

SL(6)495 – The National Framework for the Commissioning of Care and Support in Wales: Code of Practice

Background and Purpose

The National Framework for the Commissioning of Care and Support in Wales: Code of Practice (“the Code”) sets out principles and standards for the commissioning of care and support by local authorities, local health boards and NHS trusts, referred to within the Code as “statutory partners”.

The Code was originally laid before the Senedd on 19 March 2024 before being withdrawn on 18 April 2024 to address errors identified in the draft.

Procedure

Draft Negative

The Welsh Ministers have laid a draft of the Code before the Senedd. If, within 40 days (excluding any days when the Senedd is: (i) dissolved, or (ii) in recess for more than four days) of the draft being laid, the Senedd resolves not to approve the draft Code then the Welsh Ministers must not issue the Code.

If no such resolution is made, the Welsh Ministers must issue the Code (in the form of the draft) and the Code comes into force on a day specified in an order made by the Welsh Ministers.

Scrutiny under Standing Order 21.7

The following point is identified for reporting under Standing Order 21.7 in respect of this Code.

1. The following referencing issues may have an impact on the accessibility of the Code:
 - a. In paragraph 1.19, there is a reference to “the Health Services (Provider Selection Regime) (Wales) Regulations”. This reference is incomplete as no year is given.
 - b. In paragraph 1.65, there is no footnote or hyperlink for the reference to the Welsh Language (Wales) Measure 2011.
 - c. In paragraph 1.94, there is no footnote or hyperlink for the reference to the self-assessment tool and introductory training.



- d. In the Glossary, the final paragraph of the entry for “Carer” refers to the Social Services and Well-being (Wales) Act 2014 as “the 2014 Act” rather than using the defined term “the Act” (which is used correctly in earlier paragraphs of this entry).

Government response

A Welsh Government response is required.

Legal Advisers

Legislation, Justice and Constitution Committee

26 June 2024

