

## Health and Social Care Committee

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Meeting Venue:  
**Committee Room 3 – Senedd**

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Meeting date:  
**11 December 2013**

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Meeting time:  
**09:25**

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Cynulliad  
Cenedlaethol  
Cymru

National  
Assembly for  
Wales



For further information please contact:

**Llinos Madeley / Helen Finlayson**  
Committee Clerk  
029 2089 8403/8600  
[HSCCommittee@wales.gov.uk](mailto:HSCCommittee@wales.gov.uk)

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### Agenda

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#### **1 Introductions, apologies and substitutions (09:25)**

#### **2 Social Services and Well-being (Wales) Bill: Stage 2 – Consideration of amendments (09.25 – 11:30)**

In accordance with Standing Order 26.21, the Committee will dispose of amendments to the Bill in the following order:

- Sections 162 – 169
- Section 1
- Long title

Supporting documents:

[Marshalled List of Amendments, 11 December 2013](#)

[Groupings of Amendments, 11 December 2013](#)

In attendance:

Gwenda Thomas AM, Deputy Minister for Social Services

#### **3 Papers to note (11.30 – 11:35) (Pages 1 - 15)**

**Letter from the Chair of Hywel Dda Health Board dated 5 December 2013 (Pages 16 - 17)**

**Letter from the Minister for Health and Social Services and the Deputy Minister for Social Services – response to the Committee's letter on the Welsh Government's Draft Budget 2014/15 (Pages 18 - 23)**

**Letter from the Deputy Minister for Social Services – Social Services and Well-being (Wales) Bill and children's social care (Page 24)**

**The Committee's forward work programme: January – April 2014 (Pages 25 - 28)**

**4 Motion under Standing Order 17.42 (vi) to resolve to exclude the public for items 5 and 6 of today's meeting and from the meeting on 16 January 2014 (11:35)**

**5 Unscheduled care – preparedness for winter 2013/14 – Consideration of draft letter to the Minister for Health and Social Services and the Deputy Minister for Social Services (11.35 – 11:50)**  
(Pages 29 - 41)

**6 Stroke risk reduction – follow-up inquiry – Consideration of draft letter to the Minister for Health and Social Services (11.50 – 12.05)**  
(Pages 42 - 57)

## Health and Social Care Committee

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Meeting Venue: Committee Room 1 – Senedd

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Meeting date: Thursday, 21 November 2013

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Meeting time: 09:31 – 11:44

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### Concise Minutes:

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#### Assembly Members:

David Rees (Chair)  
Leighton Andrews  
Mohammad Asghar (Oscar) AM  
Rebecca Evans  
William Graham  
Elin Jones  
Lynne Neagle  
Gwyn R Price  
Lindsay Whittle  
Kirsty Williams

#### Witnesses:

David Thomas, Welsh Government  
Lisa Howells, Welsh Government

#### Committee Staff:

Llinos Madeley (Clerk)  
Sarah Sargent (Deputy Clerk)  
Victoria Paris (Researcher)  
Stephen Boyce (Researcher)  
Philippa Watkins (Researcher)

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## **1 Introductions, apologies and substitutions**

1.1 Apologies were received from Darren Millar. Mohammad Asghar attended as a substitute.

## **2 General scrutiny session with the Chief Dental Officer**

2.1 The Committee undertook a general scrutiny session with David Thomas, the Chief Dental Officer, and his colleague Lisa Howells, a Senior Dental Officer.

2.2 The Chief Dental Officer agreed to provide the Committee with:

- additional information on the evaluations undertaken in relation to the quality and outcome and the children and young people dental pilots;
- additional information on the reasons why details on funding allocations to individual dental practices are no longer published;
- a copy of Public Health Wales' revised guidance on dealing with missed appointments, when available;
- a note on the additional orthodontic services commissioned recently by Hywel Dda Local Health Board, and a copy of the additional data on orthodontic activity in Wales to which he referred during the meeting;
- a note on the action being undertaken by Cardiff and Vale University Health Board in relation to tooth whitening and the illegal practice of dentistry;
- information regarding the number of domiciliary dental visits undertaken in Wales during the last year.

## **3 Papers to note**

3.1 The Committee noted the minutes of the meetings of 7 and 13 November.

3.1 Additional information submitted to the follow-up inquiry on stroke risk reduction following the session on 23 October

3a.1 The Committee noted the additional information relating to the follow-up inquiry on stroke risk reduction.

3.2 Letter from the Minister for Health and Social Services – measles single vaccine provider

3b.1 The Committee noted the letter from the Minister for Health and Social Services in relation to measles single vaccine providers.

3.3 Letter from the Minister for Health and Social Services – unscheduled care plans and formal winter plans

3c.1 The Committee noted the letter from the Minister for Health and Social Services in relation to unscheduled care and formal winter plans.

#### **4 Motion under Standing Order 17.42 to resolve to exclude the public from the remainder of the meeting**

4.1 The motion was agreed.

#### **5 General scrutiny session with the Chief Dental Officer – private discussion to consider evidence**

5.1 The Committee discussed the evidence heard in the earlier session with the Chief Dental Officer.

#### **6 Consideration of the key issues arising from the Committee's follow-up inquiry on stroke risk reduction**

6.1 The Committee discussed the key issues arising from the follow-up inquiry on stroke risk-reduction and agreed to write shortly to the Minister for Health and Social Services outlining its conclusions.

#### **7 Consideration of the key issues arising from the Committee's scrutiny session on unscheduled care – preparedness for winter 2013/14**

7.1 The Committee discussed the key issues arising from the scrutiny session on unscheduled care – preparedness for winter 2013/14 and agreed to write shortly to the Minister for Health and Social Services outlining its conclusions.

#### **8 Committee remit**

8.1 The Committee considered a paper on committee remits. The Chair agreed to write to the Presiding Officer.

# Health and Social Care Committee

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Meeting Venue: Committee Room 3 – Senedd

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Meeting date: Wednesday, 27 November 2013

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Meeting time: 09:16 – 12:21

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Cynulliad  
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National  
Assembly for  
Wales



This meeting can be viewed on Senedd TV at:

[http://www.senedd.tv/archiveplayer.jsf?v=en\\_400000\\_27\\_11\\_2013&t=0&l=en](http://www.senedd.tv/archiveplayer.jsf?v=en_400000_27_11_2013&t=0&l=en)

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## Concise Minutes:

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### Assembly Members:

David Rees (Chair)  
Leighton Andrews  
Rebecca Evans  
William Graham  
Elin Jones  
Darren Millar  
Lynne Neagle  
Gwyn R Price  
Lindsay Whittle  
Kirsty Williams

### Witnesses:

Gwenda Thomas, Deputy Minister for Social Services  
Julie Rogers, Welsh Government  
Mike Lubienski, Welsh Government

### Committee Staff:

Llinos Madeley (Clerk)  
Helen Finlayson (Second Clerk)  
Sarah Sargent (Deputy Clerk)  
Joanest Jackson (Legal Advisor)  
Lisa Salkeld (Legal Advisor)

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## TRANSCRIPT

View the [meeting transcript](#).

### 1 Introductions, apologies and substitutions

1.1 No apologies were received.

1.2 The Chair welcomed the Deputy Minister for Social Services and her officials to the meeting.

### 2 Social Services and Well-being (Wales) Bill: Stage 2 – Consideration of amendments

2.1 In accordance with Standing Order 26.21, the Committee disposed of the following amendments to the Bill:

#### Section 18:

**Amendment 93 (William Graham)** was agreed in accordance with Standing Order 17.34(i).

**Amendment 22 (Gwenda Thomas)** was agreed in accordance with Standing Order 17.34(i).

#### Amendment 94 (William Graham)

For	Against	Abstain
William Graham Elin Jones Darren Millar Lindsay Whittle Kirsty Williams	Leighton Andrews Rebecca Evans Lynne Neagle Gwyn Price David Rees	0
5	5	0
<b>As there was a tied vote, the Chair's casting vote was applied in the negative, in accordance with Standing Order 6.20(ii). Therefore, Amendment 94 was not agreed.</b>		

#### Amendment 113 (William Graham)

For	Against	Abstain
William Graham Elin Jones Darren Millar Lindsay Whittle Kirsty Williams	Leighton Andrews Rebecca Evans Lynne Neagle Gwyn Price David Rees	0
5	5	0
<b>As there was a tied vote, the Chair's casting vote was applied in the negative, in accordance with Standing Order 6.20(ii). Therefore, Amendment 113 was not agreed.</b>		

#### Amendment 96 (William Graham)

For	Against	Abstain
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William Graham Elin Jones Darren Millar Lindsay Whittle Kirsty Williams	Leighton Andrews Rebecca Evans Lynne Neagle Gwyn Price David Rees	0
5	5	0
<b>As there was a tied vote, the Chair's casting vote was applied in the negative, in accordance with Standing Order 6.20(ii). Therefore, Amendment 96 was not agreed.</b>		

**Amendment 181 (William Graham)**

<b>For</b>	<b>Against</b>	<b>Abstain</b>
William Graham Elin Jones Darren Millar Lindsay Whittle Kirsty Williams	Leighton Andrews Rebecca Evans Lynne Neagle Gwyn Price David Rees	0
5	5	0
<b>As there was a tied vote, the Chair's casting vote was applied in the negative, in accordance with Standing Order 6.20(ii). Therefore, Amendment 181 was not agreed.</b>		

**Amendment 408 (Lindsay Whittle)** was not moved.

**New Section:**

**Amendment 23 (Gwenda Thomas)** was agreed in accordance with Standing Order 17.34(i).

**Section 19:**

**Amendment 119 (Kirsty Williams)** was withdrawn in accordance with Standing Order 26.66.

**Amendment 242 (William Graham)**

<b>For</b>	<b>Against</b>	<b>Abstain</b>
William Graham Elin Jones Darren Millar Lindsay Whittle Kirsty Williams	Leighton Andrews Rebecca Evans Lynne Neagle Gwyn Price David Rees	0
5	5	0
<b>As there was a tied vote, the Chair's casting vote was applied in the negative, in accordance with Standing Order 6.20(ii). Therefore, Amendment 242 was not agreed.</b>		

**Amendment 120 (Kirsty Williams)**

As Amendment 119 was withdrawn, Amendment 120 fell.

**Amendment 243 (William Graham)**

As Amendment 242 was not agreed, Amendment 243 fell.

**Amendment 244 (William Graham)**



As Amendment 242 was not agreed, Amendment 244 fell.

**Amendment 502 (Gwenda Thomas)** was agreed in accordance with Standing Order 17.34(i).

**Amendment 24 (Gwenda Thomas)** was agreed in accordance with Standing Order 17.34(i).

**Amendment 503 (Gwenda Thomas)** was agreed in accordance with Standing Order 17.34(i).

**Amendment 121 (Kirsty Williams)**

As Amendment 119 was withdrawn, Amendment 121 fell.

**Amendment 245 (William Graham)**

As Amendment 242 was not agreed, Amendment 245 fell.

**Amendment 499 (Kirsty Williams)**

For	Against	Abstain
William Graham Elin Jones Darren Millar Lindsay Whittle Kirsty Williams	Leighton Andrews Rebecca Evans Lynne Neagle Gwyn Price David Rees	0
5	5	0
<b>As there was a tied vote, the Chair's casting vote was applied in the negative, in accordance with Standing Order 6.20(ii). Therefore, Amendment 499 was not agreed.</b>		

**Amendment 25 (Gwenda Thomas)** was agreed in accordance with Standing Order 17.34(i).

**Amendment 26 (Gwenda Thomas)** was agreed in accordance with Standing Order 17.34(i).

**Amendment 97 (William Graham)** was not moved.

**New Section:**

**Amendment 60 (Kirsty Williams)** was not moved.

**New Schedule:**

**Amendment 63 (Kirsty Williams)**

As Amendment 60 was not moved, Amendment 63 fell.

**Section 20:**

**Amendment 27 (Gwenda Thomas)** was agreed in accordance with Standing Order 17.34(i).

**Amendment 425 (Gwenda Thomas)** was agreed in accordance with Standing Order 17.34(i).

**Amendment 28 (Gwenda Thomas)** was agreed in accordance with Standing Order 17.34(i).

**Amendment 504 (Gwenda Thomas)** was agreed in accordance with Standing Order 17.34(i).

**Amendment 122A (Gwenda Thomas)** was agreed in accordance with Standing Order 17.34(i).

**Amendment 122 as amended (Kirsty Williams)** was agreed in accordance with Standing Order 17.34(i).

**Amendment 123 (William Graham)** was agreed in accordance with Standing Order 17.34(i).

**Amendment 124 (William Graham)**

<b>For</b>	<b>Against</b>	<b>Abstain</b>
William Graham Elin Jones Darren Millar Lindsay Whittle Kirsty Williams	Leighton Andrews Rebecca Evans Lynne Neagle Gwyn Price David Rees	0
5	5	0
<b>As there was a tied vote, the Chair's casting vote was applied in the negative, in accordance with Standing Order 6.20(ii). Therefore, Amendment 124 was not agreed.</b>		

**Amendment 505 (Gwenda Thomas)** was agreed in accordance with Standing Order 17.34(i).

**New Section:**

**Amendment 101 (Kirsty Williams)**

<b>For</b>	<b>Against</b>	<b>Abstain</b>
William Graham Elin Jones Darren Millar Lindsay Whittle Kirsty Williams	Leighton Andrews Rebecca Evans Lynne Neagle Gwyn Price David Rees	0
5	5	0
<b>As there was a tied vote, the Chair's casting vote was applied in the negative, in accordance with Standing Order 6.20(ii). Therefore, Amendment 101 was not agreed.</b>		

**Section 21:**

**Amendment 29 (Gwenda Thomas)** was agreed in accordance with Standing Order 17.34(i).

**Amendment 30 (Gwenda Thomas)** was agreed in accordance with Standing Order 17.34(i).

**Section 22:**

No amendments were tabled to this section, therefore Section 22 was deemed agreed.

**Section 23:**

**Amendment 31 (Gwenda Thomas)** was agreed in accordance with Standing Order 17.34(i).

**Amendment 125 (William Graham)** was not moved.

**Amendment 32 (Gwenda Thomas)**

<b>For</b>	<b>Against</b>	<b>Abstain</b>
Leighton Andrews Rebecca Evans William Graham Elin Jones Darren Millar Lynne Neagle Gwyn Price David Rees Lindsay Whittle	Kirsty Williams	0
9	1	0
<b>Amendment 32 was agreed.</b>		

**Amendment 291 (Gwenda Thomas)** was agreed in accordance with Standing Order 17.34(i).

**Amendment 33 (Gwenda Thomas)** was agreed in accordance with Standing Order 17.34(i).

**Section 24:**

**Amendment 34 (Gwenda Thomas)** was agreed in accordance with Standing Order 17.34(i).

**Amendment 292 (Gwenda Thomas)** was agreed in accordance with Standing Order 17.34(i).

**New Section:**

**Amendment 253 (William Graham)**

<b>For</b>	<b>Against</b>	<b>Abstain</b>
William Graham Elin Jones Darren Millar Lindsay Whittle Kirsty Williams	Leighton Andrews Rebecca Evans Lynne Neagle Gwyn Price David Rees	0
5	5	0
<b>As there was a tied vote, the Chair's casting vote was applied in the negative, in accordance with Standing Order 6.20(ii). Therefore, Amendment 253 was not agreed.</b>		

**Section 25:**

No amendments were tabled to this section, therefore Section 25 was deemed agreed.

**Section 26:**

**Amendment 35 (Gwenda Thomas)** was agreed in accordance with Standing Order 17.34(i).

**Section 27:**

**Amendment 36 (Gwenda Thomas)** was agreed in accordance with Standing Order 17.34(i).

**Section 28:**

No amendments were tabled to this section, therefore Section 28 was deemed agreed.

**Section 29:**

**Amendment 37 (Gwenda Thomas)** was agreed in accordance with Standing Order 17.34(i).

**New Section :**

**Amendment 537 (Elin Jones)**

<b>For</b>	<b>Against</b>	<b>Abstain</b>
Elin Jones Lindsay Whittle Kirsty Williams	Leighton Andrews Rebecca Evans William Graham Darren Millar Lynne Neagle Gwyn Price David Rees	0
3	7	0

**Amendment 537 was not agreed.**

**Section 30:**

No amendments were tabled to this section, therefore Section 30 was deemed agreed.

**Section 31:**

**Amendment 479 (Elin Jones)**

<b>For</b>	<b>Against</b>	<b>Abstain</b>
William Graham Elin Jones Darren Millar Lindsay Whittle Kirsty Williams	Leighton Andrews Rebecca Evans Lynne Neagle Gwyn Price David Rees	0
5	5	0

**As there was a tied vote, the Chair's casting vote was applied in the negative, in accordance with Standing Order 6.20(ii). Therefore, Amendment 479 was not agreed.**

**Amendment 129 (Gwenda Thomas)** was agreed in accordance with Standing Order 17.34(i).

**Amendment 480 (Elin Jones)**

As Amendment 479 was not agreed, Amendment 480 fell.

**Amendment 130 (Gwenda Thomas)** was agreed in accordance with Standing Order 17.34(i).

**Amendment 131 (Gwenda Thomas)** was agreed in accordance with Standing Order 17.34(i).

**Amendment 132 (Gwenda Thomas)** was agreed in accordance with Standing Order 17.34(i).

**Amendment 133 (Gwenda Thomas)** was agreed in accordance with Standing Order 17.34(i).

**Amendment 134 (Gwenda Thomas)** was agreed in accordance with Standing Order 17.34(i).

**Amendment 135 (Gwenda Thomas)** was agreed in accordance with Standing Order 17.34(i).

**Amendment 136 (Gwenda Thomas)** was agreed in accordance with Standing Order 17.34(i).

**Section 32:**

No amendments were tabled to this section, therefore Section 32 was deemed agreed.

**Section 33:**

No amendments were tabled to this section, therefore Section 33 was deemed agreed.

**New Section:****Amendment 75 (William Graham)**

For	Against	Abstain
William Graham Darren Millar Kirsty Williams	Leighton Andrews Rebecca Evans Elin Jones Lynne Neagle Gwyn Price David Rees Lindsay Whittle	0
3	7	0
<b>Amendment 75 was not agreed.</b>		

**Section 34:**

**Amendment 468 (Lindsay Whittle)** was not moved.

**Amendment 76 (William Graham)**

For	Against	Abstain
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William Graham Elin Jones Darren Millar Lindsay Whittle Kirsty Williams	Leighton Andrews Rebecca Evans Lynne Neagle Gwyn Price David Rees	0
5	5	0
<b>As there was a tied vote, the Chair's casting vote was applied in the negative, in accordance with Standing Order 6.20(ii). Therefore, Amendment 76 was not agreed.</b>		

**Amendment 77 (William Graham)**

<b>For</b>	<b>Against</b>	<b>Abstain</b>
William Graham Elin Jones Darren Millar Lindsay Whittle Kirsty Williams	Leighton Andrews Rebecca Evans Lynne Neagle Gwyn Price David Rees	0
5	5	0
<b>As there was a tied vote, the Chair's casting vote was applied in the negative, in accordance with Standing Order 6.20(ii). Therefore, Amendment 77 was not agreed.</b>		

**Amendment 469 (Lindsay Whittle)** was not moved.

**Section 35:**

No amendments were tabled to this section, therefore Section 35 was deemed agreed.

**Section 36:**

No amendments were tabled to this section, therefore Section 36 was deemed agreed.

**Section 37:**

**Amendment 137 (Gwenda Thomas)** was agreed in accordance with Standing Order 17.34(i).

**Amendment 506 (Gwenda Thomas)** was agreed in accordance with Standing Order 17.34(i).

**Amendment 138 (Gwenda Thomas)** was agreed in accordance with Standing Order 17.34(i).

**Amendment 139 (Gwenda Thomas)** was agreed in accordance with Standing Order 17.34(i).

**Amendment 38 (Gwenda Thomas)** was agreed in accordance with Standing Order 17.34(i).

**Amendment 140 (Gwenda Thomas)** was agreed in accordance with Standing Order 17.34(i).

**Amendment 141 (Gwenda Thomas)** was agreed in accordance with Standing Order 17.34(i).

**Amendment 142 (Gwenda Thomas)** was agreed in accordance with Standing Order 17.34(i).

**New Section:**

**Amendment 232 (Elin Jones)**

<b>For</b>	<b>Against</b>	<b>Abstain</b>
Elin Jones Lindsay Whittle Kirsty Williams	Leighton Andrews Rebecca Evans William Graham Darren Millar Lynne Neagle Gwyn Price David Rees	0
3	7	0
<b>Amendment 232 was not agreed.</b>		

**New Section:**

**Amendment 233 (Elin Jones)**

As Amendment 232 was not agreed, Amendment 233 fell.

**Section 38:**

**Amendment 409 (Lindsay Whittle)** was withdrawn in accordance with Standing Order 26.66.

**Amendment 410 (Lindsay Whittle)** was not moved.

**Amendment 426 (Gwenda Thomas)** was agreed in accordance with Standing Order 17.34(i).

**Amendment 411 (Lindsay Whittle)** was not moved.

**Amendment 412 (Lindsay Whittle)**

<b>For</b>	<b>Against</b>	<b>Abstain</b>
William Graham Elin Jones Darren Millar Lindsay Whittle Kirsty Williams	Leighton Andrews Rebecca Evans Lynne Neagle Gwyn Price David Rees	0
5	5	0
<b>As there was a tied vote, the Chair's casting vote was applied in the negative, in accordance with Standing Order 6.20(ii). Therefore, Amendment 412 was not agreed.</b>		

**Amendment 427 (Gwenda Thomas)** was agreed in accordance with Standing Order 17.34(i).

**Amendment 182 (William Graham)** was not moved.

**Amendment 413 (Lindsay Whittle)**

As Amendment 412 was not agreed, Amendment 413 fell.

**Section 39:**

**Amendment 428 (Gwenda Thomas)** was agreed in accordance with Standing Order 17.34(i).

**Amendment 429 (Gwenda Thomas)** was agreed in accordance with Standing Order 17.34(i).

**Amendment 430 (Gwenda Thomas)** was agreed in accordance with Standing Order 17.34(i).

**Section 40:**

**Amendment 507 (Gwenda Thomas)** was agreed in accordance with Standing Order 17.34(i).

**Amendment 508A (William Graham)**

<b>For</b>	<b>Against</b>	<b>Abstain</b>
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William Graham Elin Jones Darren Millar Lindsay Whittle Kirsty Williams	Leighton Andrews Rebecca Evans Lynne Neagle Gwyn Price David Rees	0
5	5	0
<b>As there was a tied vote, the Chair's casting vote was applied in the negative, in accordance with Standing Order 6.20(ii). Therefore, Amendment 508A was not agreed.</b>		

**Amendment 508 (Gwenda Thomas)** was agreed in accordance with Standing Order 17.34(i).

**Amendment 509 (Gwenda Thomas)**

<b>For</b>	<b>Against</b>	<b>Abstain</b>
Leighton Andrews Rebecca Evans Elin Jones Lynne Neagle Gwyn Price David Rees Lindsay Whittle Kirsty Williams	William Graham Darren Millar	0
8	2	0
<b>Amendment 509 was agreed.</b>		

**Amendment 108 (William Graham)**

As Amendment 509 was agreed, Amendment 108 fell.

**Amendment 109 (William Graham)**

As Amendment 509 was agreed, Amendment 109 fell.

**Amendment 510 (Gwenda Thomas)** was agreed in accordance with Standing Order 17.34(i).

**Amendment 511 (Gwenda Thomas)** was agreed in accordance with Standing Order 17.34(i).

**Amendment 512 (Gwenda Thomas)** was agreed in accordance with Standing Order 17.34(i).

**Amendment 126 (William Graham)** was not moved.

**Amendment 513 (Gwenda Thomas)** was agreed in accordance with Standing Order 17.34(i).

**Amendment 514 (Gwenda Thomas)** was agreed in accordance with Standing Order 17.34(i).

**New Section:**

**Amendment 110 (William Graham)**

<b>For</b>	<b>Against</b>	<b>Abstain</b>
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William Graham Elin Jones Darren Millar Lindsay Whittle Kirsty Williams	Leighton Andrews Rebecca Evans Lynne Neagle Gwyn Price David Rees	0
5	5	0
<b>As there was a tied vote, the Chair's casting vote was applied in the negative, in accordance with Standing Order 6.20(ii). Therefore, Amendment 110 was not agreed.</b>		

#### **Section 41:**

**Amendment 515 (Gwenda Thomas)** was agreed in accordance with Standing Order 17.34(i).

#### **Section 42:**

**Amendment 516 (Gwenda Thomas)** was agreed in accordance with Standing Order 17.34(i).

2.2 Sections 18 to 42 were deemed agreed.

### **3 Papers to note**

3.1 Letter from the Minister for Health and Social Services relating to the implementation of the recommendations of the Greenaway Report

3a.1 The Committee noted the letter from the Minister for Health and Social Services relating to the implementation of the recommendations of the Greenaway Report.

3.2 Letter from the Deputy Minister for Social Services relating to the Supplementary Legislative Consent Memorandum on the Care Bill

3b.1 The Committee noted the letter from the Deputy Minister for Social Services relating to the Supplementary Legislative Consent Memorandum on the Care Bill.

3.3 Letter from the Deputy Minister for Social Services relating to the Social Services and Well-being (Wales) Bill and the repeal of the Carers Strategies (Wales) Measure 2010

3c.1 The Committee noted the letter from the Deputy Minister for Social Services relating to the Social Services and Well-being (Wales) Bill and the repeal of the Carers Strategies (Wales) Measure 2010.



Ein cyf/Our ref: CM/CW/ag  
Gofynnwch am/Please ask for: Chris Martin, Chairman  
Rhif Ffôn /Telephone: 01437 771247  
Ffacs/Facsimile: 01437 771222  
E-bost/E-mail: chris.martin@wales.nhs.uk

5th December 2013

Mr David Rees AM  
Chair  
Health and Social Care Committee  
Welsh Government  
National Assembly for Wales  
Cardiff Bay  
Cardiff  
CF99 1N

Dear David

At a recent meeting with the Minister he raised a number of issues and I thought it would be helpful to provide you with an update on a few of the areas we discussed.

Firstly, in relation to communications, we are in the process of compiling a tender to commission external media and communications expertise to review our systems and processes in order to help us improve in the areas where the Minister had concerns.

You will be aware, the Minister met with a delegation of AMs where issues in relation to quality and safety were raised. We are in discussion with the CMO for further advice and support on the way forward and we intend to appoint the Good Governance Institute to help us with "Ward to Board" reporting. We will also be asking them to provide advice on improving our processes for systematically collecting and using patient experiences at an operational level.

My Vice Chair will be speaking to all our local AMs every two weeks to ensure that any issues they might have are understood and promptly addressed. I had already instructed my IMs to increase their regular programme of announced and unannounced walk-about in our hospitals over the coming months. Their observations will be considered at future Board meetings.

I continue to meet regularly with AMs and have personally spoken to those who saw the Minister. My discussions with Elin Jones were interesting since her concerns appeared not to relate to quality and safety but were more about the stability of the leadership team in Ceredigion and clinical engagement both of which we have now addressed.

Pencadlys Bwrdd Iechyd Hywel Dda  
Llys Myrddin, Lôn Winch, Hwlfordd,  
Sir Benfro, SA61 1SB  
Rhif Ffôn: (01437) 771220  
Rhif Ffacs: (01437) 771222

Hywel Dda Health Board Headquarters  
Merlins Court, Winch Lane, Haverfordwest,  
Pembrokeshire, SA61 1SB  
Tel Nr: (01437) 771220  
Fax Nr: (01437) 771222

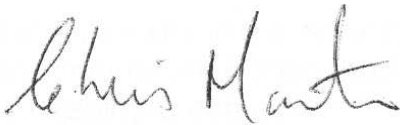
Cadeirydd / Chairman  
**Mr Chris Martin**  
**Prif Weithredwr /Chief Executive**  
**Yr Athro/Professor Trevor Purt**

Page 2  
5th December 2013  
Mr David Rees AM

In relation to Angela Burns, she presented the Minister with a list of complaints she had received at her office from local constituents. Further investigations have been undertaken on the list and whilst I recognise that these patients felt they had a legitimate concern about their care it would appear that many of these complaints were not upheld as the care provided was clinically appropriate. I will be replying direct to Angela on this and I have also asked her to provide me with any additional concerns she may have on specific clinical areas.

I hope this is helpful and I will of course keep the Minister and the Health and Social Care Committee informed of progress.

Yours sincerely



**Chris Martin**  
**Chairman**

Mark Drakeford AC / AM  
Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol  
Minister for Health and Social Services



Gwenda Thomas AC / AM  
Y Dirprwy Weinidog Plant a Gwasanaethau Cymdeithasol  
Deputy Minister for Social Services

Llywodraeth Cymru  
Welsh Government

Ein cyf / Our ref SF/MD/2942/13

David Rees AM  
Chair  
Health and Social Care Committee  
National Assembly for Wales  
Ty Hywel  
Cardiff Bay  
Cardiff CF99 1NA

*Dear David*

30 November 2013

We refer to your letter of 25th October, outlining your main conclusions which have been drawn from your scrutiny of the Welsh Government's 2014-15 draft budget. Please find below our responses in relation to those issues on which you have asked for further information.

### **Additional revenue allocation to the Health and Social Services budget**

In light of experience on the distribution of previous allocations further consideration was taken to apply, as far as possible, a distribution based on the latest Direct Needs Allocation Formula. In that respect it was important that the distribution was not based on the individual Local Health Board assessment of their financial challenge but that a fair distribution methodology was applied.

The extant policy is to implement the Direct Needs Allocation Formula based on the recommendations contained in Professor Peter Townsend's report Targeting Poor Health, published by the Welsh Government in July 2001. Since the 2009 reorganisation created the 7 Local Health Boards, no material implementation of resource allocation based on the Direct Needs Formula has taken place. This is primarily because of the difficulty in applying a change to allocations in the absence of any overall growth funding. However as I informed the Committee the additional funding announced for 2014-15 and 2015-16 will be determined by using the Direct Needs Formula methodology, as updated for the latest relevant information.

Within the Direct Needs Allocation Formula methodology the demographic impact on health needs of any given Health Board area are taken into account. However it is important to note that the demographic data impact is on the relative not absolute health needs within Wales. Also it is important to note that while overall demographic change does impact on the relative needs the age profile changes do not materially impact on the direct needs weighting within the Direct Needs Allocation Formula.

## **Overall Allocation of Funding to LHBs**

*As set out in my submission of 16 August 2013 to the Committee* I am keen that the Resource Allocation Review is taken forward as part of the NHS Finance Regime proposals in support of our strategic document 'Together for Health'. My submission indicated that the project would include:

- Developing a Resource Allocation methodology that can be applied at Local Health Board level and to support the distribution of resources by Local Health Boards at locality level
- Ensuring that the needs weighting reflects relevant factors such as demographics and health inequalities

As I indicated this is a substantial project that will take some time to develop and implement. At this stage of the project initiation it is too early to submit a technical briefing on the development of the proposed formula. However I will, at the appropriate time, offer a technical briefing that will set out the intended scope of the Resource Allocation Review and the timescales. This briefing will also cover what are expected to be the more challenging elements of the project:

- the feasibility of developing a methodology that will be robust at locality level and
- the capacity of a direct needs approach to incorporate the full impact of age and sex demographics.

## **Information provided in relation to the Draft Budget**

It is my intention to provide more information to supplement the main statements and schedules published with the Draft Budget. As I confirmed at the Committee I have asked officials to further develop the supplementary information for the next budget round. On the further point of consistent and comparable financial information, the Welsh Government has, over a number of years, set out guidance and support to enable Local Health Boards and NHS Trusts to report on a similar basis. This includes requirements, templates and guidance on Annual Accounts, monthly Financial Monitoring Returns, Costing Returns and Programme Budgeting Returns. My officials work with NHS colleagues to regularly review and update the guidance to improve the presentation and consistency of financial information.

Furthermore the Planning Framework 2014/15 to 2016/17 issued on 7 November 2013 to Local Health Boards and NHS Trusts included guidance and templates that will support the development of Integrated Medium Term Plans. An additional benefit from this approach will be to facilitate transparency, through the Board approval in public meetings, and the consistency through common templates.

## **Capital**

I am pleased to assure the Committee that the capital programme is being aligned with service reconfiguration plans across Wales. My officials continue to work closely with all organisations to reflect the outcomes of the re-configuration exercises within the All Wales Capital Programme. Through the receipt of the medium term integrated plans in January 2014, work will continue to ensure this alignment continues to focus on the priorities of NHS organisations.

Discussions on Innovative Financing models are being looked at in conjunction with officials from the Strategic Capital Investment team within the Welsh Government. At present all options are being considered alongside the associated revenue impacts. Work has already begun on identifying suitable schemes for such funding routes including Primary Care and a new cancer campus for Velindre NHS Trust being considered. As thinking develops on the preferred financing models, any necessary legislative changes will become clearer and will be taken forward as appropriate.

## **Alignment with the Programme for Government Proposed Health Checks for the Over 50s.**

The health checks programme's overall aim is to make a positive contribution to improving health and wellbeing for people aged over 50, by providing high quality information and advice on a range of issues, promoting and enabling behaviour change where appropriate, and facilitating access to relevant services and source of support. We are field testing and refining the online assessment as it is implemented, and a formative evaluation exercise is also being undertaken alongside this. As the programme is taking an innovative approach, this independent early evaluation work will help us ensure the most appropriate outcome targets are developed.

Funding of £648k has been set aside for the programme during the 2014-15 financial year. This budget will be used to continue to progress developmental work across the programme's four components. Building on the work undertaken throughout 2013-14, the main areas of expenditure for next year will include support for the continuing development and maintenance of the online platform, continued partnership with the Communities First programme, staff costs of the Public Health Wales programme manager and a dedicated marketing budget to support national rollout of the programme. The findings of the current formative evaluation will also inform developments during 2014-15, as well as potential future development and discussions about budget allocations beyond the programme's first phase.

## **Enhanced services**

The Welsh Government aims to improve the accessibility of GP services for working people by ensuring appointments are available at times which are convenient to them. A staged approach has been developed to ensure delivery of this commitment. The first phase, in 2012/13, focused on ensuring adequate capacity and appropriate redistribution of appointments within contracted core hours 5.00pm and 6.30pm. Good progress has been made on delivery of the first phase with 94% of GP practices now offering appointments between 5.00pm and 6.30pm at least two week nights. The focus for 2013/14 has been on extending opening and access to appointments after 6.30pm. 11% of GP practices offer extended opening after 6.30pm. Officials are currently discussing with Health Boards their plans for enhanced GP services, including enhanced access to GP services.

## **Legislation**

The Independent Commission on Social Services published its report – From Vision to Action – and made it absolutely clear that retreating into core services and abandoning prevention and collaborative improvement would quickly become unsustainable. Instead we should seize opportunities for efficiency and transformation. That is why we published Sustainable Social Services for Wales - to seize the opportunities and to set out the transformational change to achieve future sustainability.

The Bill will drive forward a system focused on prevention and early intervention – requiring cooperation and collaboration across public services. This will bring costs and benefits. We have explored these matters within the Regulatory Impact Assessment published with the Bill. The Bill will be implemented through detailed regulations and Codes of Practice. The Deputy Minister has made a firm commitment that in developing the secondary legislation we will look at the detailed costs and benefits associated with those providing a broader scope on which to plan implementation. She will be making statements on the implementation programme and funding to support the transition to new service approaches.

But this does not change the fundamental message. A message the Deputy Minister set out over three years ago. There is simply no more money. We cannot expect that budget settlements will get any better – and we know that demographic and other pressures will

increase. Doing more with less will not address these issues – the Independent Commission told us that three years ago – and neither will doing the same things differently. The only solution is to do different things – to transform services and to legislate for the change.

The WLGA and NHS confederation commissioned a report on the costs and benefits of the bill from IPC. This is a thorough analysis and I welcome that report. It emphasises the need to see these changes as long term – to strive for our ambition. It will be invaluable in developing our detailed regulations and delivery infrastructure.

We need to legislate to empower transformative changes and that must be within the current resource base.

### **Preventative spending**

As the Committee acknowledges there is an element of preventative spend in most budgets within the Health and Social Services MEG and consequently it is extremely difficult to identify the totality of preventative spend. However I want to reassure the Committee that I am committed to testing all programmes to ensure that they deliver their intended outcomes and provide value for money. As I said in Committee a good example of this was the Public Health Wales' review of its health improvement programmes which resulted in a redirection of resources.

Where resources are re-directed these are captured within the in year Supplementary Budget process and full explanations are provided as to the reason for the transfer of resources.

### **Financial risks associated with the funding of continuing NHS healthcare**

The retrospective claims to which the Committee refers are managed on behalf of all Health Boards by a project team within Powys Local Health Board. To assist Powys Health Board in those arrangements, we allocated an additional £800,000 in 2012-13 over three years which is match funded by the all the HBs.

The Powys project team has a clear work plan in place leading up to June 2014 with monthly targets for cases being reviewed and completed. They are currently hitting those targets and also have a number of contingency measures in place to address any shortfalls.

We are monitoring and discussing progress with the Powys project team on a regular basis.

It is expected that by the end of the 2013-14 financial year the vast majority of outstanding cases will have been assessed for both clinical eligibility and likely settlement amount, if applicable. This will allow for a robust estimate of the outstanding liability to be accounted for in 2013-14, therefore minimising the impact on budgets in 2014-15.

### **Individual Patient Funding Requests (IPFR)**

My officials are engaging in exploratory discussions with Local Health Boards, the Welsh Health Specialised Services Committee and the All Wales Medicines Strategy Group to look at the feasibility of:

- strengthening local IPFR panels to ensure consistency in decision making;
- operating an all-Wales panel approach; and
- obtaining early feedback from IPFR panels to identify medicines for appraisal by AWMSG

No work has been undertaken to calculate the cost of operating the different models of IPFR panels.



## Provision for Social Care

The creation of the Intermediate Care Fund includes £35 million revenue which will reside within the Local Government MEG and £15 million capital funding in the Housing and Regeneration MEG.

With regards to how allocation decisions relating to the Fund will be made the intention is to manage the revenue and capital streams of funding as a single co-ordinated fund, to maximise the support for people requiring intermediate care, through a coherent package of measures. We expect proposals to be submitted on the regional collaborative footprint and developed in partnership between local authorities and local health boards. The expectation is that a wide range of partners, including the third sector, Registered Social Landlords and Care and Repair agencies will be involved in the delivery.

We are currently developing the detailed plans relating to the process for allocating funding and the criteria against which proposals will be assessed and approved. Further detail will be shared later in November when we plan to issue a Written Statement and Press Notice. We note that you welcome the Deputy Minister's intention to consult on future arrangements for the £50 per week cap on domiciliary care payments.

*Yours sincerely*

*Mark Drakeford*

**Mark Drakeford AC / AM**

Y Gweinidog Iechyd a Gwasanaethau  
Cymdeithasol  
Minister for Health and Social Services

*Gwenda Thomas*

**Gwenda Thomas AM**

Y Dirprwy Weinidog Plant a Gwasanaethau  
Cymdeithasol  
Deputy Minister for Social Services





Gwenda Thomas AC / AM  
Y Dirprwy Weinidog Gwasanaethau Cymdeithasol  
Deputy Minister for Social Services

Ein cyf/Our ref LF/GT/1198/13

David Rees AM,  
Chair  
Health and Social Care Committee  
National Assembly for Wales  
Cardiff Bay  
Cardiff  
CF99 1NA.

*Dear David,*

3 December 2013

## **Social Services and Well-being (Wales) Bill**

You will recall from earlier correspondence and the Stage 1 debate that I made a commitment to issue a Written Statement in relation to Children's Social Care, that this Statement would be made on an annual basis and that I proposed to issue the first Statement before the end of November.

As the Statement will cover matters which will have been subject to proposed amendment during Stage 2, I am writing to let you know that I think it is important that any Statement reflects the discussions and agreements which have taken place in Committee and in so doing provide the most up to date picture possible. I therefore now intend to issue the Statement after the Christmas recess.

I can confirm that the Statement will also deal with four the recommendations contained in your Committee's Stage 1 report. These are recommendations 22, 42, 45 and 47.

Yours sincerely

**Gwenda Thomas AC/AM**  
Y Dirprwy Weinidog Gwasanaethau Cymdeithasol  
Deputy Minister for Social Services

# Agenda Item 3d

To: Health and Social Care Committee  
From: Policy and Legislation Committee Service  
Meeting date: Wednesday 11 December 2013

**Health and Social Care Committee Forward Work Programme: January – April 2014**

## **Purpose**

1. This paper invites Members to note the Health & Social Care Committee timetable attached at Annex A.

## **Background**

2. Attached at Annex A is a copy of the Health & Social Care Committee's timetable until the Easter recess.

3. The timetable is published as an aid to Assembly Members and any members of the public who may wish to be aware of the Committee's forward work programme. A document of this kind will be published by the Committee at regular intervals.

4. The timetable is subject to change and may be amended at the Committee's discretion as and when relevant business arises.

## **Recommendation**

5. The Committee is invited to note the work programme at Annex A.

## ANNEX A

THURSDAY 16 JANUARY 2014

*Morning (private meeting)*

Access to medical technologies in Wales inquiry

Introductory session with the expert adviser, Dr Alex Faulkner

Committee forward work programme: strategic plan for the remainder of this Assembly

Committee discussion

The work of Healthcare Inspectorate Wales inquiry

Consideration of key issues

WEDNESDAY 22 JANUARY 2014

*Morning only*

Access to medical technologies in Wales inquiry

Oral evidence session

THURSDAY 30 JANUARY 2014

*Morning and afternoon*

Morning: Professional Development Programme: Financial scrutiny (private)

Module 2: Financial scrutiny in committee inquiries

Afternoon: General scrutiny session with the Chief Nursing Officer (TBC subject to the Chief Nursing Officer's availability)

The Committee will continue with its programme of scrutiny of the Government's chief health professionals.

WEDNESDAY 5 FEBRUARY 2014

*Morning only*

Access to medical technologies in Wales inquiry

Oral evidence session

## ANNEX A

THURSDAY 13 FEBRUARY 2014

*Morning and afternoon*

Availability of bariatric services inquiry

Oral evidence session

External engagement activity (TBC)

WEDNESDAY 19 FEBRUARY 2014

*Morning only*

Access to medical technologies inquiry

Oral evidence session

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Monday 24 February – Sunday 2 March 2014: Half term recess

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THURSDAY 6 MARCH 2014

*Morning and afternoon*

Access to medical technologies inquiry

Oral evidence session

WEDNESDAY 12 MARCH 2014

*Morning only*

Business TBC

THURSDAY 20 MARCH 2014

*Morning and afternoon*

Access to medical technologies inquiry

Oral evidence session

## ANNEX A

WEDNESDAY 26 MARCH 2014

*Morning only*

Availability of bariatric services inquiry

Oral evidence session

THURSDAY 3 APRIL 2014

*Morning and afternoon*

Access to medical technologies inquiry

Scrutiny session with the Minister for Health and Social Services (TBC  
subject to the Minister's availability)

Afternoon business TBC

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Monday 7 April – Sunday 27 April 2014: Easter recess

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# Agenda Item 5

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