

**Date:** Wednesday 14 January 2004

**Venue:** Committee Room 3, National Assembly for Wales

**Title:** Final draft of the Community Health Council Regulations 2004

### **Purpose**

1. The Committee will scrutinise the final draft of the Community Health Council Regulations 2004 at its 14 January 2004 meeting.

### **Summary / Recommendations**

2. The draft regulations set out the arrangements for Community Health Councils (CHCs) in Wales following Royal Assent of the Health (Wales) Act 2003.

### **Background**

3. A new set of draft regulations on CHCs was issued for 12 weeks' consultation on 21 July 2003. These set out the functions of CHCs and matters relating to membership. Much of the content of the new Regulations is similar to the existing 1996 CHC regulations, with the addition of provisions relating to the last four bullet point items above, i.e. membership, complaints advocacy, powers of entry and the new all-Wales body. The Committee received a paper to note at its meeting of 26<sup>th</sup> November 2003 (HSS (2)-07-03) on the outcome of the consultation on the regulations.

### **Final draft of the regulations**

4. A number of changes have been made in the final draft, as a result of comments received during the consultation. These are:

- Minor drafting change to one of the definitions;
- Changes to Regulations 3, 6 and 9 on membership to take account of comments received on membership terms and voluntary sector appointments;
- Minor additions to pick up drafting points in Regulation 16 and elsewhere in the document;

- Changes to the wording of Regulation 18 to take account of comments received on the consultation of CHCs on service changes;
- Changes to the wording of Regulation 20 to take account of comments received about unannounced visits and to require CHCs to co-operate with other inspectorate bodies.

5. Other suggested amendments were considered in detail, but these were felt unnecessary and therefore not accepted.

### **Financial Implications**

6. An additional recurrent sum of £550k was secured in the Budget Planning Round 2002 for the strengthening and development of CHCs. There are no further financial implications to the Assembly resulting from this legislation.

### **Cross Cutting Themes**

7. These were advised to Committee in HSS(2)-07-03.

### **Regulatory Appraisal**

8. Having regard to Assembly Guidance, I consider that a Regulatory Appraisal would not be appropriate in this instance, as one was prepared for the Health (Wales) Act 2003, the primary legislation which enables these Regulations to be made. CHCs' enhanced visiting rights have an impact on those providing services under the Care Standards Act 2000. Officials are co-operating with the care home sector in establishing a protocol for working relationships between its members, CHCs and the Care Standards Inspectorate for Wales. An amendment has been made to Regulation 20 to require CHCs to co-operate with other inspectorate bodies, thus minimising the burden on the sector.

### **Action for Subject Committee**

9. For scrutiny and further comment.

**Jane Hutt**  
**Minister for Health and Social Services**

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