has considered 11 pieces of secondary legislation, in accordance with their agreed protocol. [Details are attached at Annex 3.](#)

8.3 Two Bills were referred to the Committee following the plenary debate in December on the Queen's speech to Parliament. Both Bills, the Children Bill and the Health Protection Agency Bill were considered by the Committee on 5 May 2004.

8.4 On 14 October 2004 the Committee considered the Draft Mental Health Bill published by the UK Government on 8 September for pre-legislative scrutiny. The Committee invited those organisations in Wales that gave evidence on the previous draft Bill in September 2002 to do so again. Following the meeting, the Chair wrote to the Chair of the Parliamentary Joint Committee on the Draft Mental Health Bill; the Assembly Minister for Health & Social Services; and the Chair of the House of Commons Health Committee setting out the Committee's recommendations and conclusions. Subsequently the Chair, accompanied by Rhodri Glyn Thomas AM and Kirsty Williams AM, gave oral evidence on the Committee's findings to the Parliamentary Joint Committee.

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

9.1 The Committee has scrutinised the Minister on the Welsh Assembly Government's performance through the ministerial report.

9.2 The Committee scrutinised the Care Standards Inspectorate for Wales on its annual report for 2003-04 and its plans for the future. It also scrutinised the annual report of the Chief Inspector of Social Services and, in a first for the Assembly, held a joint meeting with the Education and Lifelong Learning; Social Justice and Regeneration; and Equality of Opportunity Committees, to scrutinise the Children's Commissioner for Wales. The joint meeting was felt to be such a success, the process will be repeated for 2004-05.

10. Appointments (Standing Order 9.8)

[10.1 David Melding and Val Lloyd have been the Committee's nominees for public appointments. They have been on the interview panel for the posts of Chair to Bro Morgannwg NHS Trust, Conwy & Denbighshire Trust, North East Wales NHS Trust, North Glamorgan NHS Trust, Pontypridd & Rhondda NHS Trust, also David Melding was on the panel for Swansea NHS Trust and Val Lloyd was also on the panel for North West Wales NHS Trust. They have been consulted about 109 other appointments.](#)

[10.2 The Minister for Health and Social Services was also involved on the Chair appointment panels.](#)

11. Budget (Standing Order 9.8)

11.1 The Committee considered and commented on the Assembly Government's proposed budget for 2005-2006. The Chair's letter conveying the Committee's recommendations is attached at Annex 4.

12. Cross-cutting Issues

12.1 David Melding has represented the Committee on the Education and Lifelong Learning Committee's policy review of special education needs.

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.

14. The Future Programme

14.1 The Committee's priorities for 2005-2006 are set out in the Strategic Forward Work Programme. Key subjects include:

- Services for the mentally ill, especially for children and adolescents
- The implementation of the recommendations of the Review of Health and Social Care in Wales (*"The Wanless Report"*)
- Reduction in hospital waiting times
- Social Care - Standards and Quality:
 - Child Protection and
 - The Care Standards Inspectorate
- Legislation
 - Primary legislation remitted by the Assembly
 - The Older Person's Commissioner Bill
 - Secondary Legislation as identified by the Committee for scrutiny.
- Policy Review:
 - Complete work on the review of the National Service Framework for Mental Health – Standard 2: User and Carer Involvement.
 - Topic for a major policy review to be agreed.
 - The Committee will also undertake short scrutinies of the Assembly Government's policies, such as hospital waiting times and nursing services.
- Budget priorities
 - The Committee will monitor the Assembly Government's progress in the following areas which the committee identified as priorities for the 2005-06 budget:
 - Mental Health National Service Framework;
 - Implementing "Fulfilling the Promises";
 - Implementing Informing Healthcare;
 - The Ambulance Service; and
 - Diabetes Services.
- Scrutiny of Assembly Sponsored Public Bodies (eg Care Council, Health Professions Wales, Wales Centre for Health).

David Melding
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).
- Oversight of the Audit Commission's activities so far as relating to the National Health Service in Wales.
- 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;
 - Health Professions 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.

Items of Secondary Legislation considered by the Committee

Title	Date Considered
The Wales Centre for Health (Constitution, Membership and Procedures) Regulations 2004	5 May 2004
The Community Care, Services for Carers and Children's Services (Direct Payments) (Wales) Regulations 2004	23 June 2004
The Adoption Agencies (Independent Review of Determinations) (Wales) Regulations 2004	23 June 2004
The Genetically Modified Food (Wales) Regulations 2004	6 October 2004
The Genetically Modified Animal Feed (Wales) Regulations 2004	6 October 2004
The Genetically Modified Organisms (Traceability and Labelling) (Wales) Regulations 2004	6 October 2004
The Suspension of Day Care Providers and Child Minders (Wales) Regulations 2004	6 October 2004
The Day Care (Application to Schools) (Wales) Regulations 2005	3 November 2004
The Carers (Equal Opportunities) Act 2004 (Commencement) (Wales) Order 2005	2 February 2005
The National Health Service (Pharmaceutical Services) (Amendment) (Wales) Regulations 2005	2 February 2005
The Special Guardianship (Wales) Regulations 2005	2 March 2005

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)-13-04

Jane Hutt AM
Minister for Health and Social Services

15 November 2004

BUDGET PROPOSALS 2005-2006

1. On 3 November you presented you detailed budget proposals to the Committee.
2. Members sought clarification on a number of points as reflected in the minutes of the meeting, a copy of which are appended.
3. The Committee accepted the broad thrust of your proposals, but there were several areas where further clarification was sought and you agreed to provide more information to the Committee. These were:
 - i. details of how the additional £16m for **primary care estates** would be allocated;

- ii. you will include an update on the timescale for implementing **Informing Healthcare** in your next report to the Committee;
- iii. .the implications of ending short term contracts for **nurses from overseas**;
- iv. the development of **GP specialist clinics**; and
- v. how the efficiency savings proposed under “**Making the connections**” would be achieved in health spending by 2010.

4. You assured the Committee that funding would be available

- i. for implementation of the new Pharmacy Contract, should it go ahead next year;
- ii. to complete the resettlement programme for patients with learning difficulties; and
- iii. for implementation of the draft Mental Health Bill.

5. Finally, I expressed my personal concern that no additional funding had been allocated for diabetes services, which the Committee identified previously as a priority.

David Melding AM
Chair

cc – Members of the Health and Social Services Committee