

Date: 13 March 2002

Venue: Committee Room 2, National Assembly for Wales

Title: Monthly Report of Health and Social Services Minister

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1. STRATEGY ISSUES:

1.1 "Improving Health in Wales" – Implementation Plan Update

NHS Restructuring

A programme team to take forward the work on the NHS Restructure Programme was established on 21 January, with Bryan Mitchell as Programme Director and Lisa Dunsford as Programme Manager. The Programme team report to the Local Health Board and Partnership Steering Group (LHBPSG) chaired by the Director of NHS Wales.

A scoping project has been undertaken which delivered an outline programme by the end of February. All project managers are in place and the programme has been presented to the LHBPSG.

The programme comprises five core projects:-

- The new structure of the NHS Directorate including the three regional offices and the dissolution of the five health authorities.
- Local Health Boards
- Partnerships
- Public Health
- Specialised Health Services Commission

A series of workshops were held in February with officers from the Welsh Assembly Government and the NHS to establish the overall programme plan, the main milestones for each project and the principal

dependencies and constraints. In addition a 6th programme covering Shared Services has been defined and a project manager appointed.

A number of priorities were identified for resolution by mid March. These include:

- An agreed outline structure for the NHS Directorate and the regional offices;
- The appointment process for Local Health Board (LHB) Chairs;
- The recruitment and appointment process for the directors of the NHS regions and the senior officers of the regional offices and LHBs;
- Decisions on the location of common services such as centralised management information.

Implementation Programme

A comprehensive guide to the implementation of the undertakings contained in Improving Health in Wales has been issued to the NHS and its partners. Copies have been placed in the National Assembly Libraries.

2.1 "Improving Health in Wales" – Task and Finish Group Update

The Health Challenges Task & Finish Group

This group completed its remit to develop cancer and coronary heart disease networks and to produce a generic approach to the implementation of NSFs in December 2001. It encompassed the work of the following sub-groups:

The Clinical Governance Strategy sub-group:

The Consultation process initiated by this group has been completed. The recommendations included the need for robust primary care performance indicators to be agreed by April 2003.

CHD Networks Sub -group:

Last year's Welsh Health Circulars 105 and 108 directed the work of this group as they impact on Health Authorities, Trusts and LHBs. Work has started on the reduction of intervals from door to needle for thrombolysis.

CSCG and Cancer Networks Sub-group:

There has been steady progress in the work of this group. The CSCG Board's Terms of Reference and Membership have been agreed. Currently, the Minimum Standards Report

2000/01 is being collated. Communications have improved; there is better information collation and more patient involvement with few complaints.

Children's Services Sub-group:

A detailed report on the planning and development of children's health care has been produced and will be used as a basis of the health policy review now underway.

Information Task and Finish Group

The key deliverable of its work is the National IM & T Development Plan. The group is to submit the latest version to the Assembly for detailed costing prior to final consideration.

Service Development Group Task & Finish Group

The work of this group will be completed by June 2002. The NHS Directorate will take forward the responsibility for the work beyond that date. The National planning Forum is likely to inherit the long-term agenda being addressed by this group.

Its various sub-groups have produced the following:

Primary Care: The Primary Care Strategy Project Board established in January has identified three main milestones, namely the delivery of a detailed draft action plan to the Implementation Group by April 2002; an Action Plan and Manual by July 2002; and the launch of an updated Primary Care Action Plan and Implementation Manual by April 2003.

Intermediate Care: This guidance has been completed and is being further considered by the Assembly.

Access and Excellence: This sub group has considered the role of managed clinical networks in the continuum of care from primary to acute care and a report is being prepared on its findings.

Health and Well-being: This is looking at the needs of disadvantaged groups and partnership working to promote Health and Well-being and is due for completion in April 2002.

Health Planning Forum: Its role as a successor body to the Service Development Group is being considered as part of the design of the new health and well-being planning process for Wales.

Workforce Development Task & Finish Group.

Currently, the final report and recommendations are being prepared. The final workshop on 28 January addressed the definition of effective workforce planning, its impact on the creation of a vision of the future direction of the workforce and its changing educational and development needs.

Public Health Review Task & Finish Group.

The key actions that have been identified are the establishment of the Public Health Structure Core Project; an Information Agency; links with LHB and Partnerships Core Projects; the Wales Centre for Health; and two new sub-groups, Health Promotion Services and Primary Care and Public Health. The work of the public health review will continue. The production of a revised Better Health Better Wales and the publication of the Stage 1 Report and Technical document are expected in March 2002.

Finance and Assets Task & Finish Group

It has been recommended that this group should sign off all completed work. The Finance and Assets Task and Finish Group's work was mainly focused on consideration of implementation issues associated with the proposed revised resource allocation arrangements in the NHS in Wales, following the report of Professor Townsend. The Health Facilities Group as a sub-group of the Task and Finish Group has revised its work programme and now plans to develop a National Estates Strategic Framework by April 2002 to be submitted in draft form to the next meeting in March and also a Nutrition/Catering standards consultation document for the Service for issue in early April 2002. Early survey work on Primary Care Practices has begun as a precursor to LHGs producing primary care strategies. Primary Care Strategies referred to is the intention to roll out Estate Plans for all GP practices based on a pilot project being developed by Rhondda Cynon Taf LHG.

Performance Management Task & Finish Group

The proposed Performance Management Framework is currently out for consultation prior to implementation in April 2002.

Patient Focus/Public Involvement Task & Finish Group

The group has held its final meeting. The final report will be considered by the implementation group in April 2002. *Signposts – A Practical Guide to Public and Patient Involvement in Wales* was distributed in October to a wide range of NHS organisations, Community Health Councils, local authorities and voluntary groups. It provides advice to NHS organisations in carrying out a baseline assessment of arrangements for public involvement; provides guidance for underpinning the production of annual plans, and offers examples of best practice in public involvement.

Three workshops were held in November in separate locations across Wales to support the guidance.

Based on the experience of two pilot schemes at North East Wales NHS Trust and Cardiff Local Health Group. The workshops were used as a forum for developing the baseline assessment work, sharing good practice and encouraging the development of a network of practitioners. Additional resources were made available in December to health authorities to help NHS Trusts and Local Health Groups develop sufficient capacity to produce their first annual patient and public involvement plans by April 2002.

Complaints Review

A summary of responses to the consultation exercise and list of suggested next steps have been submitted to the Minister for Health and Social Services in preparation for an Assembly plenary debate on 13 March. Key messages arising from consultation are that more attention should be focused on getting local resolution right; the Independent Review process should be more independent and accountable to the Assembly, and there should be an alternative route for complainants who are reluctant to complain directly to a GP.

Issues to be addressed include the production of new national guidance; the capacity within LHBs to support contractor services and handle primary care complaints; the composition, function and make up of changes to reformed Independent Review Panels; the scope for linking clinical negligence claims with the complaints procedure; and the funding and resource implications of any proposed changes to the complaints process.

A working group will be set up to advise the Assembly on how best to take forward these, and other issues. A national conference will be held in March to consider feedback from the consultation process and to discuss and agree next steps. It is likely that new guidance will be in place by April 2003.

Joint Working Task and Finish Group

The work of this group has reconvened to take forward outstanding work on:

- The role of Commissioning Partnerships
- Health and Well-Being Strategies
- Public Service Accountabilities

2. NHS PERFORMANCE:

2.1 Waiting Times Task Group

A meeting of the new The National Assembly Waiting Times Task Group has taken place, chaired by my Deputy, Dr Brian Gibbons AM. This considered some of the more innovative approaches to cutting waits through careful planning of activity through the year, and detailed planning of clinics and theatre sessions. Trusts will be required to start using these approaches in the coming year. In addition, other examples of good practice are being collected and will be fed through to all the trusts.

At its most recent meeting, the group's terms of reference, membership and mode of working were agreed. Every trust has been asked to nominate a board member to take the lead on waiting times, who will drive improvement and liaise with the task group on all matters of waiting times.

Trusts facing particular problems will be invited to talk through their difficulties, and where these are amenable to intervention action plans will be agreed.

2.2 Emergency Pressures

The number of weekly emergency admissions continued at high levels throughout January/February 2002 with many trusts reporting to be at their busiest since last winter. Admissions (up to week ending 25 February 2002) have been consistent with the same busy period last year, averaging around 5,000 per week.

This has inevitably placed great pressure on the NHS and has resulted in very high bed occupancy and the need for operations to be postponed to accommodate emergency patients.

Staff in the NHS continue to work hard to ensure that these pressures are planned for and better managed.

To prepare for the winter months, hospitals need to reduce planned operations and if pressures rise, re-schedule operations. This is an inevitable consequence of fluctuating emergency admissions. For example, surgeons may receive emergency priority patients, forcing postponement of scheduled operations.

The incidence of flu is being monitored and the Public Health Laboratory Service reports that GP consultation rates for influenza and influenza-like illness has again decreased slightly during the week (w/e 28 Feb 2002). Levels are below normal seasonal activity. Total calls to NHS Direct in England and Wales remain within the range expected for the time of year and the number of calls for 'colds/flu' has decreased this week.

3. QUALITY REGULATION AND INSPECTION:

3.1 Joint Review of Newport Social Services

The report is part of a rolling programme of joint reviews designed to assess the performance of individual social services authorities in England and Wales. Reviews look at how services are arranged for individuals, how the care needs of the population are planned for, how the authority manages performance and quality and how well available resources are being used.

This report was published on 14 February jointly by the Audit Commission and the Social Services

Inspectorate for Wales. The review, carried out by a special team on behalf of the Welsh Assembly Government and the Audit Commission, concludes that some – but not all – people are well served and that prospects for improvement are uncertain. The Council has delivered traditional social services and is now moving forward to meet changing needs. The Council has made considerable changes in its management of social services.

3.2 NICE Implementation

Earlier this month I issued directions to Health Authorities to support the implementation of NICE guidance. Health Authorities have been directed to fund the implementation costs of technology appraisal guidance since February 1999. This is another strand of our work to ensure that the people of Wales receive consistent high quality treatment irrespective of where they live. An extra £10.5 million has been included in next year's Health Authority allocations as a contribution towards developmental costs and pressures, including the costs of NICE guidance.

3.3 Beta Interferon

I met with the MS Society on 18 February to talk about our new scheme to help MS sufferers. We are funding the costs of a new and innovative scheme, which will allow patients with multiple sclerosis to be treated on the NHS with drugs including beta inteferon. An extra £1.7million has been allocated to health authorities to fund the work.

3.4 Clinical Governance Reviews of NHS Trusts

In February and March the Commission for Health Improvement (CHI) published two clinical governance reviews of NHS Trusts which provide healthcare to Welsh residents:

Gwent Healthcare NHS Trust
Ceredigion NHS Trust

Gwent Healthcare NHS Trust

CHI conducted a clinical governance review of the acute services at Gwent Healthcare NHS Trust between July and November 2001.

The review looked particularly at the clinical governance arrangements in place for:

- ENT surgery
- Dermatology care
- Medical services following a stroke

The report concluded that the open and learning culture that exists within the Trust encourages staff to report incidents, accidents and near misses without fear of reprisal. They complimented the Trust on its dedicated facility for children at the Royal Gwent Hospital and noted that to help with recruitment, dedicated time for research activities has been incorporated into job profiles for physiotherapists. The review team found that staff side representatives are able to participate fully at Trust Board meetings.

The report also highlighted some areas for improvement. CHI concluded that in recent years the Trust has had greater demands on its services and that it needs to agree new ways of delivering services with other parts of the health community. It also needs to develop patient and public involvement strategy; centralise monitoring of clinical effectiveness programmes and uptake of evidence-based guidelines; and review its committee structures to clarify lines of reporting and accountability. The Trust has produced an action plan which addresses the issues raised in the report.

Ceredigion NHS Trust

CHI conducted a clinical governance review of the acute services at the Ceredigion and Mid Wales NHS Trust between June and December 2001.

The review focused on the acute services provided by the Trust and looked in depth at arrangements that provide care for:

- Stroke patients
- Expectant mothers, women in childbirth and new-born babies
- Patients requiring emergency surgery

The report concluded that there was significant staff commitment and a high level of staff morale within the Trust. CHI was encouraged by the way individuals are supported to develop the multiple skills they needed in a small Trust. The review team found an extended induction programme for overseas nurses in operation including a language course, that research within the Trust is focused on local priorities and there are effective systems for ensuring staff receive mandatory training.

Areas for improvement include further development of the systems and processes to identify and manage all the risks, the Trust has recognised this and plan to employ a risk manager. The review team felt that the Trust needs to improve the way it involves patients in decisions about their care and service planning, hold a comprehensive review of its medical records policy and revise and implement consent procedures across the Trust. The Trust is developing an action plan to address these areas for improvement in partnership with the Assembly.

4. SOCIAL CARE:

4.1 State of the Care Sector In Wales and £5 Million to Help Reduce Delayed Transfers of Care and Support the Independent Care Home Sector

I am very well aware of the real problems that the care sector is facing. I have met with representatives of the sector to discuss these important issues, most recently on 24 January. The Welsh Assembly has also debated this issue in Plenary session. There are several inter-linked problems facing the care home sector, but there is no simple or quick fix solution. These problems include a number of different cost pressures, workforce shortages and wage competition, rapidly rising capital values in some areas and hard bargaining over residential fees by local authorities.

The responsibility for planning and delivering care in residential and nursing homes is with local authorities, and I have no powers to tell them how much to pay providers. My objective is to work in partnership with the sector to improve the quality of care services and ensure a viable, and vibrant care home sector. At a national level, the Assembly is taking strategic action. I will be establishing a Wales Care Strategy Group with the sector, local government, the NHS, the voluntary sector, service users and others to provide a strategic focus to discuss the problems facing the care sector at the moment and to help bring more stability and confidence to it. Crucially, this Group will cover the training and business development needs of the sector and also help to develop a new statutory guidance on commissioning and contracting for social care later this year. Local authorities and care sector representatives have already begun work to take it forward.

I have already provided an extra £5 million to local authorities for 2001-2 to help meet immediate pressures and tackle delayed transfers of care, working with the care sector. There are similar problems in the care home sector throughout the UK and elsewhere in Europe. We cannot require councils to spend money on fees. In commissioning services they have to conform to the Best Value legislation and requirements.

My officials have now received Delayed Transfers of Action Plans resubmitted by each Local Authority to provide details of their spending plans for their share of the £5 million and the projected costs. Analysis of the Action Plans shows that the additional money is being used for measures consistent with the aims of the grant and a significant proportion of the money is being channelled into the independent care home sector through fee increases and increased placements to care homes. Based on this analysis, an interim report is being produced for the Committee in April in the form of a paper to note.

4.2 Strategy for Older People

The Older People Steering Group chaired by Dr Brian Gibbons has been working hard since June last year on the Strategy. A large volume of reviews of research literature has been considered and over 1000 people – a majority were older people - have contributed to an extensive consultation programme. A number of experts and "Champions" have presented papers to the Steering Group on specific issues. We are planning for the work of the Steering Group to be completed by 14 March 2002 so that the Groups Report can be considered by the Health and Social Services Committee on 1 May, time allowed for other subject Committees to see it and for the Report be debated in Plenary on 16 May 2002. The report will then be published for completion of consultation by early summer 2002.

Following consultation, the final Strategy and an associated Implementation Plan will be completed by the end of the year.

4.3 Health Act 1999 – Flexibilities

The Flexibilities Special Grant for 2002-3 was approved by the National Assembly on 12 February 2002. Proposals will be submitted in March from local authorities against their allocations of Special Grant funding. The total grant available in the 2002-3 financial year is £4.85m. Proposals will need to demonstrate that projects are either being delivered or developed through the Health Act Flexibilities available to local authorities and their NHS partners.

4.4 Children First Event 15th February

I spoke at an event on 15th February to mark the second anniversary of the Waterhouse Report. The Assembly Government ran the event to celebrate the progress made by local authorities in Wales in improving children's services since Waterhouse. 20 local authorities and a number of key children's voluntary organisations took part to showcase a wide range of projects and initiatives which have been funded through our Children First programme. I would like to pay tribute to the commitment and enthusiasm with which local authorities and their partners in the health service and voluntary sector are tackling Children First. The quality of work on display on the 15th was extremely impressive. The event was very successful and we intend to make this the first of a series of annual events to mark the anniversary of the Waterhouse Report.

4.5 Community Care – Scheme to Provide Six Weeks Support at Home for Vulnerable People

This initiative is an integral part of the Assembly's policy intention to give new momentum to home care for vulnerable people, an essential part of shifting the emphasis from care in 'institutional' settings to care at home and maximising independence. It will enable vulnerable people to receive care at a critical time, and aid their return home from hospital without worrying about the cost of their care. It also aims to prevent inappropriate admission to hospital and to target people who without support would otherwise be at risk.

It is important that support is given to the implementation of this policy. In recognition of that an additional £750,000 is being allocated to support the start-up of these arrangements during this financial year including the development of local systems and procedures, training and guidance. From April 2002 an additional £3m is being made available to local authorities to introduce and operate schemes which will not attract any charges where it is part of a time limited care package lasting up to six weeks.

Guidance has recently been issued to local authorities about how this initiative will operate. The scheme does not seek to change the way decisions are made on the level of services people need. Councils will continue to assess people's need and provide appropriate services under their duties to provide community care.

4.6 All Wales Youth Offending Strategy Group

The first meeting of the All Wales Youth Offending Strategy Group, jointly chaired by Lord Warner of the Youth Justice Board and me, took place in Cardiff on 9 January. Membership of the Group includes representative chief officers of local authorities, as well as senior civil servants from all the key parts of the Assembly. The main remit of the Group is to advise on the development of a Youth Offending Strategy for Wales. A Task Group was established at the first meeting to give detailed consideration to the scope of the strategy and appropriate formulae for funding of youth offending teams. This met for the first time on 25 February.

4.7 New Juvenile Facility at HM Prison Parc

A new 28 place discrete juvenile secure facility opened within HM Prison Parc on 4 March 2002. This is for 15-17 year old remanded boys, who would previously have been sent to Ashfield Young Offender Institution, near Bristol. The places are financed by the Youth Justice Board, as part of a contract with the Prison Service. .

4.8 Domestic Abuse

I have asked for a working group to be established to consider future strategy in respect of domestic abuse and violence against women. This will comprise a mixture of Assembly staff from all the relevant divisions and external members from a range of local agencies with expertise in this area. Officials have been seeking nominations from external organisations. As soon as all these have been received, arrangements will be made for the first meeting to take place.

5. FINANCIAL POSITION:

5.1 Substance Misuse - Confiscation of Assets

I provided a paper (HSS-03-02(p.5)) for the Committee on 23 January 2002 about Confiscated Assets. The paper explained that a Confiscated Assets Fund had been established in 1999-2000 to enable assets seized from drug traffickers in the UK to be channelled back into drug activity in support of the UK Anti-Drugs Strategy. Officials have been awaiting details from the Lord Chancellor’s office about the assets seized in Wales that contributed towards this Fund.

The details are as follows:-

Year	Amounts Seized by Welsh Courts	Amounts Paid to the Home Office

1999-2000	£7,460	£5,607
2000-2001	£69,091	£65,293

Figures for 2001-2002 are not yet available. However, the amounts reported from Welsh courts at the end of the second quarter was £5,244. This amount has been paid to the Home Office.

5.2 Use of Substance Misuse Funding by Health Authorities

My report to the Committee on 9 January 2002 provided details of Health Authorities' expenditure on substance misuse. At the time, information was outstanding from Iechyd Morgannwg and North Wales Health Authorities. The figures Gwent Health Authority provided at the time were incomplete and have been updated. Full details of Health Authorities expenditure on substance misuse are set out below.

Health Authority	Discretionary Element of Hospital Community and Family Health Budget (£m)	Authority's expenditure in 2000/01 on substance misuse (£m)	Calculation as a %age
Bro Taf	437.8	3.279	0.749
Dyfed Powys	302.1	1.372	0.454
Gwent	334.4	1.412	0.422
Morgannwg	303.9	1.341	0.441
North Wales	414.1	4.23	1.021
Wales	1792.3	11.634	0.649

Health authorities are expected to spend at least 0.4% of their revenue allocations on substance misuse treatment and prevention.

5.3 Financial Position of NHS Bodies

The forecast cash out-turn remains a balanced position.

The forecast income & expenditure position of NHS bodies in Wales is currently reported as between a deficit of £11.4 million and £20 million. This is largely unchanged from the position reported in my last monthly report, which reflects the current expected outturn on the funding requirements for the Welsh Risk Pool.

The main risk to this reported position continues to be the backlog of un-priced primary care prescriptions, which makes it difficult to forecast the outturn position accurately and the final out-turn on Risk Pool claims.

6. CHILDCARE ACTION PLAN

I have now finalised my action plan, which represents my response to the report of the National Childcare Strategy Task Force. It contains 24 different action points for the Welsh Assembly Government and its partners to take forward the Childcare Strategy. I regard this as a key development in beginning the Strategy’s next phase. The plan is in translation and will be published as soon as possible.

7. HEALTH AND SOCIAL SERVICES SUBORDINATE LEGISLATION PROGRAMME

A schedule showing the position on proposed subordinate legislation is attached.

Jane Hutt
Minister for Health & Social Services

HSSC SUBORDINATE LEGISLATION PROGRAMME

Forthcoming Legislation

No	DRAFT Working Title	Intention of Legislation	Projected date Legislation to be made	Projected Coming into Force Date
FOOD STANDARDS AGENCY SUBORDINATE LEGISLATION – 1 to 53				

1	The Meat (Hazard and Analysis and Critical Points) (Wales) Regulations 200*	Implementing EU Decision that all licensed premises should have systems in place based upon HACCP principles. Also introduces requirement for microbiological testing in slaughterhouses.	c.16/05/02	7 June 2002.
2	The Notification of the Marketing of Food for Particular Nutritional Uses (Wales) Regulations 200*2	Implements Article 9 of earlier Regs. Require manufacturers/ distributors to notify FSA on first marketing of certain PARNUTS foods.	02/02/02	Not yet known
3	Food Irradiation Provisions (Wales) Regulations 2001	Minor amendments to correct errors in previous Regulations	Not yet known	April 2002
4	Contaminants in Food (Amendment) (Wales) Regulations 2001	Imposes maximum levels of aflotoxins in spices.	Not yet known	Dec 2002
5	Fresh Meat (Hygiene & Inspection) (Amendment) (Wales) Regulations (Ostrich slaughter in RM abattoirs)	Enable ostriches to be slaughtered in slaughterhouses licensed under the Fresh Meat (Hygiene & Inspection) Regulations	Not yet known	Awaiting decision from CE

No	DRAFT Working Title	Intention of Legislation	Projected date Legislation to be made	Projected Coming into Force Date
6	The Fresh meat (Hygiene and Inspection) (Wales) Regulations 200*2 (Horse Passports)	Requirements for OVS to check medication records on horse passports for horses presented for slaughter.	Not yet known	31/12/02
7	The Dairy Products (Hygiene) (Amendment) (Wales) Regulations 200* - (Raw Milk)	Options for controls on raw milk	Not yet known	Consultation Jan – April 2002
8	The Animal By-Products (Identification) (Amendment) (Wales) Regulations 200*2	Introduces measures to prevent the diversion of unfit poultry meat, not intended for human consumption, from being diverted into the human food chain.	c. 28/05/02	01/06/02
9	The Fresh Meat (Beef controls) (Amendment) (No.2) (Wales) Regulations 200*	Replacing dentition as prime indicator of age and changing list of exempted countries, subject to legal advice	Not yet known	May 2002

10	The Feeding Stuffs (Fees for approval of establishment and intermediaries) (Wales) 200*	Introduces charges for the approval of establishments and intermediaries.	Not yet known	Not yet known
11	The Ochratoxin A in Foodstuffs (Wales) Regulations 200*2	Provision for sampling and analysis.	Not yet known	Dec 2002

No	DRAFT Working Title	Intention of Legislation	Projected date Legislation to be made	Projected Coming into Force Date
12	The Food Labelling (Wales) Regulations 200*2	Consolidates existing legislation into one document.	Out to consultation – Jan 2002 – March 2002	August 2002
13	The Fish and Fish Products (Labelling) (Wales) Regulations 200?2	Implements Article of earlier Regs. Requires list of commercial designations for labelling of fish species.	Implementation May/June 2002.	July 2002
14	The Infant Formula (Amendment) (Wales) Regulations 200*	Extend prohibition on manufacture & sale.	Not yet known	Not yet known

15	The Baby Cereal Foods (Amendment) (Wales) Regulations 200*	Extend prohibition on manufacture & sale.	Not yet known	Not yet known
16	The Minced Meat and Meat Preparations, and Meat Products (Amendment) (Wales) Regulations 200*	Corrects under – implementation of EU directives.	Not yet known	Not yet known

No	DRAFT Working Title	Intention of Legislation	Projected date Legislation to be made	Projected Coming into Force Date
17	The Licensing of Packaged Meat Cold Stores (Wales) Regulations 200*	Requiring packaged meat cold stores and standalone meat product cold stores to be licensed.	Not yet known	Not yet known
18	The Ungraded Eggs (Hygiene) (Amendment) (Wales) Regulations 2001	Regulations prohibit the sale of ungraded cracked eggs at the farm gate, door to door and public market on public health grounds, and revision to reflect more recent EC legislation.	Not yet known	Not yet known

19	The Wild Game Meat (Hygiene and Inspection) (Amendment) Regulations 200*	Correct under – implementation of EU Directives. Allow wild game to be handled in fresh meat premises.	Not yet known	Not yet known
20	The Fresh Meat (Hygiene and Inspection) (Ante mortem Inspection) (Amendment) (Wales) Regulations 200*	Amend the ante-mortem inspection requirements in line with EC Decision 2000/68	Not yet known	Not yet known
21	The Fresh Meat (Hygiene and Inspection) (Wales) Regulations 200* (TB in Meat)	Amend the regs to improve controls against TB affected meat entering the food chain.	Not yet known	Not yet known
22	The Dairy Products (Hygiene) Regulations 200* (Consolidation of Regulations)	Exercise to consolidate various pieces of legislation that are in effect relating to Dairy products (Hygiene) Regulations.	Not yet known	Not yet known

No	DRAFT Working Title	Intention of Legislation	Projected date Legislation to be made	Projected Coming into Force Date

23	The Lead, Cadmium and Mercury (Wales) Regulations 200* (Heavy Metals)	Implement decision on sampling & analysis methods.	Not yet known	November 2002.
24	The Plastics (Amendment) (No 2) (Wales) Regulations 200*	Technical amendments to existing Regs	Not yet known	February 2002
25	The Plastics (Wales) Regulations 200* (linked to above but not amending)	New rules covering plastic materials and articles, adhesives & surface coatings.	Not yet known	November 2002
26	Meat (Wholesale Markets) Regulations	Amend rules on wholesale markets to allow licensing individual units within a singly licensed premises.	Not yet known	Not yet known
27	The Natural mineral, spring and bottled water (Wales) Regulations 200*		Not yet known	No firm timetable. FSA London are still considering responses to consultation on UK basis.
28	Consolidation of the Fresh Meat (Hygiene and Inspection) (Wales) Regulations 200*	An exercise to consolidate the many pieces of legislation that are in effect relating to Fresh Meat (Hygiene & Inspection)	Not yet known	Late 2002, but may be brought forward.

29	Chocolate Regulations		Not yet known	Awaiting publication in the OJ 2003?
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No	DRAFT Working Title	Intention of Legislation	Projected date Legislation to be made	Projected Coming into Force Date
30	The Meat and Spreadable Fish Products (Labelling) (Wales) Regulations 200*	Amends current Regs to align with requirements of "QUID" (Ingredient Listings)	Not yet known	Delayed while definition of meat is finalised. Current implementation date January 2003.
31	The addition of nutrients to Foods (Wales) Regulations 200*	Provides a harmonised regulatory framework for fortification of food.	Not yet known	Awaiting publication of Directive 2002.
32	The Food Supplements (Wales) Regulations 200*	To adopt EC rules on products marketed as foodstuffs. Ensures high level of protection and consumer choice.	Not yet known	Not yet known
33	"Breakfast Directives"	Provides harmonised regulatory framework on sugars, jams, honey, fruit juice etc.	Not yet known	Implementation up to 36 months from official publication:
34	Feeding Stuff (Enforcement) (Amendment) Wales Regulations 2002	Establishing a system for serious safety alerts for contamination of feeding stuffs and the process (es) for relaying that information to the Commission and other Member States	Not yet known	No later than 01/04/03

35	Regulations in Foodstuffs	Relating to mycotoxins	Not yet known	Not yet known
36	Bisphenol A		Not yet known	Await developments
37	Dioxins in Food	Sets maximum levels for dioxins in food	Not yet known	EU deadline July 2002
38	EU Ingredient Listing for Alcoholic Drinks	Amendment at EU level on principle & mechanisms for extending ingredient listings	Not yet known	To be adopted by June 2005
39	Pesticides in infant & Baby Foods	Restrictions on use of pesticides in infant & baby foods	Not yet known	Not yet known

No	DRAFT Working Title	Intention of Legislation	Projected date Legislation to be made	Projected Coming into Force Date
40	Parnuts – Addition of substances for specific purposes.	Concerns foods for most particular uses (PNU) where a substance has been added for a specific nutritional purpose	Not yet known	30 July 2002
41	Amendment of EU labelling rules on ingredient listing	Removal of 25% ingredient listing exception rule. Amendment to Directive 79/373	Not yet known	Not yet known
42	European Food Authority & general Food Law Regulation	Lays down general principles of food law, establishing EFA & laying down procedures in matters of food safety	Not yet known	Not yet known

43	Caffeine & Quinine	Labelling of foodstuffs containing caffeine & quinine	Not yet known	Not yet known
44	GMO Regulations	Draft amendment on purity criteria 95/31/EC	Not yet known	Not yet known
45	GM Free Labelling Rule	Development of GM free labelling rules at EC level	Not yet known	Not yet known
46	GM Food & Feed	Additional labelling & traceability	Not yet known	At negotiation stage
47	Processed GM tomatoes		Not yet known	Not yet known
48	Sweeteners in Food	Amendment in relation to mannitol & temporary authorisation of sucralose as a new sweetener	11.02.02	01.03.02
49	Turkish Figs	Stricter controls on imports of figs and fig produce from Turkey	Not yet known	March 2002 <i>executive procedure</i>
50	Feeding Stuffs - Authorisation of additives	Amending Council Directive 79/373 on the circulation of compound feeding stuffs & repealing Commission Directive 91/357	Not yet known	August 2002?
51	Feeding Stuffs - Dioxins (Maximum permitted levels)	Amending Council Directive 1999/29 on undesirable substances and products in animal nutrition	Not yet known	July 2002?

No	DRAFT Working Title	Intention of Legislation	Projected date Legislation to be made	Projected Coming into Force Date
52	Feeding stuffs - Dietics	Amending Directive 94/39 as regards feeding stuffs for the support of liver function in case of chronic liver insufficiency	Not yet known	August 2002?
53	Listeria Monocytogenes	Not yet known	Not yet known	Await developments

No	Title	Intention of Legislation	Projected date Legislation to be made	Projected Coming into Force Date
Health Subordinate Legislation – 54 to 89				
54	The National Health Service (Optical Charges and Payments) Amendment (Wales) Regulations 2002	To increase the fee payable for an NHS sight test	Not yet known	Not yet known
55	The National Health Service (General Dental Services) Amendment (Wales) Regulations.	To increase the items of dental treatment available to patients under the occasional treatment determination.	Not yet known	Not yet known

56	Add Uprima to Schedule 11 Blacklist – regulations	To allow Uprima to be prescribed under the NHS in certain circumstances (in line with Viagra)	Autumn 2002	Autumn 2002
57	To add Vacuum pumps to the list of prescribable appliances	To enable Vacuum pumps to be prescribed under the NHS	Autumn 2002	Autumn 2002

No	DRAFT Working Title	Intention of Legislation	Projected date Legislation to be made	Projected Coming into Force Date
58	The General Medical Services (Instalment Prescriptions of controlled Drugs) (Buprenofren) (Wales) Regulations	Following consultation, to allow drugs in Schedules 2 to 5 of the Misuse of Drugs Regulations 1985 to be prescribed and dispensed in instalments.	Not yet known	November 2002
59	The Generic drugs (Wales) regulations 2001	To regulate the price of generic drugs	Regulations already made under section 57 NHS Act 1977 (Not devolved)	Not yet known
60	Amendments to the terms of Service for Pharmacists in Connection with Repeat Dispensing	To enable pharmacists to manage repeat prescriptions	Pilot to start in North Wales Spring 2002	Not yet known

61	The National Health Service (General Medical Services) (Amendment) (No. 2) (Wales) Regulations 2001	To permit use of electronic signatures in prescribing. This is a prerequisite to the electronic transmission of prescriptions	Not yet known	1 August 2002
62	Regulations under section 6(5) of the Health and Social Care Act 2001 – Terms and conditions of employment by health service bodies (needed?)	<p>We are awaiting advice from OCG as to whether or not this is needed.</p> <p>Must ensure that the minister has the power to direct NHS organisation on terms and conditions of service for staff.</p>	Not yet known	Not yet known

No	DRAFT Working Title	Intention of Legislation	Projected date Legislation to be made	Projected Coming into Force Date
63	Regulations under section 8(2) of the Health and Social Care Act 2001 – Joint overview and scrutiny committees		Not yet known	Not yet known

64	Order varying Schedule 1 to the Health and Social Care Act 2001 – Exempting overview and scrutiny committees		Not yet known	Not yet known
65	Regulations under the National Health service Act 1977 as amended (sections 29 (5A), 36(1B), 39(4) and 42) –Declarations of financial interests etc.		Not yet known	Not yet known

No	DRAFT Working Title	Intention of Legislation	Projected date Legislation to be made	Projected Coming into Force Date

66	<p>Regulations under the National Health Service Act 1977 as amended (sections 49F (8) (9) & (10), 49M(7), 49N (9), 49O, 49P, 49Q and 49R – suspension and disqualification</p>	<p><u>Probity Regulation of Primary Care</u></p> <p>New powers for Health Authorities to refuse admission to a practitioner, or place conditions on their admission, to the medical list on the grounds of fraud, efficiency and/or unsuitability;</p> <p>New powers for Health Authorities to remove a practitioner from, or place conditions on their remaining on, the medical list on the grounds of fraud, efficiency and/or unsuitability;</p> <p>New powers to suspend (with pay) a practitioner from the medical list where they are a risk to members of the public or it is in the public interest;</p> <p>The practitioner’s right to a hearing before the Health Authority before being suspended, removed or contingently removed;</p> <p>The right of appeal to an independent appeal body, the FHSAA;</p> <p>A requirement on practitioners to declare criminal convictions and other investigations into their professional behaviour;</p> <p>A requirement on Health Authorities to take up references</p>	July 2002	1 August 2002
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67	Regulations under the National Health Service Act 1977 as amended (sections 28DA (1) (3) (4) (6) (7) (8) (9) & (10); 8ZA (1) (3) (4) (5) (6) (7) (8) (9) (10) – PMS and PDS lists		Not yet known	Not yet known
68	Regulations under section 30 (1) and (2) of the Health and Social Care Act 2001 – Designation of priority neighbourhoods or premises		Not yet known	Not yet known

No	DRAFT Working Title	Intention of Legislation	Projected date Legislation to be made	Projected Coming into Force Date
69	Regulations under section 35(1) (2) (3) of the Health and Social Care Act 2001 – payments and penalties		Not yet known	Not yet known

70	Regulations under section 37 of the Health and Social Care Act 2001 – premises for pilot schemes		Not yet known	Not yet known
71	Regulations under section 42 of the National Health Service Act 1977 – control of entry	Probity regulations for Pharmacy	Not yet known	Not yet known
72	Regulations under section 28 – 39 and 41 of the Health and Social Care Act 2001 – LPS schemes	To introduce Local Pharmaceutical Pilot schemes in Wales	Consultation to be undertaken following reorganisation of NHS	Not yet known

No	DRAFT Working Title	Intention of Legislation	Projected date Legislation to be made	Projected Coming into Force Date

73	Regulations under section 43 of the Health and social Care act 2001 – dispensing of NHS prescriptions and provision of PS	To allow dispensing across health authority boundaries	Not yet known	Not yet known
74	Order – further provisions re: directed partnerships etc.	.	Not yet known	Not yet known
75	Regulations under section 60 (1) (2) (3) of the Health and Social Care Act 2001 on patient information		Not yet known	Not yet known
76	Regulations under section 61 (1) of the Health and Social Care Act 2001 – Patient information advisory group		Not yet known	Not yet known

77	Order under section 58 (1A) of the Medicines Act 1968 – prescribing rights	To enable supplementary prescribing	December 2002	Financial Year 2003/2002
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No	DRAFT Working Title	Intention of Legislation	Projected date Legislation to be made	Projected Coming into Force Date
78	Changes to the Regulations governing NICE to allow for the transfer of SERNIP from the Royal Colleges to NICE.		Not yet known	SERNIP to be transferred to NICE by 1 st April 2002
79	Pharmaceutical Regulations 1992	Minor amendments to the rules governing dispensing rights for General Practitioners	Attempting to keep in line with changes made in England. Possibly June 2002	Not yet known
80	The National Health Service (Nursing Care in Residential Accommodation) (Wales) Directions 2001	To introduce NHS funded nursing care for self funders in Nursing Homes	Not yet known	3 December 2001

81	Regulations under Sections 122A(5) and 122A(6) of NHS Act 1977	To carry out post payment verification checks on prescriptions and implementation of follow up action, including Penalty Notices and Surcharges.	Not yet known	1 st April 2002
82	The Abolition of Health Authorities (Wales) Order	<ul style="list-style-type: none"> • Transfer all functions of each of the 5 Health Authorities to NAW • Abolish all 5 HAs • Transfer of staff, assets and liabilities 	Not yet known	31 st March 2003 NB. Transfer provisions may need to c.i.f. a short time before abolition.

No	DRAFT Working Title	Intention of Legislation	Projected date Legislation to be made	Projected Coming into Force Date
83	The NHS Reform and Health Care Professions Act (Commencement) (Wales) Order	<ul style="list-style-type: none"> • Commence power to create LHBs • Commence Health and well-being Strategies provisions • Commence other parts relevant to the NHS (Wales) Plan and Kennedy implementation, e.g. CHI provisions. 	Not yet known	A.S.A.P after Royal Assent

84	The Local Health Boards (Establishment) (Wales) Order	<ul style="list-style-type: none"> ● Establish LHBs as corporate bodies ● Set number of LHBs ● Set their areas/ boundaries ● Set up Powys Pathfinder ● Operational Date 	Not yet known	Mid February 2003
85	The Local Health Boards (Membership and Constitution) (Wales) Regulations	<ul style="list-style-type: none"> ● Officer and non-officer members ● Number of members ● Periods of appointment ● Appointment procedures ● Proceedings ● Committees / sub-committees ● Special provision for Powys 	Not yet known	Mid February 2003
86	The Local Health Boards (Functions) (Wales) Regulations	<ul style="list-style-type: none"> ● Map out functions ● Provisions for Powys ● Deal with any "area specific" functions 	Not yet known	Mid February 2003
87	The Local Health Boards (Transfer of assets, staff and liabilities) Wales Regulations	<ul style="list-style-type: none"> ● Transfer staff, liabilities and assets to LHBs. ● Make any ancillary or consequential provisions. 	Not yet known	Shortly before 31/03/2003

No	DRAFT Working Title	Intention of Legislation	Projected date Legislation to be made	Projected Coming into Force Date
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88	The Health and Well-being Strategies (Wales) Regulations	<ul style="list-style-type: none"> ● Implement policy on content, obligations, etc. ● Commissioning partnerships 	Not yet known	31/03/2003
89	CHI (Amendment) (Wales) regulations	<ul style="list-style-type: none"> ● New function of impending NHS organisations ● Provision for CHI to propose use of special measures ● New function of carrying out clinical audits (result of Kennedy Response) ● Requirement for CHI to submit and annual state of the nation report to Parliament and the Assembly ● New Office of Healthcare Performance ● Confer rights of entry + define persons authorised to inspect premises and documents. ● Address disclosure of confidential information. ● Changes to the Assembly input into Chief Executive appointment 	Not yet known	Proceeding to an England and Wales timetable yet to be finalised

No	DRAFT Working Title	Intention of Legislation	Projected date Legislation to be made	Projected Coming into Force Date
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CARE STANDARDS SUBORDINATE LEGISLATION – 90 to 119

90	The Care Standards Act 2000 (Commencement No 9) (Wales) Order 2002 and the Care Standards Act 2000 (extension of meaning of "Social Care Worker") (Wales) regulations 2002	To ensure that the general work of the Care Council for Wales will be applicable to the whole social care workforce and not only to those sections defined in the Act at section 55 (2) (a) (b) (c) (d). This will assist the sector to move forward coherently in developing standards and in raising levels of qualification and training.	25 April 2002	30 April 2002 <i>Executive procedure</i>
91	Amending, by order(s), the Crime and Disorder Act 1998 in relation to Crime and Disorder reduction partnerships/ strategies	To put substance misuse strategies on a statutory basis by placing a duty on responsible authorities to develop and implement such a strategy as well as that for crime and disorder	October – December 2002	By April 2003
92	Regulation under Section 117 of and Schedule 6 to the Care Standards Act 2000 to repeal Sections 18(1) and (3) of the Chronically Sick and Disabled Persons Act 1970.	To repeal the requirement for local authorities to supply to the National Assembly information as to residential accommodation which is provided under part III of the National Assistance Act 1948 for persons under 65 and over 65 in the same premises. To revoke the requirement for an annual statement to be laid in the National Assembly on the information that is described above.	June – July 2002	August 2002

No	DRAFT Working Title	Intention of Legislation	Projected date Legislation to be made	Projected Coming into Force Date
93	Regulations on the Protection of Vulnerable Adults under the Care Standards Act 2000	To enable the Secretary of State for Health to create and maintain a list of workers in the health and social care sector who are considered a risk to vulnerable adult patients and users of those services and to operate an appeal process. To require employers in the health and social care sector to refer names to the list for checking.	June –July 2002	August – September 2002
94	Regulations on Residential Accommodation (top ups and deferred payments)	To enable Local Authorities to take a legal charge on a persons residential property to meet shortfall in care home fees. To allow certain groups of people to top up care home fees from their own resources	11 June 2002	30 June 2002
95	Regulation on residential capital limits and personal expenses allowance	To raise capital limits over which a person is expected to pay the full cost of their residential accommodation. Raise personal expenses allowance of people in residential care.	April 2002	08 April 2002
96	Regulations under 79V of the Care Standards Act 2000	Place a duty on local authorities to provide information and training relating to childminding and day care.	May-June if possible	Not known at this stage
97	Adoption and Children Act 2002 Commencement Order No.*	To commence sections of Act relating to adoption allowances and independent review mechanism for prospective adopters	October-November 2002 (?)	1 April 2003

98	Adoption and Children Act 2002 Adoption Support Services Regulations	To make provision about assessments for and the provision of adoption support services.	October – November 2002 (?)	1 April 2003
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No	DRAFT Working Title	Intention of Legislation	Projected date Legislation to be made	Projected Coming into Force Date
99	To be determined	Secretary of State for Health to consult National Assembly on a commencement order to bring into force provisions in the Adoption and Children Act covering restrictions on bringing children into the country.	Not yet known	Summer 2002
100	To be determined	Secretary of State for Health to consult National Assembly on a commencement order to bring into force provisions in the Adoption and Children Act covering the Designated List;	Not yet known	As soon as possible in 2003
101	To be determined	Secretary of State for Health to consult National Assembly on a commencement order to bring into force provisions in the Adoption and Children Act covering Internet advertising.	Not yet known	As soon as possible in 2002.
102	Adoption and Children Act 2002 Review of Determination Regulations	To establish a procedure whereby a prospective adopter may apply for a review of a determination made by an adoption agency.	October – November 2002 (?)	1 April 2003

103	Care Standards Act 2002 Fostering Services Regulations	To regulate the functions of fostering services under the Care Standards Act	October – November 2002 (?)	December 2002
104	Care Standards Act 2002 Adoption Services Regulations	To regulate the functions of adoption services under the Care Standards Act	October – November 2002 (?)	December 2002 or 1 April 2003

No	DRAFT Working Title	Intention of Legislation	Projected date Legislation to be made	Projected Coming into Force Date
105	Children (Leaving Care) (Wales) Amendment Regulations	To enable a care leaver child who has returned home and has lost entitlement to local authority support to re-qualify if the arrangement breaks down	June 2002	Not yet known
106	Fostering Services (Wales) Regulations 2002	Regulations to govern the management and conduct of fostering services	December 2002	Not yet known
107	Nurses' Agencies (Wales) Regulations 2002	Regulations to govern the management and conduct of nurses' agencies.	December 2002	Not yet known

108	Domiciliary Care Agencies (Wales) Regulations 2002	Regulations to govern the management and conduct of domiciliary care agencies.	December 2002	Not yet known
109	Residential Family Centres (Wales) 2002	Regulations to address the management and conduct of residential family centres.	December 2002	Not yet known
110	The Registration of Social Care and Independent Healthcare (Applications for Registration) (Amendment) Regulations 2002	Amendment Regulations to add domiciliary care, residential family centres and other care settings to the main Regulations.	December 2002	Not yet known
111	The Registration of Social Care and Independent Healthcare (Fees) (Amendment) Regulations 2002	Regulations to add the fee structure for domiciliary care etc covered by the Care Standards Act 2000 to the main Regulations.	December 2002	Not yet known

Legislation numbers 114 to 119 will be made under SO27

No	DRAFT Working Title	Intention of Legislation	Projected date Legislation to be made	Projected Coming into Force Date
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112	The Care Standards Act 2000 (Commencement NoX (Wales) and Transitional and Savings Provisions) Order	To commence those parts of the Act relating to domiciliary care; residential family centres; fostering and adoption agencies; nurses agencies; and boarding schools. And to provide for transitional arrangements.	December 2002	Not yet known
113	Regulations on Adoption arising from the Adoption Review		December 2002	Not yet known
114	Fostering Services Standards	See Fostering services regulations	Same as the accompanying Regulations	Not yet known
115	Standards for Boarding Schools	To set minimum standards of care provision in boarding schools	December 2002	Not yet known
116	Standards for Domiciliary Care	See Domiciliary Care Regulations	Same as the accompanying Regulations	Not yet known
117	Standards for Residential Family Centres	See RFC Regulations	Same as the accompanying Regulations	Not yet known
118	Adoption Services Standards	See Adoption Regulations	Same as the accompanying Regulations	Not yet known
119	Nursing Agency Service Standards	See Nursing Agency Regulations	Same as the accompanying Regulations	Not yet known