

To: Health and Social Care Committee

From: Committee Secretariat

Date: July 2011

ISSUES WITHIN THE HEALTH AND SOCIAL CARE COMMITTEE'S PORTFOLIO AND CONSIDERATION OF ITS FORWARD WORK PROGRAMME

Purpose

1. This paper contains information to inform the Health and Social Care Committee's discussion of issues within its portfolio and consideration of its forward work programme.

The Committee's portfolio

2. The Health and Social Care Committee's role is to consider policy and legislative matters relating to the physical, mental and public health of the people of Wales, including the social care system.
3. The Business Committee is expected to report on the portfolios and responsibilities of committees in the Fourth Assembly, although this report is yet to be laid. Members of the Health and Social Care Committee will be provided with a copy of the report when it is available. In the meantime, the responsibilities of the Health and Social Care Committee, as provisionally agreed by the Business Committee, are set out below:
 - All aspects of the NHS
 - Social care
 - Mental health services
 - Public health and health protection
 - Health improvement and older people and carers
 - Social services activities of local authorities
 - Regulation of residential, domiciliary, adult placements
 - Aids, adaptations and support at home

- Living independently
 - Care in the community
 - The Older People’s Commissioner for Wales
 - Food safety
 - Research and development in health and social care
 - Prison Service health service
4. Annex A contains a paper produced by the Assembly’s Research Service outlining some of the key legislative developments and policy issues falling within the Health and Social Care Committee’s portfolio. The Legacy Report of the Third Assembly’s Health, Wellbeing and Local Government Committee is also attached for Members’ consideration at Annex B.
5. Members may wish to note that the remit of the Health and Social Care Committee differs to that of the previous Assembly’s Health, Wellbeing and Local Government. The Health and Social Care Committee is primarily responsible for adult health and social care, though it can still consider issues in relation to children and young people where this is appropriate. Under the new Committee structure, child health, social care for children, safeguarding and the Children and Family Court Advisory Support Service (CAFCASS) falls within the remit of the Children and Young People Committee. Local government falls within the broad remit of the Communities, Equality and Local Government Committee. As such, the recommendations contained in the Legacy Report of the previous committee are not all relevant to the new Health and Social Care Committee.

The Committee’s forward work programme

Policy inquiries

6. The Committee may wish to launch a short policy inquiry before the summer recess in preparation for the autumn term, so that the views of stakeholders can be collected over the summer. Suggestions for possible short term inquiries will be provided at the Committee’s following meeting if Members wish to launch an inquiry before the end of term.

Legislation

7. In advance of the First Minister's announcement of the Welsh Government's five year legislative programme (expected on 12 July) the First Minister outlined the government's legislative priorities in a statement to plenary on 14 June.
8. Based on this statement, the Committee is likely to be referred the following pieces of legislation over the next 5 years:
 - a **Social Care Bill** for Wales to consolidate the existing array of social care legislation, based on a thorough review of the legislative and regulatory framework;
 - an **Organ Donation Bill** which will provide for an opt-out system of organ donation.
9. The Welsh Labour Party manifesto for the 2011 Assembly elections also identifies two further areas for legislation on which it plans to consult which may fall within the Committee's remit:
 - legislation to ban smoking in designated areas of hospital grounds, and
 - legislation requiring the involvement and consent of parents for cosmetic piercing procedures on a young person below a certain age.
10. Based on practice in the Third Assembly, there is little advance warning of the date on which Bills are to be introduced by the Welsh Government. Due to the Committee's dual legislative and policy scrutiny role, the Committee will need to be flexible when planning its forward work programme in order to be able to respond effectively to the demands of scrutiny of legislation.

Action for the Committee

11. The Committee is invited to:
 - note its provisional responsibilities, in advance of the report of the Business Committee (paragraph 3);
 - discuss whether it wishes to launch an inquiry before the summer recess (paragraph 6); and

- note the need to be flexible in planning its forward work programme in order to be able to respond to the demands of scrutiny of legislation (paragraph 10).