

*Draft Regulations laid before Senedd Cymru under section 203(6) of the National Health Service (Wales) Act 2006, for approval by resolution of Senedd Cymru.*

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DRAFT WELSH STATUTORY  
INSTRUMENTS

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**2021 No. (W.)**

**NATIONAL HEALTH  
SERVICE, WALES**

**The Nurse Staffing Levels  
(Extension of Situations) (Wales)  
Regulations 2021**

**EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

Under section 25B of the National Health Service (Wales) Act 2006, a Local Health Board or NHS Trust which provides nursing services in relation to those clinical settings specified in subsection 25B(3), namely adult acute medical inpatient wards and adult acute surgical inpatient wards, is under a duty to calculate, and take steps to maintain, nurse staffing levels, and to inform patients of those nurse staffing levels.

These Regulations extend the situations to which the duties under section 25B of the National Health Service (Wales) Act 2006 apply to include paediatric inpatient wards.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with these Regulations in Wales. A copy can be obtained from Welsh Government, Cathays Park, Cardiff, CF10 3NQ.

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*Made*

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*Coming into force*

*1 October 2021*

The Welsh Ministers, in exercise of the powers conferred by sections 25B(3)(c) and 203(9) of the National Health Service (Wales) Act 2006(1), make the following Regulations.

In accordance with section 203(6) of that Act, a draft of these Regulations has been laid before, and approved by resolution of, Senedd Cymru(2).

**Title and commencement**

**1.—(1)** The title of these Regulations is the Nurse Staffing Levels (Extension of Situations) (Wales) Regulations 2021.

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- (1) 2006 c. 42; see section 206(1) for the definition of “regulations”. Section 1(1) of the Nurse Staffing Levels (Wales) Act 2016 (anaw 5) (“the 2016 Act”) inserted section 25B into the National Health Service (Wales) Act 2006 (“the 2006 Act”). Section 1(2) of the 2016 Act amended section 203(6) of the 2006 Act to provide that regulations made under section 25B(3)(c) of the 2006 Act are made pursuant to the affirmative procedure. Section 1(3) of the 2016 Act inserted the definition of “nurse staffing level”, as defined in section 25B(1)(a) of the 2006 Act, into the table of defined expressions in section 207 of the same Act.
- (2) The reference in section 203(6) to the National Assembly for Wales now has effect as a reference to Senedd Cymru by virtue of section 150A(2) of the Government of Wales Act 2006 (c. 32).

(2) These Regulations come into force on 1 October 2021.

**Specified situations for nursing services**

2. Paediatric inpatient wards are specified as a situation to which the duties under section 25B of the National Health Service (Wales) Act 2006 apply.

*Name*

Minister for Health and Social Services, one of the Welsh Ministers

Date