

Agenda – Health and Social Care Committee

Meeting Venue:	For further information contact:
Committee Room 3 – Senedd	Llinos Madeley
Meeting date: Wednesday, 21 October 2015	Committee Clerk 0300 200 6565
Meeting time: 09.15	SeneddHealth@Assembly.Wales

At its meeting on 15 October 2015 the Committee resolved under Standing Orders 17.42(ix) and (iv) to exclude the public for items 1 and 2 of the meeting on 21 October

- 1 The Committee's Forward Work Programme**
(09.15 – 09.30) (Pages 1 – 7)
- 2 Public Health (Wales) Bill: consideration of key issues in preparation for the evidence session with the Minister for Health and Social Services**
(09.30 – 10.00)
- 3 Introductions, apologies and substitutions**
(10.00)
- 4 Public Health (Wales) Bill: evidence session 18**
(10.00 – 11.30) (Pages 8 – 36)

Mark Drakeford AM, Minister for Health and Social Services

Dr. Ruth Hussey, Chief Medical Officer

Chris Tudor-Smith, Senior Responsible Officer

Sue Bowker, Head of Tobacco Policy Branch

Dewi Jones, Legal Services Department



[Public Health \(Wales\) Bill](#), as introduced (PDF, 316KB)

[Explanatory Memorandum](#) (PDF, 3MB)

5 Papers to note

(11.30)

Minutes of the meeting on 7 October 2015

(Pages 37 – 50)

Public Health (Wales) Bill: additional information

Additional information from the Electronic Cigarette Industry Trade Association

Additional information from the UK Faculty of Public Health

Additional information from Crohn's and Colitis UK

Additional information from the British Medical Association

**Fourth Assembly Business Committee Legacy Report: correspondence from
Business Committee**

(Pages 51 – 54)

6 Motion under Standing Order 17.42(vi) to resolve to exclude the public from the remainder of this meeting

(11.30)

7 Public Health (Wales) Bill: consideration of evidence and key issues

(11.30 – 12.00)

Document is Restricted

By virtue of paragraph(s) ix of Standing Order 17.42

Document is Restricted

Agenda Item 4

By virtue of paragraph(s) vi of Standing Order 17.42

Document is Restricted

Concise Minutes – Health and Social Care Committee

Meeting Venue:

Committee Room 3 – Senedd

Meeting date: Wednesday, 7 October
2015

Meeting time: 09.00 – 12.19

This meeting can be viewed

on [Senedd TV](#) at:

<http://senedd.tv/en/3253>

Attendance

Category	Names
Assembly Members:	David Rees AM (Chair) Alun Davies AM John Griffiths AM Altaf Hussain AM Elin Jones AM Darren Millar AM Lynne Neagle AM Gwyn R Price AM Lindsay Whittle AM Kirsty Williams AM
Witnesses:	Mark Drakeford AM, The Minister for Health and Social Services, The Minister for Health and Social Services David Pritchard, Welsh Government Kate Johnson, Welsh Government Mari Williams, Welsh Government



Committee Staff:	Llinos Madeley (Clerk)
	Helen Finlayson (Second Clerk)
	Rhys Morgan (Deputy Clerk)
	Gareth Howells (Legal Adviser)
	Gareth Pembridge (Legal Adviser)

Transcript

View the [meeting transcript](#).

1 The Committee's Forward Work Programme

1.1 Members agreed to invite the Older People's Commissioner for Wales to a scrutiny session in January 2016. The purpose of the session would be to seek the Commissioner's view on the progress made to date on implementing the recommendations of the Committee's report on residential care for older people (December 2012) and the Commissioner's subsequent care home review (November 2014).

2 Introductions, apologies and substitutions

2.1 No apologies were received.

3 Regulation and Inspection of Social Care (Wales) Bill – Stage 2 – consideration of amendments

3.1 Lindsay Whittle declared the following relevant interest under Standing Order 17.24A:

- He is a member of Caerphilly County Borough Council.

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

Amendment 126 (Lindsay Whittle) was agreed in accordance with Standing Order 17.34(i).

Amendment 127 (Lindsay Whittle)

In favour	Against	Abstain
-----------	---------	---------

Altaf Hussain	Alun Davies	
Elin Jones	John Griffiths	
Darren Millar	Lynne Neagle	
Lindsay Whittle	Gwyn Price	
Kirsty Williams	David Rees	
As the vote was tied, the Chair used his casting vote in the negative (in accordance with SO 6.20(ii)). Therefore amendment 127 was not agreed.		

Amendment 128 (Lindsay Whittle)

In favour	Against	Abstain
Altaf Hussain	Alun Davies	
Elin Jones	John Griffiths	
Darren Millar	Lynne Neagle	
Lindsay Whittle	Gwyn Price	
Kirsty Williams	David Rees	
As the vote was tied, the Chair used his casting vote in the negative (in accordance with SO 6.20(ii)). Therefore amendment 128 was not agreed.		

Amendment 156 (Lindsay Whittle) was not moved.

As **amendment 127** was not agreed, **amendment 157 (Lindsay Whittle)** fell.

As **amendment 128** was not agreed, **amendment 158 (Lindsay Whittle)** fell.

Amendment 129 (Lindsay Whittle) was withdrawn.

Amendment 1 (Mark Drakeford) was agreed in accordance with Standing Order 17.34(i).

Amendment 2 (Mark Drakeford) was agreed in accordance with Standing Order 17.34(i).

Amendment 109 (Altaf Hussain) was not moved.

Amendment 3 (Mark Drakeford) was agreed in accordance with Standing Order 17.34(i).

Amendment 130 (Lindsay Whittle)

In favour	Against	Abstain
Altaf Hussain	Alun Davies	
Elin Jones	John Griffiths	
Darren Millar	Lynne Neagle	
Lindsay Whittle	Gwyn Price	
Kirsty Williams	David Rees	
As the vote was tied, the Chair used his casting vote in the negative (in accordance with SO 6.20(ii)). Therefore amendment 130 was not agreed.		

Amendment 131 (Lindsay Whittle)

In favour	Against	Abstain
Altaf Hussain	Alun Davies	
Elin Jones	John Griffiths	
Darren Millar	Lynne Neagle	
Lindsay Whittle	Gwyn Price	
Kirsty Williams	David Rees	
As the vote was tied, the Chair used his casting vote in the negative (in accordance with SO 6.20(ii)). Therefore amendment 131 was not agreed.		

Amendment 132 (Lindsay Whittle) was agreed in accordance with Standing Order 17.34(i).

Amendment 4 (Mark Drakeford) was agreed in accordance with Standing Order 17.34(i).

Amendment 5 (Mark Drakeford) was agreed in accordance with Standing Order 17.34(i).

Amendment 133 (Lindsay Whittle) was agreed in accordance with Standing Order 17.34(i).

Amendment 134 (Lindsay Whittle)

In favour	Against	Abstain
Altaf Hussain	Alun Davies	
Elin Jones	John Griffiths	
Darren Millar	Lynne Neagle	
Lindsay Whittle	Gwyn Price	
Kirsty Williams	David Rees	
As the vote was tied, the Chair used his casting vote in the negative (in accordance with SO 6.20(ii)). Therefore amendment 134 was not agreed.		

Amendment 135 (Lindsay Whittle)

In favour	Against	Abstain
Altaf Hussain	Alun Davies	
Elin Jones	John Griffiths	
Darren Millar	Lynne Neagle	
Lindsay Whittle	Gwyn Price	
Kirsty Williams	David Rees	
As the vote was tied, the Chair used his casting vote in the negative (in accordance with SO 6.20(ii)). Therefore amendment 135 was not agreed.		

Amendment 6 (Mark Drakeford) was agreed in accordance with Standing Order 17.34(i).

Amendment 7A (Altaf Hussain) was not moved.

Amendment 7 (Mark Drakeford) was agreed in accordance with Standing Order 17.34(i).

Amendment 136 (Lindsay Whittle)

In favour	Against	Abstain
Altaf Hussain	Alun Davies	
Elin Jones	John Griffiths	

Darren Millar	Lynne Neagle	
Lindsay Whittle	Gwyn Price	
Kirsty Williams	David Rees	
As the vote was tied, the Chair used his casting vote in the negative (in accordance with SO 6.20(ii)). Therefore amendment 136 was not agreed.		

Amendment 8A (Lindsay Whittle) was agreed in accordance with Standing Order 17.34(i).

Amendment 8B (Lindsay Whittle) was not moved.

Amendment 8 (as amended) (Mark Drakeford) was agreed in accordance with Standing Order 17.34(i).

As **amendment 8** was agreed, **amendments 137 and 138 (Lindsay Whittle)** fell.

Amendment 9 (Mark Drakeford) was agreed in accordance with Standing Order 17.34(i).

As **amendment 130** was not agreed, **amendments 139 and 140 (Lindsay Whittle)** fell.

Amendment 10 (Mark Drakeford) was agreed in accordance with Standing Order 17.34(i).

Amendment 11 (Mark Drakeford) was agreed in accordance with Standing Order 17.34(i).

Amendment 12 (Mark Drakeford) was agreed in accordance with Standing Order 17.34(i).

Amendment 13 (Mark Drakeford) was agreed in accordance with Standing Order 17.34(i).

Amendment 14 (Mark Drakeford) was agreed in accordance with Standing Order 17.34(i).

Amendment 15 (Mark Drakeford) was agreed in accordance with Standing Order 17.34(i).

Amendment 16 (Mark Drakeford) was agreed in accordance with Standing Order 17.34(i).

Amendment 17 (Mark Drakeford) was agreed in accordance with Standing Order 17.34(i).

Amendment 141 (Lindsay Whittle)

In favour	Against	Abstain
Altaf Hussain	Alun Davies	
Elin Jones	John Griffiths	
Darren Millar	Lynne Neagle	
Lindsay Whittle	Gwyn Price	
Kirsty Williams	David Rees	
As the vote was tied, the Chair used his casting vote in the negative (in accordance with SO 6.20(ii)). Therefore amendment 141 was not agreed.		

Amendment 18 (Mark Drakeford) was agreed in accordance with Standing Order 17.34(i).

Amendment 19 (Mark Drakeford) was agreed in accordance with Standing Order 17.34(i).

Amendment 20 (Mark Drakeford) was agreed in accordance with Standing Order 17.34(i).

Amendment 21 (Mark Drakeford) was agreed in accordance with Standing Order 17.34(i).

Amendment 22 (Mark Drakeford) was agreed in accordance with Standing Order 17.34(i).

Amendment 23 (Mark Drakeford)

In favour	Against	Abstain
Alun Davies	Altaf Hussain	
John Griffiths	Darren Millar	
Elin Jones		
Lynne Neagle		
Gwyn Price		
David Rees		
Lindsay Whittle		

Kirsty Williams		
Amendment 23 was agreed.		

Amendment 24 (Mark Drakeford) was agreed in accordance with Standing Order 17.34(i).

Amendment 25 (Mark Drakeford) was agreed in accordance with Standing Order 17.34(i).

Amendment 26 (Mark Drakeford) was agreed in accordance with Standing Order 17.34(i).

Amendment 27 (Mark Drakeford) was agreed in accordance with Standing Order 17.34(i).

Amendment 28 (Mark Drakeford) was agreed in accordance with Standing Order 17.34(i).

Amendment 29 (Mark Drakeford) was agreed in accordance with Standing Order 17.34(i).

Amendment 30 (Mark Drakeford) was agreed in accordance with Standing Order 17.34(i).

Amendment 31 (Mark Drakeford) was agreed in accordance with Standing Order 17.34(i).

Amendment 32 (Mark Drakeford) was agreed in accordance with Standing Order 17.34(i).

Amendment 33 (Mark Drakeford) was agreed in accordance with Standing Order 17.34(i).

Amendment 34 (Mark Drakeford) was agreed in accordance with Standing Order 17.34(i).

Amendment 35 (Mark Drakeford) was agreed in accordance with Standing Order 17.34(i).

Amendment 36 (Mark Drakeford) was agreed in accordance with Standing Order 17.34(i).

Amendment 37 (Mark Drakeford) was agreed in accordance with Standing Order 17.34(i).

Amendment 38 (Mark Drakeford) was agreed in accordance with Standing Order 17.34(i).

Amendment 39 (Mark Drakeford) was agreed in accordance with Standing Order 17.34(i).

Amendment 40 (Mark Drakeford) was agreed in accordance with Standing Order 17.34(i).

Amendment 41 (Mark Drakeford) was agreed in accordance with Standing Order 17.34(i).

Amendment 42 (Mark Drakeford) was agreed in accordance with Standing Order 17.34(i).

Amendment 142 (Lindsay Whittle)

In favour	Against	Abstain
Altaf Hussain	Alun Davies	
Elin Jones	John Griffiths	
Darren Millar	Lynne Neagle	
Lindsay Whittle	Gwyn Price	
Kirsty Williams	David Rees	
As the vote was tied, the Chair used his casting vote in the negative (in accordance with SO 6.20(ii)). Therefore amendment 142 was not agreed.		

Amendment 143 (Lindsay Whittle)

In favour	Against	Abstain
Elin Jones	Alun Davies	
Lindsay Whittle	John Griffiths	
Kirsty Williams	Altaf Hussain	
	Darren Millar	
	Lynne Neagle	
	Gwyn Price	
	David Rees	

Amendment 143 was not agreed.

Amendment 43 (Mark Drakeford)

In favour	Against	Abstain
Alun Davies	Altaf Hussain	
John Griffiths	Darren Millar	
Elin Jones		
Lynne Neagle		
Gwyn Price		
David Rees		
Lindsay Whittle		
Kirsty Williams		
Amendment 43 was agreed.		

Amendment 110 (Altaf Hussain)

In favour	Against	Abstain
Altaf Hussain	Alun Davies	
Elin Jones	John Griffiths	
Darren Millar	Lynne Neagle	
Lindsay Whittle	Gwyn Price	
Kirsty Williams	David Rees	
As the vote was tied, the Chair used his casting vote in the negative (in accordance with SO 6.20(ii)). Therefore amendment 110 was not agreed.		

Amendment 111 (Altaf Hussain)

In favour	Against	Abstain
Altaf Hussain	Alun Davies	
Elin Jones	John Griffiths	

Darren Millar	Lynne Neagle	
Lindsay Whittle	Gwyn Price	
Kirsty Williams	David Rees	
As the vote was tied, the Chair used his casting vote in the negative (in accordance with SO 6.20(ii)). Therefore amendment 111 was not agreed.		

Amendment 44 (Mark Drakeford) was agreed in accordance with Standing Order 17.34(i).

Amendment 45 (Mark Drakeford) was agreed in accordance with Standing Order 17.34(i).

Amendment 46 (Mark Drakeford) was agreed in accordance with Standing Order 17.34(i).

Amendment 47 (Mark Drakeford) was agreed in accordance with Standing Order 17.34(i).

Amendment 48 (Mark Drakeford) was agreed in accordance with Standing Order 17.34(i).

Amendment 49 (Mark Drakeford) was agreed in accordance with Standing Order 17.34(i).

Amendment 50 (Mark Drakeford) was agreed in accordance with Standing Order 17.34(i).

Amendment 112 (Altaf Hussain)

In favour	Against	Abstain
Altaf Hussain	Alun Davies	
Darren Millar	John Griffiths	
Kirsty Williams	Elin Jones	
	Lynne Neagle	
	Gwyn Price	
	David Rees	
	Lindsay Whittle	
Amendment 112 was not agreed.		

Amendment 144 (Lindsay Whittle)

In favour	Against	Abstain
Elin Jones	Alun Davies	
Lindsay Whittle	John Griffiths	
Kirsty Williams	Altaf Hussain	
	Darren Millar	
	Lynne Neagle	
	Gwyn Price	
	David Rees	
Amendment 112 was not agreed.		

Amendment 51 (Mark Drakeford) was agreed in accordance with Standing Order 17.34(i).

Amendments 52, 53 and 54 (Mark Drakeford) were agreed en bloc in accordance with Standing Order 17.34(i).

Amendment 55 (Mark Drakeford) was agreed in accordance with Standing Order 17.34(i).

Amendment 56 (Mark Drakeford) was agreed in accordance with Standing Order 17.34(i).

Amendment 57 (Mark Drakeford) was agreed in accordance with Standing Order 17.34(i).

Amendment 145 (Lindsay Whittle)

In favour	Against	Abstain
Altaf Hussain	Alun Davies	
Elin Jones	John Griffiths	
Darren Millar	Lynne Neagle	
Lindsay Whittle	Gwyn Price	
Kirsty Williams	David Rees	

As the vote was tied, the Chair used his casting vote in the negative (in accordance with SO 6.20(ii)). Therefore amendment 145 was not agreed.

Amendment 146 (Lindsay Whittle)

In favour	Against	Abstain
Altaf Hussain	Alun Davies	
Elin Jones	John Griffiths	
Darren Millar	Lynne Neagle	
Lindsay Whittle	Gwyn Price	
Kirsty Williams	David Rees	

As the vote was tied, the Chair used his casting vote in the negative (in accordance with SO 6.20(ii)). Therefore amendment 146 was not agreed.

Amendments 58, 59 and 60 (Mark Drakeford) were agreed en bloc in accordance with Standing Order 17.34(i).

Amendment 61 (Mark Drakeford) was agreed in accordance with Standing Order 17.34(i).

Amendment 62 (Mark Drakeford) was agreed in accordance with Standing Order 17.34(i).

Amendment 63 (Mark Drakeford) was agreed in accordance with Standing Order 17.34(i).

Amendment 64 (Mark Drakeford) was agreed in accordance with Standing Order 17.34(i).

Amendment 65 (Mark Drakeford) was agreed in accordance with Standing Order 17.34(i).

Amendment 66 (Mark Drakeford)

In favour	Against	Abstain
Alun Davies	Altaf Hussain	
John Griffiths	Darren Millar	

Elin Jones		
Lynne Neagle		
Gwyn Price		
David Rees		
Lindsay Whittle		
Kirsty Williams		
Amendment 66 was agreed.		

Amendment 113 (Altaf Hussain)

In favour	Against	Abstain
Altaf Hussain	Alun Davies	
Darren Millar	John Griffiths	
	Elin Jones	
	Lynne Neagle	
	Gwyn Price	
	David Rees	
	Lindsay Whittle	
	Kirsty Williams	
Amendment 113 was not agreed.		

Amendment 67 (Mark Drakeford) was agreed in accordance with Standing Order 17.34(i).

Amendment 68A (Altaf Hussain)

In favour	Against	Abstain
Altaf Hussain	Alun Davies	
Elin Jones	John Griffiths	
Darren Millar	Lynne Neagle	
Lindsay Whittle	Gwyn Price	

Kirsty Williams	David Rees	
As the vote was tied, the Chair used his casting vote in the negative (in accordance with SO 6.20(ii)). Therefore amendment 68A was not agreed.		

Amendment 68 (Mark Drakeford) was agreed in accordance with Standing Order 17.34(i).

Amendment 114 (Altaf Hussain)

In favour	Against	Abstain
Altaf Hussain	Alun Davies	
Elin Jones	John Griffiths	
Darren Millar	Lynne Neagle	
Lindsay Whittle	Gwyn Price	
Kirsty Williams	David Rees	
As the vote was tied, the Chair used his casting vote in the negative (in accordance with SO 6.20(ii)). Therefore amendment 114 was not agreed.		

Amendment 69 (Mark Drakeford) was agreed in accordance with Standing Order 17.34(i).

As amendment 114 was not agreed, amendment 115 (Altaf Hussain) fell.

Amendment 70 (Mark Drakeford) was agreed in accordance with Standing Order 17.34(i).

Amendment 71 (Mark Drakeford) was agreed in accordance with Standing Order 17.34(i).

As amendment 142 was not agreed, amendment 147 (Lindsay Whittle) fell.

Amendment 72 (Mark Drakeford) was agreed in accordance with Standing Order 17.34(i).

As amendment 142 was not agreed, amendment 148 (Lindsay Whittle) fell.

Amendment 73 (Mark Drakeford) was agreed in accordance with Standing Order 17.34(i).

3.3 Section 2; Schedule 1; and sections 3 to 54 were deemed agreed. Further Stage 2 consideration will take place on Thursday 15 October 2015.

7 October 2015

Dear Chair,

The Business Committee has decided to produce a legacy report and is gathering views on the work it has carried out over the past five years including the structures it has put in place, the procedural reforms it has introduced, and its ways of working. The final report will help inform the successor committee in making a number of key decisions at the start of the Fifth Assembly.

The Committee is consulting on the **questions set out in Annex A to this letter**. You will be aware that I have already established a Chairs Forum to consider many of these issues from a committee perspective, and to report to me by the end of the year. That Chairs Forum's report will feed into the Business Committee's own legacy report, but I wanted to give your committee the additional opportunity through this consultation of raising any specific issues related to your committee's work that you may want to bring to the Business Committee's attention.

The Committee is also consulting with external stakeholders, with a closing date for submissions of **13 November 2015**. We will be meeting in early December to consider the evidence gathered, and so ask that you make any submissions in time for them to be considered at that meeting.

If you wish to submit evidence, please send an electronic copy of your submission to SeneddBusiness@Assembly.Wales. Alternatively, you can write to: Committee Clerk, Business Committee, National Assembly for Wales, Cardiff Bay, CF99 1NA.

Disclosure of information

You can find further details about how we will use your information at www.assembly.wales/help/privacy/help-inquiry-privacy.htm. Please ensure that you have considered these details carefully before submitting information to the Committee. A hard copy of this policy can be requested by contacting the Clerk.



Rosemary Butler

Dame Rosemary Butler AM

Chair, Business Committee

Annex A

The terms of reference for the inquiry:



During the current Assembly, the Presiding Officer and Business Committee have introduced a number of procedural reforms, including changing the deadlines for tabling Oral Assembly Questions, introducing regular Individual Member Debates, and leaders' and spokespeople's questions.

- What impact have these changes had in enabling Members to represent their constituents and hold the government to account?

For the first time, the committee structure of the Fourth Assembly, combined policy and legislative scrutiny within the same committees.

- How effective has this approach been and how have committees achieved a balance between their policy, financial and legislative scrutiny?
- What changes could be made to committee size and structure in future to make them more effective?

The Business Committee is responsible for setting the Assembly timetable, including scheduling committee meetings. Currently, Plenary meets on Tuesday and Wednesday afternoons, with committees meeting mostly on Tuesday and Wednesday mornings, and Thursdays.

- Does the current Assembly timetable, including the structure of the working week and committee/Plenary slots provide the correct balance in terms of the use of the Assembly's time, allowing it to effectively perform its functions of making laws, representing the people of Wales, and holding the government to account?

The Business Committee is responsible for establishing timetables for committees to consider Bills, and LCMs, in line with Standing Orders.



- Do the current processes for timetabling legislation – including Bills and LCMs – allow for proper scrutiny and engagement by Members and stakeholders? Could it be made more effective?

Unlike its equivalents in many other legislatures, the Assembly's Business Committee combines the role of scheduling Assembly business with that of a 'procedures committee' responsible for considering and proposing changes to the Assembly's Standing Orders and procedures.

- What are the advantages and disadvantages of this dual role, and is there a case for reviewing it?

