

# SL(5)691 – The Digital Health and Care Wales (Establishment and Membership) Order 2020

## Background and Purpose

This Order is made under section 22 of the National Health Service (Wales) Act 2006, which permits the Welsh Ministers to create Special Health Authorities.

The Order provides for the establishment of Digital Health and Care Wales ('DHCW') and makes provision about its constitution and overarching functions. Further detail regarding how DHCW will operate is contained in regulations which will come into force at the same time as the Order on 30 December 2020. A separate report has been prepared in relation to those regulations.

The Order makes provision for the establishment of DHCW and provides for the membership of the new body. It also confirms that DHCW is to exercise functions as directed by the Welsh Ministers in connection with the matters set out within the Order, including in relation to the design, development and delivery of digital platforms, services and systems for the Health and Care Sector in Wales. The Welsh Ministers also have the power to direct DHCW as to the exercise of any functions.

DHCW will be a new organisation within NHS Wales, sitting alongside the current seven Health Boards, three NHS Trusts and a single Special Health Authority (Health Education Improvement Wales); with the overarching responsibility for providing a source for digital platforms, services and systems for the health and care sector in Wales.

## Procedure

Negative.

## Technical Scrutiny

No points are identified for reporting under Standing Order 21.2 in respect of this instrument.

## Merits Scrutiny

One point is identified for reporting under Standing Order 21.3 in respect of this instrument.

**1. Standing Order 21.3(ii) – that it is of political or legal importance or gives rise to issues of public policy likely to be of interest to the Senedd.**

Can the Welsh Government confirm why the Explanatory Memorandum and Regulatory Impact Assessment have only been laid in English?



## Implications arising from exiting the European Union

None.

## Welsh Government response

Given the current circumstances regarding coronavirus, a Welsh Government response is required as soon as is reasonably practicable.

## Committee Consideration

The Committee considered the instrument at its meeting on 11 January 2021 and reports to the Senedd in line with the reporting point above.

