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**Title:** Monthly Report of Health and Social Services Minister

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## **1. STRATEGY ISSUES:**

### **1.1 “Improving Health in Wales” – NHS Structural Change Programme**

#### **Financial Implications Of The NHS Wales Structural Change Programme**

The current planning estimates for the transition and running costs of the new NHS Wales structures indicate that they will be afforded within the provision of the Health and Social Services MEG and within the Assembly's administrative running costs, the total current provision for these costs is £3,761 million.

My officials' planning estimates for the running costs of the new structures will be used to inform decisions on functions, organisational structures and overall staff numbers within the new structures. I remain committed to ensuring they cost no more to run than the existing ones and, on a per head of population basis, the indicative budget for Local Health Boards and their shared services will be within the range of the current management costs for Primary Care Trusts in England.

The overall costings for the change programme will continue to be kept under review and any necessary adjustments will be considered during the Assembly's 2002 budget planning round.

#### **Specialised Health Services Commissioning Body**

An information note on the creation of an “arms length” strengthened specialised services commissioning body will be provided with the rest of the papers being presented to the HSS Committee for its meeting on 29 May. I am currently considering the possible options for the overall management arrangements and structure. I will be taking a decision very shortly. In doing so I will be very much guided by the outcome of earlier consultation. As a result my aim will be to come forward with arrangements necessary to underpin a body which will have the capacity and authority to act as a source of independent, arms length advice and expertise.

The body will have clear lines of budgetary and policy accountability and the support of a Board with an independent chair to guide its work. The role will build upon the work currently undertaken by SHSCW. It will deal with the commissioning of tertiary and other highly specialised acute services and will be available to the NHS in Wales to provide advice on specialised secondary services commissioning. It will be available to provide dedicated guidance, support and facilitation more generally in relation to acute services commissioning. More detailed proposals for the commissioning body's responsibilities and the possible enlargement of the range of specialised services will be set out in my note to be delivered to the Committee by the end of May.

#### **Appointment of LHB Chairs and Boards**

- ◆ The appointment process for LHB chairs is now almost complete. Most announcements have been made (details are attached in Annex A). The separate Powys chair appointment was advertised on 2 May.

#### **Senior Management Posts**

- ◆ The advertisements for LHB chief executives and recruitment of regional directors will be placed in the middle of May. The central NHS Wales Department posts will be advertised in July.

- ◆ The selection process for other staff to LHBs and regional offices should begin from August/September onwards once chief executives and regional directors have been appointed.

### **HR Steering Group**

- ◆ Meetings of the HR Steering Group are continuing . The issues that remain to be resolved include policies covering the transfer of staff from one NHS organisation to another and the development of a policy to cover staff transferring to the Assembly.

### **Public health**

- ◆ The Public Health Director senior posts will be advertised in June, with other public health posts being advertised in July.

### **Papers for HSSC meeting on 29 May**

- ◆ A paper setting out the Public Health organisational arrangements will be submitted to the HSS Committee for its meeting on 29 May.
- ◆ A paper on the management arrangements for the creation of an “arms length” strengthened specialised services commissioning body will also be submitted to the HSS Committee for its meeting on 29 May.

## **1.2 Specialised Health Services Commission for Wales Review of Children's Tertiary Services**

On 2 May 2002, I announced an injection of £1 million for Children's Services in Wales. This announcement followed the publication of the Specialised Health Service Commission for Wales (SHSCW) review of tertiary services for children and the strategy *A Special Service, The Future of Specialised Healthcare for the Children of Wales*.

The review provides a comprehensive picture of the issues which should be addressed in Wales and the outcome is subject to consultation with Health Authorities. The strategy for the future provision of specialised healthcare for the children of Wales makes a number of recommendations to address the issues highlighted by the review. These include a reconfiguration of some services in South Wales, a strengthening of existing specialised services and continued partnership arrangements with specialist hospitals in England for Welsh children, where this is appropriate. It provides guidance on issues needing immediate attention as well as long term objectives.

Dyfed Powys Health Authority will be conducting the consultation on these recommendations on behalf of Health Authorities in Wales. The outcome of the consultation will be considered by the SHSCW Board on 11 July. The final conclusions and recommendations will be passed to the National Assembly for Wales.

## **1.3 Noah's Ark Appeal**

The Noah's Ark Appeal made huge strides towards reaching it's target figure of £5 million, towards Phase 1a of the building of the **Children's Hospital** in Cardiff .

Ian Botham completed a 9 day, 229 mile charity walk in aid of the appeal on the 27th April. His marvellous efforts resulted in public donations of approximately £900,000. The first technical survey was completed at the hospital site in March and the building project has been advertised in the Official Journal of the European Community(OJEC). This is to initially seek declarations of interest for the construction. The contract should be awarded in December, and building work should start in Spring of 2003.

#### **1.4 Framework For New GP Contract**

Last year UK Health Ministers asked the NHS Confederation to take the lead in negotiations for a new UK contract for GPs. On 18 April the Confederation wrote to the BMA General Practitioners Committee with a Framework for that contract. The BMA and the Confederation are currently consulting their respective memberships and the results will be known at the beginning of July. Assuming the outcome is positive, work will start on the detail contract and its pricing. Full implementation is likely to require primary legislation. The Assembly will then be responsible for implementation in Wales through new GMS regulations. The Framework is available on the NHS Confederation website, a copy has also been deposited in the Library.

The key proposals include:

- A contract with the practice rather than the individual GP, making changes to skill mix easier;
- Enhanced role for other professions, particularly nurses and pharmacists;
- replacing the complex fees structure with a funding formula and specific LHB budgets
- New system of quality payments;
- Investment in IT and practice premises;
- Local support systems and opt out for the management of workload difficulties;
- Moving responsibility for out of hours services to LHBs;
- Developing new career options and family friendly policies for GPs

## **2. NHS PERFORMANCE:**

### **Waiting Times**

A meeting of the Assembly Waiting Times Task Group was held on Thursday 11 April, attended by Cardiff and Vale NHS Trust.

The meeting was chaired by my deputy, Dr Brian Gibbons and attended by the Chairman, Chief Executive and Senior Clinicians and Managers from the Trust. They reported to the Group on the successful opening of the ambulatory care service and the range of initiatives being undertaken to tackle the problems relating to long waiting times for both inpatient/daycase and outpatient appointments.

The Trust will now be evaluating the potential impact of these and will be reporting back to the Group in six months time. In the meantime, Assembly officials will be working closely with the Trust to help introduce best practice from other areas and to agree performance levels for the year.

Hospital waiting times for the last quarter were published on the 24<sup>th</sup> April. The good news that came out of it was that long waits for heart surgery have been eliminated with no one in Wales waiting over 12 months for cardiac surgery. This meets the target I set for the Health Service last year. This is a tribute to the hard work of the health service who have succeeded in ensuring this target is met, while also dealing with the increased pressures of winter.

In addition to this the number of patients waiting over 18 months on the orthopaedic inpatient/day case waiting list fell again together with the number of patients waiting more than 4 months for cataract surgery.

The number of patients waiting over 18 months and 12 months (excluding those patients waiting for tonsillectomies) on the in-patient /day case list fell.

The waiting times for those patients waiting over 6 months for a first out-patient appointment rose over the quarter.

### **2.2 Emergency Pressures**

#### **Emergency Admissions**

The number of weekly emergency admissions remained high throughout April. Admissions (up to week ending 29 April 2002) have been slightly higher than the same period last year, averaging around 5,050 per week (compared to 4,800 in the same period last year).

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

This is an inevitable consequence of fluctuating emergency admissions. Staff in the NHS continue to work hard to ensure that these pressures are planned for and managed well.

Several hospitals have reported being under extreme pressure on occasion in April – Glan Clwyd, UHW, Llandough, West Wales General and the Royal Gwent have all

reported at status 4 on several occasions, with West Wales also reporting status 5 and Glan Clwyd reporting status 6 once.

Additionally, Prince Phillip Hospital, Llanelli, has taken measures to reduce pressure by not admitting any emergency surgery after 5.00pm for the period week commencing 6 May 2002. These patients will be diverted to either West Wales General or Swansea

### **2.3 Hospital Pharmacists**

Following media coverage last month on the shortage of hospital pharmacists, I met with representatives of the Chief Pharmacists Group on 15 April to discuss the challenges facing the hospital pharmaceutical service and to explore possible solutions to the current situation. It was a very constructive meeting and the Chief Pharmacists are to be congratulated on the way in which they have managed the situation to date. . A number of key actions have been identified.

These include:

- Automation of the dispensing process to enable more effective use of skill mix reduce dispensing errors and dispensing times
- Investment in the training of technical and support staff to improve skill mix and enable appropriate deployment of staff.
- Strengthening the training infrastructure to increase capacity and allow the development of additional training programmes.
- A management development system to secure succession planning,

### **2.4 NHS Open Week 15<sup>th</sup> to 19<sup>th</sup> April 2002**

The first ever NHS Open Week was held across Wales from 15 to 19 April 2002. This was a major partnership between the Assembly Government and the 15 NHS Wales Trusts and Health Authorities, schools, Careers Wales, the Employment Service and many other agencies to promote careers in the NHS in Wales.

The idea for NHS Open Week originated with the Recruitment and Retention Sub-Group of the NHS Partnership Forum. The aim the Week was to co-ordinate the regular promotional events such as Open Days which NHS organisations routinely hold, within a specified week, and to promote these nationally. The impact was therefore much greater than the individual events on their own.

The specific purpose of the NHS Open Week was:

- To promote NHS Wales positively as an employer.
- To promote the idea of working in the NHS and the variety of job opportunities highlighting the benefits and satisfaction.
- To promote NHS Wales to the public in a positive light – ensuring some good news stories.

The theme of the week was “Choose a Career with Care”. The week was co-ordinated by Assembly officials and representatives from each Trust and Health Authority in Wales, with each health organisation arranging at least one educational event and one community based project. Many of the events were attended by Assembly Members and senior Welsh Assembly Government officials.

Activities included roadshows, job shops on hospital premises, competitions, mobile units and awareness sessions, a virtual hospital, a toy hospital, careers days, liaison with schools to highlight potential career opportunities, as well as displays in job centres. A number of promotional items including posters, pens, balloons, and key rings were produced by the Assembly and branded with NHS Open Week in order to assist with national publicity and ensure a corporate style Wales wide. Babies born in hospitals across Wales during NHS week were also presented with bibs printed with the slogan: "Born in NHS Wales" "Ganwyd yng Nghymru'r GIG".

Around 70 events took place across Wales during the course of the week, providing an excellent showcase for the many different careers available.

### **3. IMPROVING HEALTH AND TACKLING INEQUALITIES:**

#### **3.1 Guidance in respect of Nicotine Replacement Therapy (NRT) and bupropion (Zyban) for smoking cessation**

The National Institute for Clinical Excellence (NICE) published its guidance in respect of Nicotine Replacement Therapy (NRT) and bupropion (Zyban) for smoking cessation on 11 April. The guidance recommended the use of NRT and bupropion for smokers who wish to quit.

This guidance gives a boost to the Welsh Assembly Government policy to help people stop smoking. NICE have advised that both are not only clinically effective, but are among the most cost effective of all health care interventions. NRT and bupropion are available on NHS prescription, and NICE's guidance is excellent news for smokers that want to successfully give up their habit.

### **4. QUALITY REGULATION AND INSPECTION:**

#### **4.1 Improving Placement Choice and Stability – Strategic Framework**

The Assembly Government is currently consulting on proposals for the development of a strategic approach to improving placement choice and stability for looked after children. This seeks to promote permanence for children through effective assessment, planning intervention and review of arrangements for the care of individual children and collaboration between authorities, and authorities and other agencies, to develop placement services and provide support to carers.

The consultation will end on 5 June.

#### **4.2 Unified Assessment and Care Management System**

On 1<sup>st</sup> April 2002 the NHS and local authority social services departments were issued with guidance, by the Welsh Assembly Government, on the Unified Assessment and Care Management System for people with complex health and social care needs. Initially focusing on older people.

The Unified Assessment and Care Management System will meet one of the commitments set out in the Welsh Assembly's health plan – "Improving Health in Wales" and is the first element of the National Service Framework for Older People in Wales.

One of the key commitments made in the Social Services White Paper "*Building for the Future*" was to develop an approach to Fair Access to Care. It will also mean fair access across Wales for all adult services and will lead to more consistency in how local authorities both determine eligibility for services and review continuing eligibility. The guidance will help local authority social services to decide who is eligible for help. A joint approach to setting health and social services criteria and the sharing of information are also emphasised.

#### **4.3 CHI Review of Pontypridd & Rhondda NHS Trust**

On 27<sup>th</sup> March the Commission for Health Improvement (CHI) published a clinical governance review of the acute services at Pontypridd & Rhondda NHS Trust.



The review looked at 3 teams in detail specialising in urology; accident and emergency medicine (focussing on patients with stroke) and paediatrics (focussing on children with respiratory problems)

The report praised the acute medical unit at the Trust for its fast track system for patients referred by GP's or the accident and emergency department. This helped to reduce the number of patients admitted to hospital and shorten the hospital stay of those who were admitted. CHI complimented the Trust on its IT systems at the Royal Glamorgan Hospital, in particular in radiology, intensive care, coronary care and the neonatal units. The Trust's digital mobile phone system ensured that mobile phones used by staff did not interfere with hospital equipment. The review team noted that four areas within the Trust have received the Charter mark award, demonstrating high standards and improvements to service as a result of patient consultation.

The report also highlighted some areas for improvement. CHI found that the Trust needed to provide leadership in infection control with a strategy for tackling hospital acquired infections. The review team found a lack of access to speech and language therapy for patients at Dewi Sant Hospital and felt that the Trust needs to ensure an ongoing review of therapy staffing levels. There was also a need for a co-ordinated risk reduction strategy, highlighted from potential environmental hazards and risks to patients observed at Dewi Sant and Llwynpia hospitals. Problems with maintaining privacy and dignity at these hospitals were noted by CHI.

The Trust is developing an action plan to address these and other issues raised in the report.

#### **4.4 Hazelcroft**

I reported to Committee on 13<sup>th</sup> March that SSIW would be undertaking an examination into the arrangements made by the City and County of Cardiff and the Vale of Glamorgan for safeguarding and meeting the care needs of vulnerable adults in homes contracted to Hafod Housing Association. This is to report further on the progress of that examination.

The fieldwork is currently underway and the examination team will be interviewing relevant staff, residents and managers as well as reviewing documentation throughout May. They are arranging to see those who come within the scope of the examination including in particular any residents and staff who wish to see them. They have received full co-operation from all involved to date including the local authorities and Hafod. It is important that the work is undertaken thoroughly and on the current timetable the work should be completed later in the summer. I will report the findings to the Committee. The timetable and brief for the examination are available on request from SSIW.

## **5. SOCIAL CARE:**

### **5.1 Domestic Abuse**

The first meeting of the new Working Group on Domestic Violence and Violence against Women in Wales will now take place on 28 May. This Group will comprise representatives from a number of key outside agencies, including the Police, health professionals, and voluntary bodies such as Welsh Women's Aid, as well as Assembly staff from all relevant divisions. It will provide a more strategic approach to tackling domestic violence and violence against women in Wales.

I have agreed in principle to hosting an inter-governmental conference on domestic violence in Cardiff on 8 November. This conference is being taken forward as part of a cross-border Liaison Group comprising representatives from England, Scotland, Northern Ireland, the Republic of Ireland and Wales which was set up in 2000 to develop inter-country related initiatives. A conference on domestic violence was hosted in Dublin in December 2001 by Ireland's Department of Justice, Equality and Law Reform. In view of its success a decision was taken to hold another conference in an alternative host country.

### **5.2 Carers**

#### **Carers Special Grant 2002-3**

On the 24<sup>th</sup> April I announced that I had agreed the 22 local authority plans for utilising the £4.6 million in Carers Special Grant available in 2002-03.

The special grant allows local authorities to promote and develop imaginative and flexible ways of providing services for carers. The proposals submitted by local authorities provide excellent illustrations of joint working across the carers partnerships, for example, by establishing local steering groups to further develop services and to improve the provision of information for carers. I was especially pleased to see that the special grant will support the implementation of a number of new creative projects. These include schemes to support carers in employment, carer training programmes which provide a variety of training opportunities for adult and young carers and schemes to support Black and Ethnic Minority carers.

#### ***Carers Week***

National Carers Week is in the week commencing 10<sup>th</sup> June 2002 and seeks to celebrate the important role carers play in our families and communities,

During this week I intend to make a Plenary Statement to coincide with the publication of the Strategy for Carers in Wales Second Implementation Report. This report will set out our achievements to date and our priorities for 2002-03. During the week I will also be hosting at the Assembly a reception for carers.

### **5.3 Adult Placement Schemes**

On 5 April we commenced a consultation on draft Policy and Practice Guidance for Adult Placement Schemes.

Adult Placements offer people aged 18 and older an alternative and flexible form of accommodation and support – an opportunity to live an ordinary domestic life as part

of the adult placement carer's family. Under the Care Standards Act, we have established National Minimum Standards for Adult Placement Carers that form the basis to determine whether such carers meet the needs and secure the welfare and social inclusion of service users.

Adult placement schemes are responsible for recruiting, assessing, training and supporting carers; for taking referrals, matching and placing service users with carers and for supporting and monitoring the placement. In Wales, all schemes are currently managed by local authorities. The draft Policy and Practice Guidance sets out a framework and the good practice to help these schemes to effectively support carers to meet the National Minimum Standards.

The Policy and Practice Guidelines were prepared in collaboration with the Welsh Branch of the National Association of Adult Placement Services (NAAPS). As part of the consultation process, a consultation meeting was jointly hosted by NAAPS and officials on 19 April which was attended by representatives from the schemes and adult placement carers.

The consultation ends on 20 May 2002.

#### **5.4 Care Standards Inspectorate For Wales**

CSIW began its work on the 1<sup>st</sup> April. I wrote to all Assembly Members at the time in order to ensure that everyone was fully briefed on this significant development. The occasion was marked by national and local media coverage. CSIW circulated publicity to providers and commissioners of services and has published leaflets for people using services.

I was pleased to be able to visit the South West Wales office on the 8<sup>th</sup> April. This gave me an opportunity to meet with frontline staff, hear their plans for the future and discuss with them how we will provide this important service in the coming years. I intend to visit other offices over the next year as my diary allows.

The first year for CSIW will be one in which CSIW ensures that it has a clear understanding of the sector, that continuity for people using services is maintained, that all existing services are brought into the new regulatory arrangements and that local authority services are registered. This will ensure that the transition in Wales has the direct involvement of providers of services and happens in a measured way.

The maintenance of public confidence in regulation and in the operation of the National Assembly for Wales as an impartial and even-handed regulator depends on the satisfactory achievement of operational independence for CSIW in day to day decisions. The separation of functions is clear: the Welsh Assembly Government is accountable for what is regulated; CSIW makes the regulatory decisions.

This gives clarity to the public about how they can challenge the regulatory actions of CSIW. The Care Standards Act 2000 provides for formal appeals against certain CSIW decisions and there may be cases where someone aggrieved by the way in which CSIW operates seeks redress in the courts. These challenges could occur at a number of points, for example in applications for registration, attachment of conditions, ensuring compliance with the relevant regulations and enforcement action. Assembly Members will need to make sure that people who approach them with concerns about regulatory decisions know that these should be matters for CSIW, the Office of the Counsel General and the relevant appeals mechanisms. This approach ensures that political decisions do not or are not perceived to pre-

empt decisions for which there are properly established independent appeal processes and legal redress.

This approach would be recognised by those to be regulated and the public as meeting the expectations of a transparent and impartial process. It is based on agreed rules, open to external challenge in which rights are clearly protected and where all parties had formal rights of representation. It secures the principle of evenhandedness.

If an Assembly member requires other information about CSIW's work they should write to me and I will obtain the necessary information from the Head of Regulation in the normal way. The public may also raise concerns with Assembly Members about the quality of work carried out by CSIW staff. The National Assembly for Wales has a complaints procedure for such circumstances. The Welsh Administration Ombudsman could be asked to consider allegations of maladministration.

Assembly Members will have a responsibility to satisfy themselves about the overall performance of CSIW. The vehicle for achieving this will be the Annual Report of the Head of Regulation. It will provide me with a report on the work of CSIW and an overview and analysis of trends in the care sector in the previous year. This report will be discussed in the Health and Social Services Committee.

I have laid down for the CSIW a set of requirements on how often registered settings have to be inspected. These build on the statutory minimum frequencies operating before 1 April 2002. Further details will be available on the CSIW Internet site.

Assembly Members will have heard of the proposals to change the inspection arrangements for health and social care in England. I was concerned to make clear immediately how this announcement affected CSIW. I agreed a statement that was issued to all CSIW staff on the 18<sup>th</sup> April. This stated that I had no plans to alter the arrangements for the inspection and regulation of social care and social services in Wales. I wanted it made clear that CSIW is a new organisation within the Assembly; that our priority is to consolidate the new arrangements, new standards, and new structures to provide a strong inspection and regulation service for social care in Wales.

## **5.5 Care Leavers Conference - 23 April**

On 23 April I spoke at a conference on the new arrangements for care leavers, which was organised jointly by the Wales Leaving Care Forum and the Assembly Government in the Pavilion at Llandrindod Wells.

The new arrangements came into force from 1 October last and are a key element of the Children First programme. This was an opportunity for practitioners and managers from a wide range of agencies to share experience to date. The conference was well attended with over 200 delegates.

The SSIW will report on a thematic inspection of leaving care services in the course of this year and there is likely to be another conference next year.

## **5.6 Health Act 1999 – Flexibilities**

The proposals from all 22 local authorities, totalling £4.79m, have now been received and approved. The first quarter payments are in the process of being paid out. The total grant available in the 2002-3 financial year is £4.85m.

## **5.7 Delayed Transfer of Care**

On 13 March, I announced an increase to £12m for the funding to local government in 2002-3 to help reduce delayed transfers of care and support the care sector. This means that a total of £17m will have been available over 2 years.

Local authorities have now received the first of the quarterly payments of their share of the grant money, together with guidance to ensure that the money is used to meet the aims of the grant. The objectives of the grant are to help:

- To reduce delayed transfers of care;
- To reduce avoidable hospital admissions; and to
- To strengthen the care home sector within the whole system of care within the whole system of care and alongside work on minimum standards and the establishment of a single independent regulator to help to deliver improved standards.

Local authorities have again been asked to work together with their partners in the NHS and in the independent and voluntary sectors to produce Action Plans, setting out what actions will be taken to meet the aims of the grant and providing details of how the money is to be spent.

### New Database

- At present, information on delayed transfers is only available to Trusts as a snapshot on a specified date each month. The introduction of a greatly improved database for the data collection will enhance the monitoring of delays. This will be a “real-time” system for Trusts, allowing increased analysis of the causes of delays and providing local partners with a powerful management information tool on which to base their actions to tackle delayed transfers of care. The new system started on 8 April.
- Officials will continue to use the database as snapshot in order to produce the monthly census, but the new database will provide improved report generating facilities for monitoring delayed transfers of care.

## **5.8 Corporate Parenting Conference on 22 May**

The Assembly Government is holding a conference on Corporate Parenting on 22 May. I will be giving the keynote speech. Corporate parenting is the central principle which underpins our Children First programme. It requires that local authorities act towards children and young people in the care system as far as possible as any natural parent would. It requires that authorities coordinate their resources and services to improve outcomes for looked after children and other children in need. The conference will be attended by local authority elected members and senior officers. There has been a very positive response and I am delighted that over 100 delegates from across Wales will attend to explore ways in which local authorities' corporate parenting role can be strengthened.

## **6. FINANCIAL POSITION:**

## **6.1 Financial Report**

The provisional cash out-turn for Health and Social Services for 2001-2002 is an underspend of £3.7million. This represents a 99.9% spend of provision during the last financial year and is subject to audit. The reduction in underspend reported last month reflects technical adjustments relating to the allocation of spending on student bursaries and expenditure on demand led Family Health Services.

## **7. HEALTH AND SOCIAL SERVICES SUBORDINATE LEGISLATION PROGRAMME**

A schedule showing the position on proposed FSA subordinate legislation is attached at Annex B and Health and Social Services subordinate legislation is attached at Annex C.

## LOCAL HEALTH BOARD CHAIR APPOINTMENTS

**Dr Robert Jones – Cardiff LHB. 4 years**

Dr Jones has been a GP in Rumney for the past 30 years and is the current Chair of Cardiff LHG.

**Mr Raymond Thomas – Merthyr LHB. 4 years**

Mr Thomas has resided in Merthyr throughout his life and has been leader of Merthyr Tydfil County Borough Council since 1991.

**Dr William Roberts – Anglesey LHB. 4 years**

Dr Roberts is the current LHG Chair for Anglesey. He has been a GP in Holyhead since 1977 and is President of Northern Sector Ynys Mon British Heart Foundation.

**Mr Meirion Hughes – Denbighshire LHB. 4 years**

Mr Hughes is a retired Local Government Officer. He has lived in the area for over 30 years and throughout has worked in the Public Service, primarily in Social Care Services.

**Mrs Mary Griffiths – Ceredigion. 3 years**

Mrs Griffiths has been a Non-Executive Director of Ceredigion and Mid Wales NHS Trust since 1993 and has lived in Ceredigion for over thirty years. She has wide experience of the Voluntary Sector, including her role as Area Manager for the WRVS

**Mr Richard Barry Harrison – Flintshire LHB. 3 years**

Mr Harrison lives in Holywell and is the current LHG Chair for Flintshire. He was a Community Pharmacist for 33 years and currently acts as a locum pharmacist.

**Ms Susan Pritchard – Monmouthshire LHB. 4 years**

Ms Pritchard is an Independent Management Consultant, working largely in the Public Sector. She has been a non-executive member of Gwent Health Authority since 1998.

**Dr Gwyn Roberts – Wrexham LHB. 4 years**

Dr Roberts has worked as a GP in Wrexham for the past 18 years and has been the Chair of Wrexham LHG since its inception in 1998.

**Dr Michael Robinson – Vale of Glamorgan LHB. 4 years**

Dr Robinson is the current Chair of Vale of Glamorgan LHG. He has lived in Dinas Powys since 1971 and has been a GP in the area since 1976. He has been widely involved, both within the practice and in the Voluntary Sector, in Mental Health issues.

**Professor Colin Jones, OBE – Bridgend LHB. 3 years**

Professor Jones was Director of the Welsh Local Government Association from 1996 to 2001. He is currently Chair of the RNID Wales Advisory Group and is an External Professor for the University of Glamorgan. He has many years experience in health administration, including his role as Finance Director for NHS Wales from 1994-1996.

**Dr Christopher Jones – Rhondda Cynon Taff LHB. 4 years**

Dr Jones is the current RCT LHG Chair and has been a GP in Pontypridd for the past 20 years. In 1997, he was a key figure in forming Taff Ely Emergency Medical Services and is actively committed to tackling health inequalities in RCT.

**Mrs Susan Fox – Swansea LHB. 3 years**

Mrs Fox has lived in Newton, Swansea for the past 15 years. She is a retired Assistant Chief Officer of South Wales Probation Service, where she worked in various roles for 29 years, including a seven year secondment to the Home Office in 1996.

**Mrs Allison Cowell – Conwy LHB. 4 years**

Mrs Cowell is a Health Visitor for Conwy and Denbighshire NHS Trust and is also the current Chair of Conwy LHG.

**Mrs Marilyn Pitman – Blaenau Gwent. 4 years**

Mrs Pitman is the General Manager of Blaenau Gwent LHG although she is currently on secondment as General Manager of Health Solutions Wales. She has worked for the NHS for the past 30 years, as a nurse and as District Health Manager for Blaenau Gwent.

**Dr Lyndon Miles – Gwynedd LHB. 4 years**

Dr Miles is a GP in Bangor and has also been a member of Gwynedd LHG since 1999. Dr Miles is Chair of the Maesgeirchen Healthy Living Centre Association in Bangor and is a member of a research team that has developed a guide to good partnership working.

**Mr Robert Mitchard – Caerphilly LHB. 3 years**

Mr Mitchard is Director of Environmental Services and Housing for Caerphilly County Borough Council, and has wide experience of Chairing, as Chair of the Society of Public Protection Wales and Chair of the Finance Sub Committee of Caerphilly LHG.

**Mr Chris Martin – Pembrokeshire LHB. 3 years**

Mr Martin is the current Chair of Pembrokeshire LHB and is a community pharmacist in the area.

**Dr Mark Vaughan – Carmarthenshire LHB. 3 years**

Dr Vaughan is currently the LHG Chair for Carmarthenshire and has worked as a GP in Llanelli for nearly 20 years. He is also Chair of the Carmarthenshire Health and Social Care Partnership Board.

**Miss Sue Kent – Newport LHB – 3 years**

Miss Kent was Chair of the Welsh National Board for Nursing, Midwifery and Health Visiting. She was Chief Executive of Nevill Hall and District Trust from 1994-1999 and is currently serving as a Councillor on the local Community Council.



**Dr Douglas Dare – Torfaen LHB – 3 years**

Dr Dare has worked as a GP in Abersychan for the past 29 years. He is course organiser to the South Gwent Vocational Training Scheme for General Practice until August 2002, and is also a Police Surgeon for Gwent Constabulary. He was elected as Chair of Torfaen LHG in April 2002.

**Dr Roberts – Neath/Port Talbot 3 years**

Dr Roberts has been a GP in Port Talbot since 1972 and Bro Morgannwg Trust Practitioner since 1980. He is the current LHG Chair for Neath/Port Talbot.



**FSA Subordinate Legislation Programme**

**Projected Date Legislation To Be Made** – Is the date that the Legislation is made “by being signed” (see Standing Order 22.26(i)). Firstly, the legislation needs to be approved in Plenary (either after a debate and vote (Extended or Standard Procedure), or voted on as part of a composite motion (Accelerated Procedure)) or clearance given by the Cabinet for the Executive Procedure to be used.

**Projected Coming Into Force Date** – The Coming Into Force date is the day the Legislation actually comes into force, ie when the provisions contained in the legislation take effect.

No	DRAFT Working Title	Intention of Legislation	Projected date Legislation to be made	Projected Coming into Force Date
<b>FOOD STANDARDS AGENCY SUBORDINATE LEGISLATION – 1 to 53</b>				
<b>FSA 01-02</b>	The Meat (Hazard and Analysis and Critical Points) (Wales) Regulations 2002	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.
<b>FSA 02-02</b>				
<b>FSA 03-02</b>	Food Irradiation Provisions (Wales) Regulations 2001	Minor amendments to correct errors in previous Regulations	Not yet known	October 2002
<b>FSA 04-02</b>	Contaminants in Food (Amendment) (Wales) Regulations 2001	Imposes maximum levels of aflotoxins in spices.	Not yet known	Dec 2002
<b>FSA 05-02</b>	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

<b>No</b>	<b>DRAFT Working Title</b>	<b>Intention of Legislation</b>	<b>Projected date Legislation to be made</b>	<b>Projected Coming into Force Date</b>
<b>FSA 06-02</b>	The Fresh meat (Hygiene and Inspection) (Wales) Regulations 2002 (Horse Passports)	Requirements for OVS to check medication records on horse passports for horses presented for slaughter.	Not yet known	31/12/02
<b>FSA 07-02</b>	The Dairy Products (Hygiene) (Amendment) (Wales) Regulations - (Raw Milk)	Options for controls on raw milk	Not yet known	Consultation Jan – April 2002
<b>FSA 08-02</b>	The Animal By- Products (Identification) (Amendment) (Wales) Regulations 2002	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
<b>FSA 09-02</b>	The Fresh Meat (Beef controls) (Amendment) (No.2) (Wales) Regulations	Replacing dentition as prime indicator of age and changing list of exempted countries, subject to legal advice	Not yet known	May 2002
<b>FSA 10-02</b>	The Feeding Stuffs (Fees for approval of establishment and intermediaries) (Wales)	Introduces charges for the approval of establishments and intermediaries.	Not yet known	Not yet known
<b>FSA 11-02</b>	The Ochratoxin A in Foodstuffs (Wales) Regulations 2002	Provision for sampling and analysis.	Not yet known	Dec 2002

<b>No</b>	<b>DRAFT Working Title</b>	<b>Intention of Legislation</b>	<b>Projected date Legislation to be made</b>	<b>Projected Coming into Force Date</b>
<b>FSA 12-02</b>	The Food Labelling (Wales) Regulations 200*2	Consolidates existing legislation into one document.	Out to consultation – Jan 2002 – March 2002	August 2002
<b>FSA 13-02</b>	The Fish and Fish Products (Labelling) (Wales) Regulations 2002	Implements Article of earlier Regs. Requires list of commercial designations for labelling of fish species.	Implementation May/June 2002.	July 2002
<b>FSA 14--02</b>	The Infant Formula (Amendment) (Wales) Regulations	Extend prohibition on manufacture & sale.	Not yet known	Not yet known
<b>FSA 15--02</b>	The Baby Cereal Foods (Amendment) (Wales) Regulations	Extend prohibition on manufacture & sale.	Not yet known	Not yet known
<b>FSA 16--02</b>	The Minced Meat and Meat Preparations, and Meat Products (Amendment) (Wales) Regulations	Corrects under – implementation of EU directives.	Not yet known	Not yet known

<b>No</b>	<b>DRAFT Working Title</b>	<b>Intention of Legislation</b>	<b>Projected date Legislation to be made</b>	<b>Projected Coming into Force Date</b>
<b>FSA 17-02</b>	The Licensing of Packaged Meat Cold Stores (Wales) Regulations	Requiring packaged meat cold stores and standalone meat product cold stores to be licensed.	Not yet known	Not yet known
<b>FSA 18-02</b>	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
<b>FSA 19-02</b>	The Wild Game Meat (Hygiene and Inspection) (Amendment) Regulations	Correct under – implementation of EU Directives. Allow wild game to be handled in fresh meat premises.	Not yet known	Not yet known
<b>FSA 20-02</b>	The Fresh Meat (Hygiene and Inspection) (Ante mortem Inspection) (Amendment) (Wales) Regulations	Amend the ante-mortem inspection requirements in line with EC Decision 2000/68	Not yet known	Not yet known
<b>FSA 21-02</b>	The Fresh Meat (Hygiene and Inspection) (Wales) Regulations (TB in Meat)	Amend the regs to improve controls against TB affected meat entering the food chain.	Not yet known	Not yet known
<b>FSA 22-02</b>	The Dairy Products (Hygiene) Regulations (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

<b>No</b>	<b>DRAFT Working Title</b>	<b>Intention of Legislation</b>	<b>Projected date Legislation to be made</b>	<b>Projected Coming into Force Date</b>
<b>FSA 23-02</b>	The Lead, Cadmium and Mercury (Wales) Regulations 2002 (Heavy Metals)	Implement decision on sampling & analysis methods.	Not yet known	November 2002.
<b>FSA 24-02</b>	The Plastics (Amendment) (No 2) (Wales) Regulations 2002	Technical amendments to existing Regs	Not yet known	February 2003
<b>FSA 25-02</b>	The Plastics (Wales) Regulations 2002 (linked to above but not amending)	New rules covering plastic materials and articles, adhesives & surface coatings.	Not yet known	November 2002
<b>FSA 26-02</b>	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
<b>FSA 27-02</b>	The Natural mineral, spring and bottled water (Wales) Regulations		Not yet known	No firm timetable. FSA London are still considering responses to consultation on UK basis.
<b>FSA 28-02</b>	Consolidation of the Fresh Meat (Hygiene and Inspection) (Wales) Regulations	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.
<b>FSA 29-02</b>	Chocolate Regulations		Not yet known	Awaiting publication in the OJ 2003?

<b>No</b>	<b>DRAFT Working Title</b>	<b>Intention of Legislation</b>	<b>Projected date Legislation to be made</b>	<b>Projected Coming into Force Date</b>
<b>FSA 30-02</b>	The Meat and Spreadable Fish Products (Labelling) (Wales) Regulations 2003	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.
<b>FSA 31-02</b>	The addition of nutrients to Foods (Wales) Regulations	Provides a harmonised regulatory framework for fortification of food.	Not yet known	Awaiting publication of Directive 2002.
<b>FSA 32-02</b>	The Food Supplements (Wales) Regulations	To adopt EC rules on products marketed as foodstuffs. Ensures high level of protection and consumer choice.	Not yet known	Not yet known
<b>FSA 33-02</b>	"Breakfast Directives"	Provides harmonised regulatory framework on sugars, jams, honey, fruit juice etc.	Not yet known	Implementation up to 36 months from official publication:
<b>FSA 34-02</b>	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
<b>FSA 35-02</b>	Regulations in Foodstuffs	Relating to mycotoxins	Not yet known	Not yet known
<b>FSA 36-02</b>	Bisphenol A		Not yet known	Await developments
<b>FSA 37-02</b>	Dioxins in Food	Sets maximum levels for dioxins in food	Not yet known	EU deadline July 2002
<b>FSA 38-02</b>	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
<b>FSA 39-02</b>	Pesticides in infant & Baby Foods	Restrictions on use of pesticides in infant & baby foods	Not yet known	Not yet known



<b>No</b>	<b>DRAFT Working Title</b>	<b>Intention of Legislation</b>	<b>Projected date Legislation to be made</b>	<b>Projected Coming into Force Date</b>
<b>FSA 40-02</b>	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
<b>FSA 41-02</b>	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
<b>FSA 42-02</b>	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	2004 for general law provisions
<b>FSA 43-02</b>	Caffeine & Quinine	Labelling of foodstuffs containing caffeine & quinine	Not yet known	2003-2004
<b>FSA 44-02</b>	GMO Regulations	Draft amendment on purity criteria 95/31/EC	Not yet known	Not yet known
<b>FSA 45-02</b>	GM Free Labelling Rule	Development of GM free labelling rules at EC level	Not yet known	Not yet known
<b>FSA 46-02</b>	GM Food & Feed	Additional labelling & traceability	At negotiation stage	Not yet known
<b>FSA 47-02</b>	Processed GM tomatoes		Not yet known	Not yet known
<b>02</b>				
<b>FSA -02</b>	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?
<b>NO</b>	<b>DRAFT Working Title</b>	<b>Intention of Legislation</b>	<b>Projected date Legislation to be made</b>	<b>Projected Coming into Force Date</b>
<b>FSA 51-02</b>	Feeding Stuffs – Dioxins (Maximum	Amending Council Directive 1999/29 on undesirable substances and products in	Not yet known	July 2002?

	permitted levels)	animal nutrition		
<b>FSA 52-02</b>	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?
<b>FSA 53-02</b>	Listeria Monocytogenes	Not yet known	Not yet known	Await developments

## **FOOD STANDARDS AGENCY**

### **SUMMARIES OF LEGISLATION FSA 23,24,25,36 & 37**

#### **HEAVY METALS (3 MCPD) FSA** (No 23)

Introducing various amendments to the limits for lead, cadmium and mercury in fish and shellfish. The intention of the amendment and the original Regulation is to ensure that consumers are not exposed to unacceptable levels of these potentially harmful contaminants in food, by introducing limits for these contaminants in foods that are significant for the total dietary exposure of consumers. They will also facilitate trade by harmonising controls across the EU.

HQ is currently carrying out a consultation.

#### **PLASTICS (AMENDMENT) REGS FSA** (No 24)

Implements 2 Directives. The amendment adjusts the lists of substances permitted for use and the conditions for their use in manufacturing food contact plastics. They also better define the term 'plastics' in relation to the substances in the general lists and apply 'use' limits.

HQ has just completed its consultation.

#### **PLASTICS REGS FSA** (No 25)

Deals specifically with 3 substances referred to as BADGE, BFDGE and NOGE and their presence in materials and articles either made of any type of plastics or covered by surface coatings, or in adhesives. This Directive does not seek to amend any existing Directive, rather it introduces new rules.

Awaiting further information from HQ.

#### **BISPHENOL A FSA** (No 36)

FSA carried out a consultation in response to a survey of bisphenol A in canned food because of the uncertainties that exist in the scientific understanding of potential endocrine effects of this substance. The concerns expressed by the consultees and the effects of bisphenol A are currently being considered by the Scientific Committee on Food (SCF).

Awaiting SCF assessment and review will then take place. No legislation in progress as such.

**DIOXINS IN FOOD FSA** (No 37)

Dioxins and dioxin-like polychlorinated biphenyls (PCBs) are persistent organic pollutants that degrade only slowly and thus are widespread in the environment and accumulate in the food chain. Effects on human consumers are chronic rather than acute. Likely developments over Commission proposals for maximum limits for dioxins.

At the moment, information only stage. Nothing concrete has emerged.

**HSSC SUBORDINATE LEGISLATION PROGRAMME****Forthcoming Legislation**

**Projected Date Legislation To Be Made** – Is the date that the Legislation is made “by being signed” (see Standing Order 22.26(i)). Firstly, the legislation needs to be approved in Plenary (either after a debate and vote (Extended or Standard Procedure), or voted on as part of a composite motion (Accelerated Procedure)) or clearance given by the Cabinet for the Executive Procedure to be used.

**Projected Coming Into Force Date** – The Coming Into Force date is the day the Legislation actually comes into force, ie when the provisions contained in the legislation take effect.

No	Title	Intention of Legislation	Projected date Legislation to be made	Projected Coming into Force Date
<b>HEALTH AND SOCIAL CARE SUBORDINATE LEGISLATION – 1 TO 62</b>				
<b>HSC 01-02</b>	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
<b>HSC 02-02</b>	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
<b>HSC 03-02</b>	Add Uprima and Cialis to Schedule 11 Blacklist – regulations	To allow Uprima and Cialis to be prescribed under the NHS in certain circumstances (in line with Viagra)	Mid November 2002	1 December 2002
<b>HSC 04-02</b>	To add Vacuum pumps to the list of prescribable	To enable Vacuum pumps to be prescribed under the NHS	Mid November 2002	1 December 2002

	appliances			
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<b>No</b>	<b>DRAFT Working Title</b>	<b>Intention of Legislation</b>	<b>Projected date Legislation to be made</b>	<b>Projected Coming into Force Date</b>
<b>HSC 05-02</b>	The General Medical Services (Instalment Prescriptions of controlled drugs) (Buprenorphine (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.  Consultation to be conducted following clarification of Home Office plans to licence GPs to prescribe controlled drugs	Not yet known – Provisionally 1 January 2003	Provisionally 1 January 2003
<b>HSC 06-02</b>	The Generic drugs (Wales) regulations 2001	To regulate the price of generic drugs	Regulations already made under section 57 NHS Act 1977 (Not devolved)	This is not devolved and is already in force.
<b>HSC 08-02</b>	The National Health Service (General Medical Services) (Amendment) (No. 2) (Wales) Regulations 2001	To be reviewed following the outcome of the scoping study that has been commissioned to evaluate the options for introducing “electronic prescribing” across primary and secondary care, in order to produce a recommendation for the best way forward for the NHS in Wales.	Not yet known	1 August 2002

<b>No</b>	<b>DRAFT Working Title</b>	<b>Intention of Legislation</b>	<b>Projected date Legislation to be made</b>	<b>Projected Coming into Force Date</b>
<b>HSC 09-02</b>	Regulations under section 6(5) of the Health and Social Care Act 2001 – Terms and conditions of employment by health service bodies (needed?)	We are awaiting advice from OCG as to whether or not this is needed. Must ensure that the minister has the power to direct NHS organisation on terms and conditions of service for staff.	Not yet known	Not yet known

<b>No</b>	<b>DRAFT Working Title</b>	<b>Intention of Legislation</b>	<b>Projected date Legislation to be made</b>	<b>Projected Coming into Force Date</b>
<b>HSC 10-02</b>	Regulations under section 8(2) of the Health and Social Care Act 2001 – Joint overview and scrutiny committees		Not yet known	Not yet known
<b>HSC 11-02</b>	Order varying Schedule 1 to the Health and Social Care Act 2001 – Exempting overview and scrutiny committees		Not yet known	Not yet known
<b>HSC 12-02</b>	Regulations under the National Health service Act 1977 as amended (sections 29(5A), 36(1B), 39(4) and 42) –		Not yet known	Not yet known



	Declarations of financial interests etc.			
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No	DRAFT Working Title	Intention of Legislation	Projected date Legislation to be made	Projected Coming into Force Date
HSC 13-02	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><b><u>Probity Regulation of Primary Care</u></b></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

<b>No</b>	<b>DRAFT Working Title</b>	<b>Intention of Legislation</b>	<b>Projected date Legislation to be made</b>	<b>Projected Coming into Force Date</b>
<b>HSC 14-02</b>	Regulations under section 42 of the National Health Service Act 1977 – control of entry	Probity regulations for Pharmacy	Not yet known	Not yet known
<b>HSC 15-02</b>	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 Provisionally end November 2002	Not yet known

<b>No</b>	<b>DRAFT Working Title</b>	<b>Intention of Legislation</b>	<b>Projected date Legislation to be made</b>	<b>Projected Coming into Force Date</b>
<b>HSC 16-02</b>	Regulations under section 43 of the Health and social Care act 2001 – remote provision of pharmaceutical, etc, services	To allow dispensing across health authority boundaries	Not yet known Provisionally end November 2002 Awaiting clarity on the new NHS structures and functions	Not yet known
<b>HSC 17-02</b>	Order under section 58(1A) of the Medicines Act 1968 – prescribing rights	To enable supplementary prescribing consultation process underway.	December 2002	Financial Year 2003/2002
<b>HSC 18-02</b>	Changes to the Regulations governing NICE to allow for the transfer of SERNIP from the Royal Colleges to NICE. Further changes to function of NICE under direction (SO 27)		Legislation made on 1 <sup>st</sup> April 2002, further minor amendments to be made in late summer following NICE's consultation on remit for SERNIP. Following consultation period which ends 1 July 2002.	SERNIP to be transferred to NICE by 1 <sup>st</sup> April 2002  1 August 2002
<b>HSC 19-02</b>	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
			These directions already in force with effect from 3 December 2001.	

No	DRAFT Working Title	Intention of Legislation	Projected date Legislation to be made	Projected Coming into Force Date
<b>HSC 21-02</b>	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 <sup>st</sup> April 2002
<b>HSC 22-02</b>	The Abolition of Health Authorities (Wales) Order	<ul style="list-style-type: none"> <li>• Transfer all functions of each of the 5 Health Authorities to NAW</li> <li>• Abolish all 5 Has</li> <li>• Transfer of staff, assets and liabilities</li> </ul>	Not yet known	31 <sup>st</sup> March 2003  NB. Transfer provisions may need to c.i.f. a short time before abolition.
<b>HSC 23-03</b>	The NHS Reform and Health Care Professions Act (Commencement) (Wales) Order	<ul style="list-style-type: none"> <li>• Commence power to create LHBs</li> <li>• Commence Health and well-being Strategies provisions</li> <li>• Commence other parts relevant to the NHS (Wales) Plan and Kennedy implementation, e.g. CHI provisions.</li> </ul>	Not yet known	A.S.A.P after Royal Assent
<b>HSC 24-02</b>	The Local Health Boards (Establishment) (Wales) Order	<ul style="list-style-type: none"> <li>• Establish LHBs as corporate bodies</li> <li>• Set number of LHBs</li> <li>• Set their areas/boundaries</li> <li>• Set up Powys Pathfinder</li> <li>• Operational Date</li> </ul>	Not yet known	Mid February 2003
<b>HSC 25-02</b>	The Local Health Boards (Membership and Constitution) (Wales) Regulations	<ul style="list-style-type: none"> <li>• Officer and non-officer members</li> <li>• Number of members</li> <li>• Periods of appointment</li> <li>• Appointment procedures</li> <li>• Proceedings</li> <li>• Committees / sub-committees</li> <li>• Special provision for Powys</li> </ul>	Not yet known	Mid February 2003

No	DRAFT Working Title	Intention of Legislation	Projected date Legislation to be made	Projected Coming into Force Date
<b>HSC 26-02</b>	The Local Health Boards (Functions) (Wales) Regulations	<ul style="list-style-type: none"> <li>• Map out functions</li> <li>• Provisions for Powys</li> <li>• Deal with any “area specific” functions</li> </ul>	Not yet known	Mid February 2003
<b>HSC 27-02</b>	The Local Health Boards (Transfer of assets, staff and liabilities) Wales Regulations	<ul style="list-style-type: none"> <li>• Transfer staff, liabilities and assets to LHBs.</li> <li>• Make any ancillary or consequential provisions.</li> </ul>	Not yet known	Shortly before 31/03/2003
<b>HSC 28-02</b>	The Health and Well-being Strategies (Wales) Regulations	<ul style="list-style-type: none"> <li>• Implement policy on content, obligations, etc.</li> <li>• Commissioning partnerships</li> </ul>	Not yet known	31/03/2003
<b>HSC 29-02</b>	CHI (Amendment) (Wales) regulations Change s to functions of Institute under direction (SO 27)	<ul style="list-style-type: none"> <li>• New function of impending NHS organisations</li> <li>• Provision for CHI to propose use of special measures</li> <li>• New function of carrying out clinical audits (result of Kennedy Response)</li> <li>• Requirement for CHI to submit and annual state of the nation report to Parliament and the Assembly</li> <li>• New Office of Healthcare Performance</li> <li>• Confer rights of entry + define persons authorised to inspect premises and documents.</li> <li>• Address disclosure of confidential information.</li> <li>• Changes to the Assembly input into Chief Executive appointment</li> </ul>	Not yet known	Proceeding to an England and Wales timetable yet to be finalised

<b>No</b>	<b>DRAFT Working Title</b>	<b>Intention of Legislation</b>	<b>Projected date Legislation to be made</b>	<b>Projected Coming into Force Date</b>
<b>HSC 30-02</b>	The Abortion (Amendment) (Wales) Regulations 2002	<ul style="list-style-type: none"> <li>To implement changes to the abortion notification form HS4 to ensure compliance with the Human Rights Act and to make any future amendments easier to introduce.</li> </ul>	July 2002	July 2002
<b>HSC 32-02</b>	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

<b>No</b>	<b>DRAFT Working Title</b>	<b>Intention of Legislation</b>	<b>Projected date Legislation to be made</b>	<b>Projected Coming into Force Date</b>
<b>HSC 33-02</b>	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
<b>HSC 34-02</b>	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
<b>HSC 35-02</b>	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	July 2002	August 2002



<b>No</b>	<b>DRAFT Working Title</b>	<b>Intention of Legislation</b>	<b>Projected date Legislation to be made</b>	<b>Projected Coming into Force Date</b>
<b>HSC 37-02</b>	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.	October – November 2002?	Not known at this stage
<b>HSC 38-02</b>	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
<b>HSC 39-02</b>	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
<b>HSC 40-02</b>	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
<b>HSC 41-02</b>	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
<b>HSC 42-02</b>	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.
<b>HSC 43-02</b>	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

<b>No</b>	<b>DRAFT Working Title</b>	<b>Intention of Legislation</b>	<b>Projected date Legislation to be made</b>	<b>Projected Coming into Force Date</b>
<b>HSC 44-02</b>	Care Standards Act 2002 Fostering Services Regulations	To regulate the functions of fostering services under the Care Standards Act	December 2002	Not yet known
<b>HSC 45-02</b>	Care Standards Act 2002 Adoption Services Regulations – Voluntary Adoption Agencies	To regulate the functions of Voluntary Adoption Agencies under the Care Standards Act – Joint regulations with Dept of Health	October – November 2002 (?)	1 April 2003
<b>HSC 66-02</b>	Care Standards Act 2002 Adoption Services regulations – local authorities	To regulate the adoption functions of local authorities under the Care Standards Act	October – November 2002	1 April 2003
<b>HSC 46-02</b>	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	July 2002	August 2002
<b>HSC 47-02</b>	Fostering Services (Wales) Regulations 2002	Regulations to govern the management and conduct of fostering services	December 2002	Not yet known
<b>HSC 48-02</b>	Nurses' Agencies (Wales) Regulations 2002	Regulations to govern the management and conduct of nurses' agencies.	December 2002	Not yet known
<b>HSC 49-02</b>	Domiciliary Care Agencies (Wales) Regulations 2002	Regulations to govern the management and conduct of domiciliary care agencies.	December 2002	Not yet known
<b>HSC 50-02</b>	Residential Family Centres (Wales) 2002	Regulations to address the management and conduct of residential family centres.	December 2002	Not yet known
<b>HSC 51-02</b>	The Registration of Social Care and Independent	Amendment Regulations to add domiciliary care, residential family centres and other care settings to the main Regulations.	December 2002	Not yet known

	Healthcare (Applications for Registration) (Amendment) Regulations 2002			
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<b>No</b>	<b>DRAFT Working Title</b>	<b>Intention of Legislation</b>	<b>Projected date Legislation to be made</b>	<b>Projected Coming into Force Date</b>
<b>HSC 52-02</b>	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

<b>No</b>	<b>DRAFT Working Title</b>	<b>Intention of Legislation</b>	<b>Projected date Legislation to be made</b>	<b>Projected Coming into Force Date</b>
<b>HSC 53-02</b>	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
<b>HSC 54-02</b>	Fostering Services Standards	See Fostering services regulations	Same as the accompanying Regulations	Not yet known
<b>HSC 55-02</b>	Standards for Boarding Schools	To set minimum standards of care provision in boarding schools	December 2002	April 200(2)3 (provisional)
<b>HSC 56-02</b>	Standards for Domiciliary Care	See Domiciliary Care Regulations	Same as the accompanying Regulations	Not yet known
<b>HSC 57-02</b>	Standards for Residential Family Centres	See RFC Regulations	Same as the accompanying regulations	Same as accompanying regulations
<b>HSC 67-02</b>	Adoption Services Standards – Voluntary Adoption Agencies	See Adoption Regulations	Same as accompanying regulations	1 April 2003

<b>HSC 68-02</b>	Adoption Services Standards – local authorities	See Adoption Regulation	Same as accompanying regulations	1 April 2003
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<b>No</b>	<b>DRAFT Working Title</b>	<b>Intention of Legislation</b>	<b>Projected date Legislation to be made</b>	<b>Projected Coming into Force Date</b>
<b>HSC 59-02</b>	Nursing Agency Service Standards	See Nursing Agency Regulations	Same as the accompanying Regulations	Not yet known
<b>HSC 60-02</b>	Children Act miscellaneous amendment regulations	Updating definitions in several sets of regulations following on from the commencement of the Care Standards Act 2000	May 2002 (executive procedure)	April 2002 (executive procedure)
<b>HSC 61-02</b>	Arrangements for Placement of Children Amendment regs	Amendments to the content and timing of health assessment for children in care	October 2002	October 2002 (provisional)
<b>HSC 62-02</b>	Standards for Special schools	To set minimum standards of care provision for Special schools	December February 2002	April 2003
<b>HSC 63-02</b>	Standards for FE Colleges	To set minimum standards of care provision for FE Colleges	December 2002	April 2003
<b>HSC 64-02</b>	Amendment to SI 1999 No 220 NICE Establishment & Constitution order	Increase number of members of Institute from 4 to 5 Executive officers and 7 to 8 Non- executive officers	1 August 2002	1 August 2002
<b>HSC 65-02</b>	Amendment to SI 1999 No 260 NICE Regulations	Removal of Ministers veto on NICE Appointments other than chairman and non- executive members	1 August 2002	1 August 2002

## **Explanatory notes**

### **HSC 06-02    The Generic drugs (Wales) Regulations 2001**

**Intention:**        To regulate the price of generic drugs

**Position:**        This is not devolved to the Assembly. Regulations have already been made under section 57 of the NHS Act 1977 and are in force.

### **HSC 07-02    Amendments to the terms of service for Pharmacists in connection with repeat dispensing**

**Intention:**        To enable pharmacists to manage repeat prescriptions in line with the recommendation of the Task and Finish Group report on prescribing. Repeat dispensing would provide a safe, efficient means by which medically stable patients on chronic medication could avoid having to return to their GP for repeat prescriptions at monthly intervals as a formality. The system would enable three-monthly or six-monthly prescriptions to be dispensed and monitored by a named pharmacy on a monthly basis.

**Position:**        A repeat dispensing pilot study is to start in the near future to examine the financial and practical implications of implementing such a system. Legislative changes will need to be made to amend the terms of service for Pharmacists before such a scheme could be rolled out across Wales. The projected date for legislation to be made is therefore subject to the findings of this study and subsequent consultation. In view of the protracted timetable for potential rollout across Wales, it is recommended that this item be removed from the legislative timetable and resubmitted at a later date.

### **HSC 08-02    Electronic signatures**

**Intention:**        To permit use of electronic signatures in prescribing. This is a prerequisite to the introduction of electronic transmission of prescriptions

**Position:**        To be reviewed following the outcome of the scoping study that has been commissioned to evaluate the options for introducing “electronic prescribing” across primary and secondary care and produce a recommendation for the best way forward for the NHS in Wales. The scoping study report is due to be published this autumn.

## **HSC 15-02 Local Pharmaceutical Service (LPS) Pilots**

**Intention:** Provision was made under Sections 28 – 41 of the Health and Social Care Act to introduce PMS style services for the provision of community pharmacy services. The principal objective of LPS pilots is to allow Health Authorities (HAs) the freedom to negotiate different local arrangements for providing and paying for services to patients outside the present constraints of Part II of the National Health Act 1977, the Pharmaceutical Services Regulations and the Drug Tariff. Regulations need to be made under subordinate legislation to provide boundaries within which these pilots may be established.

**Position:** We have provisionally set a date for the end of November 2002 for the making of these Regulations but are awaiting clarity on the distribution of functions within the new NHS structure before proceeding.

## **HSC 17-02 Supplementary prescribing**

**Intention:** Provision was made under section 63 of the Health and Social Care Act to amend section 58 of the Medicines Act 1968 and enable Ministers through an Order to:

1. designate new categories of prescriber, and
2. impose conditions on their prescribing which would, in turn, permit Ministers to classify prescribers as either independent or supplementary prescribers, and limit or specify the medicines or classes of medicines which any specific group of prescribers may prescribe.

This is in line with the Report of the Task and Finish Group on prescribing, which recommends that, “the role of pharmacists and nurses as supplementary prescribers must be developed so as to offer patients regular opportunities for dialogue about, and monitoring of, their medicines.”

**Position:** We are currently consulting on proposals for supplementary prescribing by nurses and pharmacists and proposed amendments to the Prescription Only Medicines (Human Use) Order 1997. The proposed changes to the POM Order would permit prescription only medicines to be prescribed by a supplementary prescriber as part of an agreed clinical management plan for an individual patient. We have provisionally set a date of December 2002 for the making of these Regulations but are awaiting the outcome of consultations before proceeding.