

## **Government Response: The Digital Health and Care Wales (Membership and Procedure) Regulations 2020**

Technical Scrutiny points 1 and 2:

Whilst express provision is not made that a notice under regulation 14(2) must be given *to the member*, we consider that considered alongside the wording of regulation 14(3), it is inferred that written notice under regulation 14(2) must be given to the member (as that is what is required in order to suspend a member under regulation 14(3)).

We acknowledge the incorrect reference in regulation 14(5) to paragraph (1) and will rectify this through a correction slip.

Merit Scrutiny points 1, 2 and 3: *Response*

This listing of the definitions in alphabetical order in the Welsh text of these Regulations is consistent with the Welsh Government's past practice. However, discussions are ongoing to consider this for the future.

The Welsh Government is committed to increasing the number of Explanatory Memoranda and Regulatory Impact Assessments for Statutory Instruments that are laid bilingually in the Senedd, however, these documents are not automatically laid bilingually at the moment. While we are laying an increasing proportion of these documents bilingually, we are also having to prioritise our limited translation resource very strictly at the moment, with Covid and Brexit related legislation and guidance for the public our top priority. The pandemic and Brexit have significantly contributed to the unprecedented pressures on our translation resources.

Standing Order 15.4 of the Senedd requires all documents to be laid bilingually where reasonably practicable, and Standard 47 of the Welsh Language Standards require the Welsh Government to consider the subject matter and the anticipated audience of certain documents to prioritise their translation. Following guidance provided by the Commissioner's office, we considered issues such as whether the Regulations related to issues affecting the Welsh language directly, whether the Regulations were of great interest to Welsh speaking groups in particular, and whether a high proportion of the documents' audience would be Welsh speaking. As these Regulations are procedural in nature, making provisions about the membership and procedures of DHCW, and do not have a direct impact on the public, they have not been deemed a priority for our stretched Translation Service at this time.

We acknowledge that it would be helpful if the complete reference to the National Health Service Reform (Scotland) Act 2004 were used in the footnote and it will be corrected via correction slip.