



Cynulliad Cenedlaethol Cymru **The National Assembly for Wales**

Y Pwyllgor Iechyd a Gofal Cymdeithasol **The Health and Social Care Committee**

Dydd Iau, 2 Chwefror 2012
Thursday, 2 February 2012

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Cofnodir y trafodion hyn yn yr iaith y llefarwyd hwy ynddi yn y pwyllgor. Yn ogystal,
cynhwysir cyfieithiad Saesneg o gyfraniadau yn y Gymraeg.

These proceedings are reported in the language in which they were spoken in the committee.
In addition, an English translation of Welsh speeches is included.

Aelodau'r pwyllgor yn bresennol
Committee members in attendance

Mick Antoniw	Llafur Labour
Mark Drakeford	Llafur (Cadeirydd y Pwyllgor) Labour (Committee Chair)
Rebecca Evans	Llafur Labour
Vaughan Gething	Llafur Labour
William Graham	Ceidwadwyr Cymreig Welsh Conservatives
Elin Jones	Plaid Cymru The Party of Wales
Darren Millar	Ceidwadwyr Cymreig Welsh Conservatives
Lynne Neagle	Llafur Labour
Lindsay Whittle	Plaid Cymru The Party of Wales
Kirsty Williams	Democratiaid Rhyddfrydol Cymru Welsh Liberal Democrats

Eraill yn bresennol
Others in attendance

Chris Brereton	Dirprwy Brif Gynghorydd Iechyd yr Amgylchedd Deputy Chief Environmental Health Adviser
Chris Humphreys	Cyfreithiwr Lawyer
Joyce Watson	Aelod Cynulliad, Llafur Assembly Member, Labour
Rob Wilkins	Asiantaeth Safonau Bwyd Foods Standards Agency
David Worthington	Uwch Swyddog Cyfrifol am y Bil Senior Responsible Officer for the Bill

Swyddogion Cynulliad Cenedlaethol Cymru yn bresennol
National Assembly for Wales officials in attendance

Sarah Beasley	Clerc Clerk
Stephen Boyce	Y Gwasanaeth Ymchwil Research Service
Llinos Dafydd	Clerc Clerk
Joanest Jackson	Uwch-gynghorydd Cyfreithiol Senior Legal Adviser
Meriel Singleton	Dirprwy Glerc Deputy Clerk

Dechreuodd y cyfarfod am 9.31 a.m.
The meeting began at 9.31 a.m.

Cyflwyniad, Ymddiheuriadau a Dirprwyon Introduction, Apologies and Substitutions

[1] **Mark Drakeford:** Bore da a chroeso. Mae'r microffonau i gyd ymlaen. Croeso i'r Pwyllgor Iechyd a Gofal Cymdeithasol, a chroeso arbennig i Joyce Watson sydd yma'r bore yma o'r Pwyllgor Menter a Busnes. Mae'n bosibl y bydd Keith Davies ac Alun Ffred yn ymuno â ni hefyd.

Mark Drakeford: Good morning and welcome. The microphones are all on. Welcome to the Health and Social Care Committee. I give a particular welcome to Joyce Watson who is here this morning from the Enterprise and Business Committee. It is possible that Keith Davies and Alun Ffred will join us as well.

9.32 a.m.

Y Bil Drafft ynghylch Sgorio Hylendid Bwyd (Cymru)—Briff Technegol gan Swyddogion Llywodraeth Cymru The Draft Food Hygiene Rating (Wales) Bill—Technical Briefing from Welsh Government Officials

[2] **Mark Drakeford:** Hoffwn groesawu David Worthington, yr uwch swyddog sy'n gyfrifol am y Bil, Chris Brereton, dirprwy brif gynghorydd iechyd yr amgylchedd—croeso'n ôl, Chris—Rob Wilkins o'r Asiantaeth Safonau Bwyd a Chris Humphreys, cyfreithiwr gyda'r Llywodraeth. Croeso ichi gyd y bore yma.

Mark Drakeford: I would like to welcome David Worthington, senior responsible officer for the Bill, Chris Brereton, deputy chief environmental health adviser—welcome back, Chris—Rob Wilkins from the Food Standards Agency and Chris Humphreys, a Government lawyer. Welcome to you all this morning.

[3] Rwyf am gynnal y sesiwn yn yr un modd â'r tro diwethaf, pan oeddem yn trafod y Papur Gwyn ar roi organau. Felly, byddwn yn dechrau drwy ofyn i'r swyddogion egluro cyd-destun y Bil drafft, ac yna bydd cyfle i'r Aelodau ofyn cwestiynau. Yn yr ail ran, byddwn yn siarad am gynnwys y Bil drafft a bydd cyfle arall i Aelodau ofyn cwestiynau. I gloi, byddwn yn siarad am y dyfodol a'r cynlluniau sydd gan y Llywodraeth ar ôl gwneud y pethau y mae'n gwneud ar y Bil drafft yn awr.

I want to hold the session in the same way as last time, when we discussed the White Paper on organ donation. So, we will begin by asking the officials to explain the context of the draft Bill, and then Members will have an opportunity to ask questions. In the second part, we will talk about the content of the draft Bill and there will be a further opportunity for Members to ask questions. Finally, we will talk about the future and the Government's plans after doing what it is doing now on the draft Bill.

[4] I am not sure who will start. David, are you going to lead us into the first part? We will do it in three parts, as I said. We will ask you to explain a little about the context of the Bill, where it has come from, what its origins are and so on. Then, we will see whether any Members have questions about that. Then, we will talk about the content of the draft Bill and then ask you about the future and where it goes from here.

[5] **Mr Worthington:** Just so Members are aware, I am the senior responsible officer for the Bill, and I have brought with me Chris Brereton, who will answer technical details on environmental health, Rob Wilkins from the FSA, who will answer voluntary issues, and Chris Humphreys from our legal department.

[6] On 14 December, the draft Food Hygiene Rating (Wales) Bill was published for public consultation. The main aim of the Bill is to require that food businesses, such as

restaurants, pubs, cafes, takeaways, hotels and supermarkets, display their food hygiene rating at their premises so that it can easily be seen by consumers. The introduction of the Bill is part of the Welsh Government's programme for government.

[7] It is estimated that, in the UK, there are about 1 million people who suffer food-borne illness every year, 20,000 of whom receive hospital treatment and around 500 of whom die. These figures, and the tragic consequences of the 2005 south Wales E. coli outbreak, demonstrate the importance of food hygiene. The display and publication of the food business food hygiene rating has been shown to be an effective way of encouraging businesses to improve their food hygiene standards. The Food Standards Agency food hygiene rating scheme was introduced in Wales as a voluntary measure in October 2010. All 22 local authorities in Wales are participating in the FSA voluntary scheme and, of the approximately 30,000 food businesses in Wales, more than 16,300 have been rated—in other words, just over half.

[8] Under the FSA's scheme, food businesses are encouraged to display at their premises the food hygiene rating awarded to them by their local authority. The food hygiene rating score is also published on the FSA hygiene rating website. However, because the FSA scheme is voluntary, businesses are not compelled to display their score. However, all ratings are displayed on the FSA website. Research undertaken in Wales by the Food Standards Agency has shown that only 31% of rated businesses are displaying their ratings. Not surprisingly, low-scoring businesses are particularly reluctant to display their scores. Another consideration is that around 30% of people do not have access to the internet. Therefore, unless the business displays its score on the premises it can be very difficult to find out about a particular rating.

[9] The Bill is intended to introduce a requirement that food businesses display their food hygiene rating in a prominent position at their premises. This will provide consumers with easily understandable, at-a-glance information on the hygiene standards of food businesses and allow them to make informed choices about where they want to purchase food. For businesses, compulsory display of hygiene ratings will also encourage all outlets to improve their practices and procedures and, we believe, drive up food standards. Mandatory display will also benefit those businesses with good food hygiene. Good food hygiene means a good rating and good ratings mean good business. Consumer choice based on hygiene standards gives a food business a powerful incentive to improve its hygiene rating so that it maintains and attracts business.

[10] There is widespread support for the introduction of a mandatory scheme. Research undertaken by Consumer Focus Wales found that 94% of people think that it should be compulsory for businesses in Wales to display their scores. Similarly, an FSA survey found that 95% of the public wants to see mandatory display. The draft Bill currently requires that all food businesses that supply food directly to consumers will be required to display their food hygiene ratings. The draft Bill allows for regulations to exempt certain categories of business. Exemptions are likely for very small low-risk businesses and, potentially, for childminders operating from domestic premises. We are currently consulting on the point at which businesses should be exempt. We are also seeking views on extending the scheme to cover business-to-business trade. The Welsh Government consultation will close on 7 March, after which we will advise the Minister for Health and Social Services on the responses received. It is intended that the Bill will be introduced to the National Assembly for Wales by the end of May. Thank you, Chair.

[11] **Mark Drakeford:** I just wish to give a gentle reminder to Members that the point of this session is to ensure that we keep abreast of all the developments. We are not actually scrutinising the content or any of the people before us. This is an opportunity to ensure that we keep as closely in touch with developments as we can. Kirsty, is there anything that you

would like to pursue in that way?

[12] **Kirsty Williams:** Yes. Thank you for your time this morning. I am interested to know the percentages for the various categories that the businesses that have already been assessed and rated fall into. How many have a rating of 1, how many have a rating of 5 and so on? Are those data available?

[13] **Mr Worthington:** Yes, we have that detailed information. I will ask Rob whether he can provide that from the FSA.

[14] **Mr Wilkins:** These are figures that were released this week. Of all the establishments in Wales that have been rated to date, 31% have been rated at 5, 30% at 4, 19% at 3, 7% at 2, 12% at 1 and 1% at 0.

[15] **Kirsty Williams:** Do you have any figures on the usage of your website? Do we have any analysis of how many people are going on to the FSA website to check scores?

[16] **Mr Wilkins:** We do have figures, but I am afraid that I do not have them with me. We know that there was a bit of a peak around the time that the consultation was launched.

[17] **Mark Drakeford:** If the figures are easily available, you might be able to provide them to us.

[18] **Mr Wilkins:** Yes, I will certainly provide them.

[19] **Lynne Neagle:** I have two questions. You said that there were exemptions for some low-risk businesses, and I wondered whether you could give a bit more detail on what that means and give us some examples. You mentioned that childminders would be exempt; is it still the case that day nurseries and places like that would be covered by this scheme?

[20] **Mr Worthington:** We aim to mirror an existing voluntary scheme, so it is worthwhile to ask Rob to explain the exemptions for the voluntary scheme. The proposals are that there are exemptions. At the moment, the Minister has not made any decision on what exemptions there are, but since we want to mirror the existing scheme, it is probably likely that those will be the recommendations. Rob, would you care to detail?

[21] **Mr Wilkins:** Yes, I will give you some examples of low-risk establishments that are currently exempt under the scheme. They would be, for instance, leisure centres, with only food vending machines selling drinks; chemist shops that sell pre-packed confectionery and/or health foods; off licences where there is no open food, as such; visitor centres that, perhaps, sell tins of sweets or other wrapped goods among a range of other goods; and newsagents that only sell pre-packed confectionery.

[22] **Mr Worthington:** You also asked about childminders, and whether they would be included. The answer to that is 'yes'.

[23] **Darren Millar:** Thank you for your opening remarks. The quality of hospital food and hospital hygiene standards are generally issues of concern to the public. Are there proposals for this scheme to apply to hospitals? How would hospital patients have access to that information? Is that something that would be given to them upon entry into hospital?

[24] **Mr Worthington:** Hospitals are already rated; the voluntary scheme applies to hospitals and it would continue to apply to hospitals. If you so wished, we could give Members a breakdown indicating the number of hospitals in various categories.

[25] **Darren Millar:** Are hospitals currently voluntarily displaying their scores on the doors?

[26] **Mr Worthington:** Yes.

[27] **Darren Millar:** I have not seen them in any hospital that I have visited.

[28] **Mr Worthington:** Again, this is a voluntary scheme; there is no compulsion to display, so it is up to the individual hospital as to whether it displays the score or not. There is a slight complication with hospitals, because they potentially contain a number of businesses; it is not just wards and kitchens. There are voluntary agencies that might hand out sandwiches and coffees, which are potentially businesses themselves. They would all be rated separately. It is not an all-embracing 'everything in this facility is at this score'. It is a particular facility within the business that has a particular score.

[29] **Darren Millar:** Is there not potential for confusion if there are a number of businesses on one hospital site? I appreciate the difficulty. Given that one would expect the Welsh Government to want to lead by example, why is the Minister for Health and Social Services not instructing hospitals to display their scores on the doors of what are, effectively, Welsh Government establishments?

[30] **Mr Worthington:** You ask me why the Minister does not do that; I am afraid that I do not know.

[31] **Darren Millar:** What proportion of hospitals currently displays this information?

[32] **Mr Worthington:** Do we have that information, Rob?

[33] **Mr Wilkins:** We do not.

[34] **Mr Worthington:** We have the information on the rating of different hospitals and which fall into which particular category, but I am afraid that I do not have the other information.

[35] **Darren Millar:** Could that be provided? It would be very useful.

[36] **Mr Worthington:** I am sure that we could get the information.

[37] **Joyce Watson:** First, I will make an observation. When my son was 10 years old, he got food poisoning from an outlet, and I can tell you that, when you watch a child being sick and really ill for a month, you understand the need for this sort of legislation. I welcome it. Secondly, we talk about giving people scores on the doors, but that depends on the level of inspection that leads to those scores. Is there any information on how many outlets are being inspected by the 22 local authorities at the moment, because if you are not inspected, you are not rated? That would be useful and relevant.

9.45 a.m.

[38] You talked about consultation on business-to-business trade—did I hear that correctly?

[39] **Mr Worthington:** That is right.

[40] **Joyce Watson:** Is there anything further that you would like to tell us about that?

[41] **Mr Worthington:** I will take those questions in order. On the number of premises inspected by individual local authorities, yes, we have that detailed information; I am sure that Rob could give you that now, if you wanted it. We also have information on the categories of business in each local authority, and I am sure that Rob will give you that.

[42] On business-to-business trade, the voluntary scheme currently relates to the sale of food directly to consumers, either for consumption or preparation. There will be many businesses to which that does not apply. Those are mainly wholesalers to wholesalers and retailers to retailer premises and producers and so on. So, many premises are not included in the scheme and we are consulting on whether consumers and businesses think that those should be rated. This rating scheme is not only useful to consumers, but also to purchase businesses, in terms of knowing where their supplies come from. So, hopefully that answers your question. If you would like detail—

[43] **Joyce Watson:** Could I come back on that point? The last outbreak, and the most serious one, resulted from a business-to-business enterprise. That is why I am keen to look at business-to-business trade. That is often where the problem starts. We all know how it led to that E. coli outbreak.

[44] **Mr Wilkins:** The scheme is operating across England, Wales and Northern Ireland. The question of extending the scope of the scheme to include businesses that are principal traders with other businesses rather than directly with the consumer is one that the board considered in November, and we are currently pursuing that.

[45] **Joyce Watson:** What about inspection rates?

[46] **Mr Wilkins:** We know that there are just over 16,000 ratings for Welsh food businesses, so over 16,000 inspections have been done in Wales since 1 October 2010. The actual figure will be a little higher because, although the majority of Welsh local authorities started implementing the scheme on 1 October, a few came on board a month or two later. So, that figure will be slightly higher, but I can provide you with an accurate figure.

[47] **Mark Drakeford:** Rob, could you break that down to local authority level? Do you know now whether local authority performance varies across Wales? In just over a year, half the businesses have been inspected. Are some local authorities doing much better or worse than that, or is there a uniform pattern across Wales?

[48] **Mr Wilkins:** There is a consistent pattern. Inspections of food establishments are carried out in accordance with the food law code of practice, which received ministerial approval in Wales. That dictates the frequency of inspections, which could be every six months, every 12 months or every 18 months, depending on the risk that the business poses to consumers. Risk is determined by a number of factors, including what they do in the establishment, the number of consumers and the levels of compliance when an inspection is carried out. That provides consistency of approach. The agency also audits local authorities to ensure that they are compliant with the food law code of practice, among other things.

[49] **Mark Drakeford:** David indicated that, as well as being able to give us local authority figures, you might be able to give us the breakdown of ratings at local authority level, too.

[50] **Mr Wilkins:** Yes.

[51] **Mark Drakeford:** Thank you; that would be very helpful. Lindsay will now ask a question, followed by Mick.

[52] **Lindsay Whittle:** The food suppliers were at fault in the incident in September 2005. There is no doubt about that. It is all very well, with respect, to have standards in restaurants, cafes, hotels and food shops, but it was the standard of a supplier's operations that was the criminal part in the last episode, and I make no apologies for using the word 'criminal'. Will this Bill cover school premises? Sadly, we saw the loss of a beautiful child—Mason Jones—and we owe it to the memory of that young boy, and his family who have suffered terribly, to do something about this. It is not acceptable just to talk about hotels, food shops and restaurants; we have to hit the suppliers as well. That is vital. Someone, with the best will in the world, could have the cleanest shop in Wales, but the food supplied and served to customers could seriously injure or, sadly, kill them. That is important.

[53] I know that the staff at the school concerned were particularly affected. There is no evidence to suggest that the staff were in any way responsible, but they were badly affected. So, I wanted to ask about the suppliers, but I also wanted to ask about the punishment of people who are found guilty. Will this Bill even cover that, because, quite frankly, the gentleman in question—I think his name was Mr Williams—was punished so weakly it was appalling? It was a public scandal that he got away with what he did.

[54] **Mark Drakeford:** In terms of the questions being asked, I will put two specific questions to you. Lindsay wants to know whether schools are covered, and he is interested in the level of penalty the Bill suggests for people who infringe on any of its components. I will take the points you made, Lindsay, about suppliers and so on as a contribution to the general consultation, rather than something to which an answer is expected.

[55] **Lindsay Whittle:** I am sorry, but I have now been reliably informed that the gentlemen in question is a Mr Tudor. I had better get the name correct.

[56] **Mr Worthington:** There are a number of points I would like to cover in the response, Chair, with your indulgence. Are schools covered? The simple answer is 'yes, they are covered'. On the issue of extending the scheme to trade-to-trade business, you mentioned the tragic death of Mason Jones. I wrote to Mason's mother personally at the start of the scheme, having met her before. She wrote back, very kindly, and said that she is in support of the scheme, and strongly supports the extension of the scheme into trade-to-trade businesses.

[57] In terms of the seriousness of the crime, let us not forget that we need to be clear that this is a scheme about the display of ratings. The inspection of premises and food hygiene is extant within UK law, and there are extant penalties, which include imprisonment. In Wales, we have seen people imprisoned because of offences under this legislation. This legislation does not strengthen the food hygiene system we have in Wales. It is a consistent system that involves professional officers using codes of practice to an agreed standard, and it is monitored by the Food Standards Agency.

[58] This Bill is about making the scores of the inspections prominently available to consumers. That is what it is about. It is thought that the displaying of scores will raise food standards because of consumer pressure, rather than as a result of secretive pressure from local authorities and the actions they can take. So, local authorities can issue improvement notices, they can prohibit parts of businesses and prohibit businesses from opening, and close businesses. The penalties are in law, and I cannot comment on individual cases.

[59] **Mark Drakeford:** A couple of Members have specific points arising from that question. We have questions from Darren, followed by Kirsty and Mick.

[60] **Darren Millar:** On the situation of which businesses or premises will be involved, the committee is undertaking an inquiry into residential care at the moment. Will residential care homes come under the scheme and the requirement to display, because, essentially, if it

is about consumer choice, people who are already in residential care and settled in a home, are unlikely to be able to up sticks and disappear from one home to the next simply because the food hygiene rating dips? To what extent will they be required to display ratings?

[61] **Mr Worthington:** The answer is ‘yes, care homes will be included’, but Rob will go into some of the detail on that.

[62] **Mr Wilkins:** They are certainly included in the scheme at the moment, and the Bill will have the same effect on those establishments as it will on others in the scheme, in that they will be required to display their rating.

[63] **Darren Millar:** To what extent is consumer choice limited because of the nature of that sort of business? It is, is it not?

[64] **Mr Worthington:** Consumer choice is limited according to how many of a certain type of business are in the area that you want to include. From personal experience, I know that elderly people choose care and nursing homes based on a range of activities. At the moment, food hygiene rating is applied to these premises. Ratings are on the website, so people can find them, but they are not immediately apparent going into the premises. However, they should be apparent, in our opinion.

[65] **Mark Drakeford:** That will be part of people’s considerations when they are choosing a home, even if they are not moving—

[66] **Darren Millar:** But once they are there—

[67] **Mark Drakeford:** It is a different matter then, but at the point of choosing, that will be significant.

[68] **Kirsty Williams:** On the issue of consumer choice, you said, Mr Worthington, that you are assuming that this legislation will work because consumers, when faced with this information on going into premises, will make different choices and, because of the commercial pressure then put upon a business, standards will rise. I have changed my habits since the website has been available, in terms of where I buy my lunch and where I take my children out to eat. However, have you undertaken any research or do you have any research that that is what consumers do when presented with this information? If that is not how consumers generally behave, the stated aims of this legislation will not be achieved. So, do you have any research or evidence that, when presented with scores, consumers make different choices and, therefore, there will be commercial pressure on other businesses to improve their ratings? Is there any evidence?

[69] **Mr Worthington:** I will ask Chris Brereton whether he would like to contribute on this.

[70] **Mr Brereton:** There are studies that have shown that people do not necessarily plan ahead. They do not go to a website to look where they should go. When they are walking down a high street, they will make decisions as they pass a door—

[71] **Kirsty Williams:** If you go out after a rugby match on a Saturday afternoon and you are in Caroline Street, you will not be on your smartphone deciding which kebab shop you will go into.

[72] **Mr Brereton:** No, but there is good evidence that people make a decision when they get immediate information, when it is in front of them. The problem is that that information is not there currently. If it is there, it is hit and miss. So, one business will display, and one will

not. You referred to Caroline Street, and if there was a row of premises displaying a range of scores side-by-side, people would be able to make a choice. It is a consumer choice, at the end of the day, and they would have to evaluate what they take into consideration when they make that choice, whether it is the length of the queue or whether it has a rating of 5, 4 or 3. However, I strongly suspect—and I believe that the FSA has carried out some research into this—that people would choose to go into the better rated premises.

[73] **Mr Worthington:** On the point about evidence that this works—apart from personal evidence, because I do it as well; I think that most of us take notice, where the sticker is visible, of course. There is good international evidence of this. It is not just that there is evidence from Wales, England, Northern Ireland and Scotland in their schemes, there is evidence from the schemes in Los Angeles, New York and Denmark. Several countries around the world are pursuing this. So, there is evidence that the scheme works not only for consumers, but for hygiene. If I remember correctly, Los Angeles reported a 20% reduction in food poisonings in the first 12 months of the operation of its scheme. I know from personal experience, having been to an area where this is operating, that it was big news at the time, and it seemed to make a difference to restaurants. It makes a difference to consumers, but it is also borne out in food poisoning statistics, in that it drives down food poisonings. This is probably, and potentially, the next step change in food safety for Wales. Instead of persuading and gradually driving it down, the figure should show a drop.

[74] **Mark Drakeford:** Thank you very much for that. Several Members want to ask questions, so I will go to Mick, and then to William Graham, Vaughan and Rebecca.

10.00 a.m.

[75] **Mick Antoniw:** Chair, I have a number of quite legal and technical questions on the proposed legislation. Perhaps you can give me a bit of leeway in following them through, because some of them will have quite short responses. First, what exactly do the gradings mean, and how do they interact with other legislation? My concern is that it is all very well to say that something is 0, 1, 2, 3, or whatever, but what does that say to the person walking past? I would have thought that if someone has a 0 or 1 grading, they should not be in business. That says that urgent improvement is necessary and the place is unsafe. Perhaps the grading should say that an establishment is open because it has achieved a standard of safety—a bit like hotel grading—and that it is more to do with how much quality you get out of it beyond that standard.

[76] **Mr Wilkins:** It is important to note that all establishments that receive a 0, 1 and 2 rating are not left to their own devices until the next programmed inspection. The local authority will take appropriate action to ensure that those significant contraventions of food safety law are remedied. The action that it may take could vary. If there was an imminent risk of injury to health, which is the condition that has to be satisfied before a hygiene emergency prohibition notice can be served, then it would take action to close the establishment. If the conditions demonstrate that risk of injury of health does not exist, then other courses of action are open to the local authority. They could include prosecution or the serving of a hygiene improvement notice.

[77] Later on this year, we are hoping that there will be the option of serving a remedial action notice, which will require businesses to address any issues immediately. For instance, this could be done as a result of a food storage issue where there was a risk of cross-contamination. That would be followed up, and we would work with Welsh local authorities to establish a consistent and agreed timeline for it to be followed up. Generally speaking, those time limits would be what is set out in the code of practice. For instance, in relation to a 0-rated establishment, the rating goes on the website straight away, but something kicks in almost immediately to address the contraventions. The establishment could be revisited the

next day, or any time, up to a maximum of 28 days, depending on what contraventions were noted. You asked what the different ratings mean. As you are aware, they range from 5, which means very good, to good, generally satisfactory, improvement necessary, major improvement necessary, and urgent improvement necessary, which we have just talked about.

[78] **Mick Antoniw:** I am concerned about the entrenchment of the existing legislation, and that it implies that a rating of 0 or 1 means that you are still able to trade. Does this piece of legislation not imply that there has been a failure in the implementation of other legislation with regard to whether a place should be open in the first place?

[79] **Mr Williams:** Certainly, 0, 1 and 2-rated establishments have significantly contravened food safety law. The law does not allow for them to be closed down unless there is imminent risk of injury to health.

[80] **Mick Antoniw:** That will probably follow when the Bill appears.

[81] **Mr Worthington:** To add to what Rob said, hopefully as clarification, the scheme is intended as a very rough guide. There are six categories, after all. In terms of whether premises that should be rated very low should be closed down or not, we have already taken that up. The Minister raised that point and we sought guidance. Essentially, the guidance on the regulation, bearing in mind that most of our legislation also has a European dimension, is that a premises can only be closed down if there is an imminent risk to health. Having a 0 rating does not necessarily imply an imminent risk to health. In the consultation, we also recognise that a simple 0, 1, 2, 3, 4 or 5 score does not tell consumers much about how the scores were derived. They only tell you the category and so on. So, there is a question in the consultation about whether the inspection reports, perhaps in summary form, should be available to consumers. People can see the rating, and we are also asking whether people should have access to the inspection report so that they can see why that rating was scored. Is it simply an issue of some of the procedures not being documented, or is there a more fundamental food hygiene issue, and what are people doing about it? I hope that that clarifies it.

[82] **Mick Antoniw:** There is an issue of continuity and interaction with other legislation, but that is really a matter for another time. Briefly, will mobile cafes be covered?

[83] **Mr Worthington:** Yes.

[84] **Mick Antoniw:** They will. A three-year round is proposed for the assessment of premises. Would the Bill provide that if there is a change of ownership, there has to be an immediate reassessment?

[85] **Mr Brereton:** On the change of ownership issue, there would be a reinspection and the rating that is displayed at the time would become invalid, and a new rating would have to be given to provide a valid rating sticker to be displayed.

[86] **William Graham:** I have two questions to ask, if I may. First, the aim of the Bill is to improve standards, which is greatly to be welcomed. For this committee and for our briefing today, are there particular aspects of the Bill that you think we should emphasise in our future discussions?

[87] **Mr Worthington:** The area that I am particularly interested in—and I can only give a personal opinion; this is not necessarily a ministerial view—is the extension of the scheme beyond the voluntary element. It is about the issue of trying to make consumers much more aware of what goes into the food that they are eating. For me, the key questions are predominantly around extending the scheme into trade-to-trade businesses, as has already

been alluded to, and trying to ensure that people understand the premises, by having access to inspection reports and things like that. There are all sorts of things that can fall out of this. We are very interested in seeing what will come back from consumers because sometimes you miss things or you do not understand what individuals feel are important. So, those two areas in particular: it is about taking the voluntary scheme forward into a new dimension and making it compulsory.

[88] At the end of the day, there is a fundamental unfairness here in that businesses that are spending money and complying, or trying their best to comply, are seeing other businesses not displaying the thing, and consumers do not really understand whether they have not been rated or whether they have had a lousy score and have simply not put it up. To me, it is an issue about fundamental fairness and equity as well as consumer information. Do not forget that this is public money, provided to give information to the public. Why should the public not have a right to see the standards of the premises from which they buy food? They are rated; this would not put an additional burden on people, by and large. It is work that is already being done; it is just that the scores are not immediately available, unless you go on to a website.

[89] **William Graham:** Is it your experience—I am not trying to lead you—that the catering industry will welcome this?

[90] **Mr Worthington:** We have consulted a range of businesses. I will ask Rob about the voluntary scheme, but the people whom we have spoken to generally welcome it, because good businesses want to demonstrate that they are good and want to get rid of the people who they think are bad. At the end of the day, anybody who causes a food poisoning outbreak damages that area of business. The notion that takeaways or kebab shops are bad does no good to people who are actually operating perfectly satisfactorily. The trade has generally welcomed it. There are concerns that it will cost a lot of money or that it will be complicated, but the answer to those is, 'No, it is an existing scheme and you are already rated whether you want to be or not—this issue is about whether you want to display the score or are compelled to do so'. That is really the fundamental point. I do not know whether Rob wants to comment on the reception from business in relation to the voluntary scheme more widely.

[91] **Mr Wilkins:** I can confirm that businesses with good food hygiene standards unsurprisingly welcome the scheme, and do not see why those with poorer standards should not be compelled to display their ratings. I would just like to add that, in the last year of the scheme's operation, Welsh local authorities have had requests from 525 businesses for revisits. These are instances where they have made improvements because they want a better score. They perhaps think that they are required to display it, but, at the very least, they know that it is definitely on our website and they are prepared to make improvements and want the local authorities to return.

[92] **Kirsty Williams:** Am I right in understanding that the scheme will allow businesses to ask for reinspection but that the proposal is for businesses to pay for that reinspection? With regard to the evidence that you have just given us, Mr Wilkins, how many businesses have asked for a reinspection to try to improve their scores?

[93] **Mr Wilkins:** The answer to that is the figure that I just mentioned—just over 500 have asked for reinspection.

[94] **Kirsty Williams:** Out of how many?

[95] **Mr Wilkins:** That is 500 out of the 16,000 that have already been rated. However, if you have a rating of 5, you will not be interested in improving. That figure relates to requests for reinspections from all categories of establishments. Local authorities will be following up

on those establishments with a rating of 0, 1 or 2 to secure improvements, but an establishment with a rating of 4, which is one that is described as good, will not necessarily be followed up by the local authority, given that the minor contraventions noted would not affect the safety of the food being served there. However, those establishments might decide that they want to have a rating of 5, so they might request a reinspection as well.

[96] **Mr Brereton:** On the cost of reinspection, under the voluntary scheme, it is not currently possible to make a charge legally, but it is something that we can introduce with the Bill. Our concern was that, once you require premises to display the ratings, the number of reinspection requests will naturally rise, because they will be seeking to improve. We know from the FSA study that, sadly, only 6% of establishments with ratings of 0, 1 and 2 currently display their rating. Those will get revisits by the local authority in a routine course of business to see whether they have improved, and they will not have to pay for that reinspection—the charge will only relate to a reinspection request that is made by a business. So, we are really talking about those with ratings of 3 or 4 that want to receive the rating of 5.

[97] When establishments receive their rating sticker, they will be told what action they need to take to achieve a better rating. Businesses will naturally try to achieve a better rating because it will be displayed on the door. What we did not want to happen was for local authority resources to be drained from statutory inspection work to go to do revisits. So, it seemed only right to introduce a charge on businesses to reflect their desire to improve and to give them the ability to request a number of revisits, not just one, as they progress.

[98] **Kirsty Williams:** None of the businesses in my local town that have a rating of 0, 1 or 2 have stickers on their door. That is surprising, is it not?

[99] **Mark Drakeford:** We are shocked to learn that. *[Laughter.]*

[100] **Kirsty Williams:** But my local chip shop has a rating of 5. Mrs Lally's score is displayed on her door.

[101] **Mark Drakeford:** Very good. This session is meant to finish at 10.15 a.m., but, given that there are Members who have not had a chance to ask a question, and given that we are learning some useful things this morning, I will allow it to run on for another five or 10 minutes. We will have a little bit of slack in the next item, I hope, so we will make up the time then. We turn to Vaughan next.

[102] **Vaughan Gething:** I welcome a number of the points that have been made and support the scheme being mandatory. Funnily enough, I have been to Denmark—I have family there—and I have been to Singapore and their schemes are very prominent and easy to understand. I was interested to hear what you had to say about the number of businesses that have been rated so far and that about one in eight have a rating of 0 to 1. With regard to the inspection regime, I was interested in hearing what you had to say to Mick Antoniw about how the statutory inspecting regime interacts with these inspections. Is there a need to do anything about that in the Bill or not? It appears to me that there is not, but I would be interested to have that clarified.

[103] I support what Joyce and others said about business-to-business trade, and I want to see that properly rated as well. However, I am particularly interested in the point about prominent display and the point that David raised about additional information—whether you just give a rating of 0 to 5 or provide other information as well. My own view, initially, is that it would be useful to give an idea of the nature of the particular issues in an establishment, but that information would need to be simple and easy to understand. You do not want an essay on the front of premises, but if it is supposed to be easy to understand, it limits the information that you can give. So, some thought needs to be given to that. I am interested in

hearing how you envisage that prominent display working because, if you look at other schemes, you will see that there is just a small square in the window of every type of food establishment, whether it is a burger van, a restaurant or a hotel, and it cannot be avoided.

10.15 a.m.

[104] **Mr Wilkins:** The first point to make is that the initial ratings are determined by inspections that are carried out in accordance with the food law code of practice. So, other than the requested reinspections, no additional inspections are carried out under the scheme. It is, if you like, a good by-product of what was already taking place.

[105] On the other question in relation to the publication of more information or the full inspection report, we will be doing some research to ask consumers whether they want more information. There are a number of options, because you could break down the simple numerical rating into the three parts that make it up, namely the condition of the structure, the food hygiene level and the confidence in management score. You could possibly provide a summary of the inspection report, which would give more of a narrative, but would not go as far as having the essay that you mentioned on the front of the door or on a website, because that would perhaps need more attention and would not be as easy to determine.

[106] I mentioned what happens to establishments that received a rating of 0, 1 and 2, and I think that the FSA and local authorities need to do more to get the message across that although a business had a rating of 0, 1 or 2, and that may be on the website for a while, the action to get it to take remedial steps starts straight away.

[107] **Vaughan Gething:** I would like to comment on the points made about the revisits. If around 3% of businesses are asking for a revisit and they are not in the 0 to 2 categories, then I absolutely think that they should pay for it. I cannot see why public resources should be used to satisfy their request for something to assist their business. I just want to be clear about my position on that.

[108] **Mr Brereton:** I would like to comment on the issue that was raised with regard to the sticker being prominently displayed. I have here an example of the sticker; under the Bill, we can bring forward regulations to prescribe the location and manner in which it is displayed. It will need to be fairly detailed, because entrances to premises vary. There can be multiple entrances, or sometimes there might not be a door or window that is suitable for displaying it, so we need to have some flexibility built in. We will be looking at the content to prescribe in regulations how and where it should be displayed, and state that it should be displayed in a prominent position at or near the main customer entrance. We also need to give local authorities some ability to agree where it will be displayed to provide some flexibility, because it is not always as easy as it would seem to say exactly where it should be. For mobile vehicles and stalls where there is not a window, the sticker obviously cannot be placed inside one, so we will have to find a way of making it fixed to the premises in a way that allows the front and back of the sticker to be seen.

[109] **Mark Drakeford:** Thank you very much. Would any Member who has not yet had the opportunity to ask a question like to ask anything? Are there any final points of clarification from anyone else?

[110] **Kirsty Williams:** In the international examples, is there any evidence of fraud? That is, fake stickers. Do people go to those lengths? Rather than try to improve their premises, do they get to the photocopier or use Photoshop to make fake certificates?

[111] **Mr Worthington:** Unfortunately, Chair, I regret that humanity is not entirely honest and, in my years in enforcement, I cannot think of any single area of work in which there has

not been some skulduggery and falsification. Chris would like to respond directly to the question, but expecting 100% compliance without some shenanigans would be expecting a lot of our fellow human beings.

[112] **Mr Brereton:** We have built David's concerns into the Bill in that it is an offence not to display a valid sticker. However, there are also other offences in relation to tampering with a sticker to, for example, try to change the rating. There are some verification checks for the consumer as well; they can go to the website to check it and see if it matches. The local authority enforcement officer can do the same. There is also currently a certificate that accompanies the sticker, which the Bill requires to be retained by the food business for inspection by the authorised officer. So, they can look at that certificate to see whether it matches what is in the window. As a result of all of the checks that are in place, we anticipate that we will be able to police it.

[113] **Mick Antoniw:** How would you deal with cross-border regulation? For many events, companies come in from outside Wales. How do you deal with informing them or ensuring that they are compliant?

[114] **Mr Wilkins:** The scheme is operated in England, Wales and Northern Ireland at the moment, but it is voluntarily—

[115] **Mick Antoniw:** I am asking about the mandatory aspect.

[116] **Mr Wilkins:** I am not quite sure how the Bill will—

[117] **Mr Brereton:** On the mandatory aspect, we cannot enforce a law in Wales on someone who is trading from England and crossing over the border. If a mobile trader is registered in England and comes across for an event in Wales, we cannot insist that they display our mandatory sticker. It is quite likely that they will have been rated in any event, but if a Welsh food officer inspects that vehicle—I think that Rob will confirm this—they will look at it and feed back the results of the inspection to the registering authority across the border to say what is right or wrong with the vehicle. However, we cannot insist that the trader display a sticker in Wales if they are trading from England and coming across the border for an event.

[118] **Mick Antoniw:** Why not?

[119] **Mr Brereton:** Chris, do you want to cover that in terms of the legal aspect? We just cannot apply a Welsh law to a business registered in England.

[120] **Mark Drakeford:** Please make it a quick answer, Chris.

[121] **Mr Humphreys:** The scheme is predicated on registration within Wales; it is operated by local authorities in Wales, so a transient trader coming from across the border will not have been subject to the registration process with a Welsh authority. So, none of the provisions would apply.

[122] **Mr Wilkins:** Do not forget that this would be a first for the UK, and I suspect that it would exert pressure on other administrations to follow the line. That has been the case in other areas of legislation that we have passed in Wales. If it became mandatory in England, then the scheme would apply. However, we are taking steps forward. I honestly believe that, if this were to happen in Wales, people across the border will be looking at this and asking, 'Why have they got it and not us?'

[123] **Mick Antoniw:** Okay. I will pursue that elsewhere anyway.

[124] **Mark Drakeford:** Thank you all very much for a very informative session. You have been able to help us with a lot of detailed stuff. Thank you for the offers of additional information, which we look forward to receiving. David, you said at the beginning that the consultation ends on 7 March. As a committee, we hope to hear from you again during the post-consultation period, because we will be looking to keep ourselves properly informed about how the consultation has gone, what major issues have come out of it and what plans the Welsh Government has for responding to the consultation in the Bill itself. So, we look forward to hearing from you all again at that point.

[125] Diolch yn fawr iawn ichi gyd. Thank you all very much. We will take a Rydym yn mynd i gael egwyl fach, felly short break, and I ask you to be back here by gofynnaf i chi fod yn ôl yma am 10.35 a.m. 10.35 a.m.

*Gohiriwyd y cyfarfod rhwng 10.23 a.m. a 10.35 a.m.
The meeting adjourned between 10.23 a.m. and 10.35 a.m.*

Ymchwiliad i Ofal Preswyl i Bobl Hŷn—Trafod y Gwaith o Ymgysylltu â'r Cyhoedd Inquiry into Residential Care for Older People—Discussion on Public Engagement Work

[126] **Mark Drakeford:** Mae'r eitem hon i **Mark Drakeford:** This item is to explain egluro un peth ynglŷn â'r ymchwiliad i ofal one thing in relation to the inquiry into preswyl i bobl hŷn. residential care for older people.

[127] We need to resolve one thing in relation to our planned inquiry into residential care services for older people. On your behalf, following up on a discussion that we had previously, I have gone along with the clerk in trying to make some progress on the establishment of an external reference group to shadow our work, which is something that we have talked about previously, so that we are able to have a group of people that is directly affected by the sorts of issues that we are going to be talking about, that will take an interest in our work, have access to the evidence that is presented to us and will be able to reflect back to us, as our inquiry proceeds, whether or not it thinks that we are getting to the right sorts of questions, finding the right sort of information, drawing the right sort of conclusions, and so on. The idea was, if you remember, not just to have a group of people that we would talk to on a one-off basis, but one that would go on the journey with us, so that its own views might change and alter as it hears the evidence that we will be hearing.

[128] Establishing such a group is not straightforward and requires a certain level of expertise. We have had discussions with Age Cymru and with Crossroads Care, which is a carers' organisation primarily. They have met together and have put a joint proposal to us that they would work collaboratively and establish a group of this sort on our behalf. I was very clear with them—but they were very receptive to the point anyway—that what we were keen to have was not the views of a group of people from whom we are likely to hear anyway, and therefore not the people who are already actively engaged with this agenda. Instead, we wanted to try to reach out beyond that, if possible, to some people who are directly experiencing residential care services, their families, and people who are approaching that part of their lives when residential care might be a possibility that they are considering. Those organisations were confident that they would be able to move beyond the people who are most closely and most actively engaged in their organisations to recruit a group of that sort.

[129] They are also in a position to help us as members of the committee when we have time in our timetable to go out and do visits in the field. They will be able to help us by

putting us in touch with individuals who might be interested to talk to us, and to give us advice on places that we might want to visit, and places that would span a spectrum in terms of quality of provision. It is perfectly sensible for us to go to see the good things that there are to be seen in this field, but it would not be sensible for us to see only the good things, so they will be able to help us see a wider spectrum and quality of services than what we might find if we just went to the places that would be most likely to welcome us. So, they will help us with that as well.

[130] Therefore, that is just to tell you that that is as far as we have got, and to check with you whether you are happy with that as a prospectus. If you are, we can go ahead and appoint Age Cymru and Crossroads Care to carry that work out on our behalf. I see that you are. Excellent. Thank you very much indeed. That is great and a big help; the sooner we can get them going on it, the more likely it will be that they will be able to get a group established early to shadow the work that we will be doing. So, that is very helpful indeed.

10.39 a.m.

Blaenraglen Waith—Trafodaeth ynghylch Sesiynau Tystiolaeth Un-tro Forward Work Programme—Discussion on ‘One-off’ Evidence Sessions

[131] **Mark Drakeford:** I think we will need to take a bit longer on this item.

[132] There is enough time in our forward work programme for us to have up to four one-day inquiries interspersed between now and the end of the summer term, partly to break up the residential care inquiry a bit in terms of the people who support us in doing it all and to allow practical arrangements to be made, and also to allow us to respond to quite a long list of requests that we have had from different organisations to take up issues that they think this committee could usefully take an interest in. You have in paper 3 a list of seven potential one-day inquiries, and there may be more. We have an opportunity to come back to this next week, if we want, to finalise it completely. We do not have to agree everything today. So, I do not want to rule out the possibility that there may be Members here who have other potential subjects for a one-day inquiry that they would like to add to this list. So, does anyone have something they definitely want us to add to the list of potential inquiries?

[133] **Lynne Neagle:** We have a session this afternoon on access to medicines. I would not like us to rule out the possibility of doing something on cancer drugs until after we have had that session.

[134] **Mark Drakeford:** Part of what this afternoon’s session is about is to ask ourselves at the end of it whether we want to do any more work in that field.

[135] **Darren Millar:** I welcome the fact that the list has been drawn up, and I would support short inquiries into waiting times for wheelchairs and into post-traumatic stress disorder in particular. They are issues that the previous committee examined in some detail. There is patchy evidence that some positive things have taken place in both of those services in Wales. There is also some evidence that suggests that there are problems. So, I would support looking at those in particular. I also know that many committee members have met recently with a doctor who is interested in deep vein thrombosis and how that is acquired. So, the venous thrombolism—or whatever the word is—prevention is another one that I would like to see us look at. *[Laughter.]*

[136] **Mark Drakeford:** I will start going around taking views on—

[137] **Darren Millar:** Thromboembolism. That is the word.

[138] **Mark Drakeford:** I am not sure whether everyone would have seen it, but I think that there was an announcement yesterday by the Welsh Affairs Select Committee that it is about to do a piece of work on PTSD. So, we might want to think about the demands that would be made on those who would need to give evidence if we were to be doing an inquiry at the same time. We can come back to that; that is just something to think about.

[139] **Mick Antoniw:** On that point, it would be sensible, if that committee is doing a report, to wait until it has completed its report and then we could perhaps receive that, consider it and supplement it.

[140] **Mark Drakeford:** Sure. It is a matter of sequencing. Thanks for that. That is very helpful.

[141] **Lynne Neale:** I am also keen to do an inquiry into waiting times for wheelchairs, and I am quite keen to do an inquiry into reduced fetal movements.

[142] **Mark Drakeford:** ‘Reduced fetal movements’ is still birth, is it not? Some of us attended a very interesting round table on that.

[143] **Kirsty Williams:** On that point, Mark, there are some subjects, as Darren said, that have received quite a lot of attention in recent years. Still birth is one of those issues that no-one ever wants to talk about, because it is so difficult. What is shocking about still birth is that the still birth rates have not fallen for 20 years. You are more likely to have a still birth than you are to have a child with Down’s Syndrome, but think about all of the money and all of the attention that is given to testing during pregnancy for issues around that. This is a subject that no-one wants to talk about, the rates are not improving and there is strong evidence now that proper management of reduced fetal movements during the last weeks of pregnancy can make a massive difference in terms of positive outcomes. If nothing else, if this committee looking at that for a day raised awareness for mothers and clinicians, that would make a massive difference. So, I would really like to do that.

10.45 a.m.

[144] It takes the wisdom of Solomon to choose between these things, because they are all worthy of attention. However, I would particularly like us to do something on reduced fetal movements, because there is a real issue there that has not been got to grips with. I also have an interest in co-responders, and I echo Lynne’s comments about access to drugs.

[145] **Darren Millar:** I support doing something on reduced fetal movements. It is an area that we need to look at. It probably merits a longer inquiry than a single, one-day evidence session. I think that we need to look at it in a little more detail than that. We might add it to the mix of more in-depth inquiries that we can do, and the sooner the better.

[146] **Mark Drakeford:** Okay, we will come back to that.

[147] **Vaughan Gething:** There is an issue with these inquiry suggestions with regard to those that we think that we can do in a day and those that we might do in a longer period. I think that we could do something useful and specific on reduced fetal movements in a day—

[148] **Darren Millar:** Do you think so?

[149] **Vaughan Gething:** Yes, I do. I think that we can deal with the evidence that is available in a whole day, on a Thursday, and then write a report. That would be a short, clear message about the issue. I do not think that we could do an inquiry on health inequalities in a day. I want the committee to look at health inequalities, but in a longer inquiry. I do not think

that we could deal with all the evidence—not just a picture of where things are, but what works and what we want to see happen—in a day. So, I would like us to look at reduced fetal movements in a day-long inquiry. I am relaxed about all the others, because the reality is that they are all worthy and there would be real value in doing each of them. So, I would like to hear more in the seminar today about access to medicines and then come back next week. That is my view, but I do not think that we should do health inequalities in a day.

[150] **Elin Jones:** There are three topics that I definitely want to support: stillbirth, hospital-acquired thrombosis and wheelchair access. We should wait and see on access to medicine and co-responders. However, there are three on which there is a developing consensus around the table.

[151] **Darren Millar:** On a point of information that might be helpful in terms of the access to medicine suggestion, the Auditor General for Wales is in the process of undertaking a report into medicines management. That may be helpful to the committee in looking at that in the future.

[152] **Rebecca Evans:** I want to echo what Vaughan said about health inequalities. I would like the committee to look at that, but in some depth. So, having that as one of our short inquiries would be good. I also add my voice for a one-day inquiry on wheelchair waiting times.

[153] **Mick Antoniwi:** On the way that we deal with these things, is it appropriate for us to have a one-day scoping session on a longer potential inquiry, such as health inequalities, where part of the issue would be to identify the areas that we particularly want to focus on? Is that an appropriate way to do it, or does it complicate the process too much?

[154] **Mark Drakeford:** It is worth doing that in a situation where we have decided that we are likely to want to do something bigger. In effect, that is what we did with our residential care inquiry. If you remember, we had a couple of sessions at the beginning in which we mostly talked about what the scope of that inquiry would be, but we had already decided that we were going to do an inquiry. It was then about trying to shape it in a way that would make it manageable and worthwhile. So, it is definitely a good way of doing it, but I do not know whether it quite fits in to today's discussion.

[155] **Lindsay Whittle:** I add my support on wheelchair waiting times. I spent a good two hours last week with Joseph Carter, who has probably lobbied all of us. It was extremely valuable. I did not attend Kirsty's event on reduced fetal movements, but what I read was powerful, and I think that it needs support. While I am keen on the topic of post-dramatic stress disorder, I am pleased that the Welsh Affairs Committee is looking at the level of co-ordination with the Ministry of Defence, which is the question that I asked both the First Minister and, yesterday, the Minister for Health and Social Service. I do not think that it is wise for two Governments to separately be pursuing the same issue; we should be trying to work together on that. I accept the arguments that you made about waiting for that report.

[156] **William Graham:** I support a longer inquiry into health inequalities. I do not want us to lose sight of orthopaedic waiting times, which would be ideal for a day-long inquiry.

[157] **Mark Drakeford:** I am beginning to hear a bit of consensus, so I will put what I think that I am hearing to you and then we can debate it. There is broad consensus on three of the four slots that we have available, and we could return to the fourth one next week, after this afternoon's session. I will just go through them. The three on which I hear consensus for a one-day inquiry before the end of summer are: wheelchair waiting times, venous thromboembolism prevention and reduced fetal movements. We will come back next week, having had this afternoon's meeting, to look at the issues of medicines, co-responder services

and orthopaedic waiting times, which are all still potential candidates for that final slot.

[158] We agree that health inequalities is an issue that we definitely want to return to, but not on a one-day basis. We are, therefore, talking about the autumn before we get to that, when we will undertake a larger piece of work on it. As far as post-traumatic stress disorder is concerned, it is definitely a topic that committee members want to spend some time looking at, but we will wait until the work that the Welsh Affairs Committee is currently doing has been completed, and we can then add to that, rather than replicate what is being done.

[159] Are you happy that that is how we handle things? I see that you are. It is helpful for the people who have to organise meetings to know that three topics have been agreed today and that we will come back to the other slot next week.

[160] **Darren Millar:** Can we have a timescale for the PTSD inquiry being undertaken? If that is due to finish imminently—I do not know how far along they are with it—we may still be able to get that done before the summer.

[161] **Mark Drakeford:** We think that it may be in the earlier stages rather than in the later stages, but, by next week, we will have a sense of that committee's timetable.

10.52 a.m.

Papurau i'w Nodi Papers to Note

[162] **Mark Drakeford:** You will see that we have a letter from the Petitions Committee asking us to keep in touch with the cross-border maternity services issue. It asks us only to keep the issue under review; nothing more than that. The Petitions Committee has written similarly to the Minister, asking her to do the same thing. Are you happy for us to do just as it asks, without formally placing it on the agenda? We will just keep an eye on what is going on and come back to it if there is a point at which we can usefully make a contribution. I see that you are content.

[163] Mae un peth arall dan yr eitem hon. There is one more thing under this item.

[164] We talked last week about next week's evidence session, in which we are to hear about the French Canadian experience of providing residential care services through a co-operative, mutual model. When we last talked about it, the advice was that, as English is not the first language of the witness that we are to hear from, it would be more helpful for him if we were to meet in private, so that he did not have the pressure of giving evidence in a public session. We agreed to that. We have since had better information directly from him, in which he says that he is perfectly competent in English to give evidence in a proper public session. Given that we have said in the past that, unless there is a very good reason for meeting in private, we ought to meet in public, are you happy for us to revert to a public session for that part of the agenda next week? I see that you are.

[165] Diolch yn fawr am hynny. Thank you for that.

10.54 a.m.

**Cynnig o dan Reol Sefydlog Rhif 17.42(ix) i Benderfynu Gwahardd y
Cyhoedd o'r Cyfarfod
Motion under Standing Order No. 17.42(ix) to Resolve to Exclude the Public
from the Meeting**

[166] **Mark Drakeford:** Cynigiaf fod

Mark Drakeford: I move that

*y pwyllgor yn penderfynu cyfarfod eithrio'r
cyhoedd o weddill y cyfarfod yn unol â Rheol
Sefydlog Rhif 17.42(ix) .*

*the committee resolves to exclude the public
from the remainder of the meeting in
accordance with Standing Order No.
17.42(ix).*

[167] Gwelaf fod aelodau'r pwyllgor yn
fodlon.

I see that committee members are content
with that.

*Derbyniwyd y cynnig.
Motion agreed.*

*Daeth rhan gyhoeddus y cyfarfod i ben am 10.55 a.m.
The public part of the meeting ended at 10.55 a.m.*