

Health and Social Services Committee

Report to the Assembly 2005 - 2006

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 2005 to 30 April 2006.

2. Membership

2.1 Membership during the year was:

Jocelyn Davies (to 1.1.06)	Brian Gibbons (Minister)
John Griffiths	Helen Mary Jones (from 1.1.06)
Val Lloyd (to 1.1.06)	David Melding (Chair to 1.1.06)
Jonathan Morgan	Lynne Neagle
Jenny Randerson (from 7.6.05)	Karen Sinclair
Rhodri Glyn Thomas (Chair from 1.1.06)	Kirsty Williams (to 7.6.05)

3. Meetings

3.1 During the period the Committee met formally 14 times. All meetings were held in public.

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 2005 to December 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 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

In March 2005 the Committee published its report on the review of the interface between Health and Social Care. The Committee considered the Minister's response to the recommendations on 13 July. The Welsh Assembly Government accepted all the Committee's recommendations.

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

7.2 In June 2004, the Committee agreed it would undertake a 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. After written consultation and hearing oral evidence the committee considered the evidence received during the summer of 2005 and published its report in October. The Minister's written response to the report was discussed by the committee on 8 March 2006. The Welsh Assembly Government accepted 10 recommendations in full and two in part.

Other Issues of Policy Development and Review

In February the Committee considered the provision of health services through the medium of Welsh and other languages and how the NHS responds to different cultural needs. In the same month it also discussed and responded to the European commission's green paper on nutrition and health.

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 21 pieces of secondary legislation, in accordance with the agreed protocol.

8.3 Following the Assembly's debate on 21 June on the UK Government's legislative programme five Bills were remitted to the committee for scrutiny:

- i. The Older People's Commissioner (Wales) Bill;
- ii. The Health Bill;
- iii. The Mental Health Bill;
- iv. The Children and Adoption Bill; and
- v. The NHS Redress Bill.

With the exception of the Mental Health Bill which has not been published, all have been scrutinised using the Committee's protocol and reports laid before the Assembly and sent to the Minister.

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

9.1 Increasingly the Committee's work has focussed on monitoring the Assembly Government's performance and that of its agents. The Minister's report has continued to provide a regular vehicle for this, but in addition the Committee established a scrutiny sub-committee under SO8.27 in June 2005. The sub-committee comprises all Members of the main committee with the exception of the Minister. The sub-committee's terms of reference are:

- to scrutinise the Minister on the Welsh Assembly Government's performance in delivering policies and programmes within the Minister's portfolio;
- the topics on which the sub-committee will scrutinise the Minister will be notified to the Minister by the Chair of the sub-committee at least twenty clear working days before the meeting;
- the sub-committee will not vote or propose any motions;.and
- the sub-committee will report back to the Health and Social Services Committee after every meeting.

The Committee will cease to exist on 15 June 2006.

9.2 The subjects scrutinised were as follows:

16 June	i. The NHS capital investment programme; ii. Performance of the Ambulance Service in Wales; iii. Services for looked-after children.
17 November	i. Palliative Care ii. The direct payments scheme which enables care service users to purchase their own care.
5 April	i. Implementation of the Townsend formula for the allocation of resources to the NHS; ii. The Welsh Assembly Government's policy for free home care for the disabled

9.3 In April the Committee looked at mental health services for children and adolescents. The Committee considered that there were a number of issues that had yet to be resolved and so returned to the subject on 23 March, when there was comprehensive examination of the issues..

9.4 In June most of one meeting was devoted to nursing. Other subjects scrutinised by the committee were NHS waiting times (July); hospital acquired infection (October); and men's health issues (March).

10. Appointments (Standing Order 9.8)

The Committee's nominees were consulted about 94 public appointments.

11. Budget (Standing Order 9.8)

11.1 The Committee considered and commented on the Assembly Government's proposed budget for 2006-07. The Chair's letter conveying the Committee's recommended priorities is attached at Annex 2

12. Cross-cutting Issues

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

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.

14. The Future Programme

- 14.1 The Committee's priorities for 2005-2006 are set out in the Strategic Forward Work Programme. The main work will be to complete the review of cancer services for the people of Wales, monitor the Welsh Assembly Government's response to the Committee's budget priorities as set out in Annex 2

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).
- 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;
 - 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.

**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)-07-04

Brian Gibbons AM
Minister for Health and Social
Services

3 June 2005

Budget Proposals 2006 - 2007

Sue Essex's letter of 8 April to subject committee Chairs asked for Committees' responses to the budget proposals by 3 June.

The Committee considered the issues raised in your budget paper HSS(2)-07-05(p3) when it met on 25 May and identified the following priority areas for funding:

- i. Children's Hospitals
- ii. Townsend Implementation
- iii. Ambulance Services in Wales (including Air Ambulance)
- iv. Cancer Services
- v. Services for Diabetes
- vi. Epilepsy Services
- vii. Implementation of the Mental Health National Service Framework

I look forward to seeing your detailed proposals in the Autumn.

I am copying this letter to Sue Essex and members of the Committee.

David Melding AM
Chair

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.