



**Northern Ireland
Assembly**

COMMITTEE FOR HEALTH

MINUTES OF PROCEEDINGS

**Thursday, 6 February 2020
Senate Chamber, Parliament Buildings**

Present: Mr Colm Gildernew MLA (Chairperson)
Ms Pam Cameron MLA (Deputy Chairperson)
Ms Sinéad Bradley MLA
Ms Paula Bradshaw MLA
Mr Gerry Carroll MLA
Ms Jemma Dolan MLA
Mr Alex Easton MLA
Ms Órlaithí Flynn MLA

Apologies: None.

In Attendance: Ms Éilís Haughey (Clerk)
Ms Deirdre Farry (Assistant Assembly Clerk)
Ms Roisin Donnelly (Assistant Assembly Clerk)
Mr Jonathan Lamont (Clerical Supervisor)
Mr Brendan Miskelly (Clerical Officer)

The meeting commenced at 10.33 am in closed session.

1. Briefing from Assembly Research and Information Services – Elective Care Waiting Lists and Waiting Times

An Assembly Research Officer briefed the Committee on Elective Care waiting lists and waiting times.

The meeting moved into public session at 11.07 am.

2. Apologies

None.

3. Chairperson's Business

- i. The Chairperson updated Members on a meeting that he and the Deputy Chairperson held with the family of Dáithí Mac Gabhann regarding soft opt-out

organ donation legislation and a meeting they held with Charlotte Caldwell regarding a publicity campaign on access to medicinal cannabis.

- ii. The Chairperson updated Members on meetings that he held with the Alzheimer's Society and Diabetes UK.

4. Draft Minutes

The Committee agreed the minutes of the meeting held on 30 January 2020.

5. Matters Arising

An issue that had been raised at the meeting on 23 January 2020 relating to the Commissioner for Older People's investigation into Dunmurry Manor Care Home was discussed.

Agreed: The Committee agreed to invite the Commissioner for Older People to brief the Committee on his 'Home Truths' investigation report.

6. Department of Health Briefing on Elective Care Waiting Lists and Waiting Times

The following officials joined the meeting at 11.14 am:

Ms Sharon Gallagher, Deputy Secretary, Transformation Planning and Performance, Department of Health

Ms Lisa McWilliams, Interim Director, Performance Management and Service Improvement, Health and Social Care Board

The officials briefed the Committee on Elective Care waiting lists and waiting times.

The briefing was followed by a question and answer session.

The officials agreed to provide the Committee with further information on a number of issues raised by Members during the question and answer session.

The Chairperson thanked the officials for their attendance.

The briefing session was reported by Hansard.

Agreed: The Committee agreed to request additional briefing from the Department of Health on Emergency Department waiting times.

The meeting was suspended at 11.58 am.

The meeting resumed at 12.09 pm.

7. Briefing from the Northern Ireland Commissioner for Children and Young People on the ‘Still Waiting’ Report

The following representatives from the Northern Ireland Commissioner for Children and Young People (NICCY) joined the meeting at 12.10 pm:

Ms Koulla Yiasouma, Northern Ireland Commissioner for Children and Young People

Ms Mairead McCafferty, Chief Executive, NICCY

Mr Robert Beattie, Policy and Research Officer, NICCY

The Commissioner briefed the Committee on the findings of her report, ‘Still Waiting – A rights based review of mental health services and supports for children and young people in Northern Ireland’, and NICCY’s monitoring of the implementation of the report recommendations.

The briefing was followed by a question and answer session.

The Commissioner agreed to provide the Committee with further information on an issue raised during the question and answer session.

The Chairperson thanked the Commissioner and her colleagues for their attendance.

Agreed: The Committee agreed to request a briefing from the Department of Health on data linked to Transformation and Planning.

8. Subordinate Legislation

At the meetings on 23 January 2020 and 30 January 2020 the Committee considered a number of Statutory Rules, and agreed that it had no objection to the Rules, subject to the Examiner of Statutory Rules’ report.

The Committee noted that the Examiner of Statutory Rules had no issues to raise with the technical element of the following Statutory Rules:

SR 2018/195 The Recovery of Health Services Charges (Amounts) (Amendment) Regulations (Northern Ireland) 2018

SR 2018/211 The Optical Charges and Payments (Amendment) Regulations (Northern Ireland) 2018

SR 2019/29 The Recovery of Health Services Charges (Amounts) (Amendment) Regulations (Northern Ireland) 2019

SR 2019/199 The Mental Capacity (Deprivation of Liberty) (No. 2) Regulations (Northern Ireland) 2019

SR 2019/232 The Mental Capacity (Deprivation of Liberty) (No. 2) (Amendment) Regulations (Northern Ireland) 2019

SR 2019/200 The Mental Capacity (Money and Valuables) Regulations (Northern Ireland) 2019

SR 2018/3 The Misuse of Drugs (Designation) (Amendment) Order (Northern Ireland) 2018

SR 2018/4 The Misuse of Drugs (Amendment) Regulations (Northern Ireland) 2018

SR 2018/173 The Misuse of Drugs (Amendment No.2) Regulations (Northern Ireland) 2018

SR 2018/174 The Misuse of Drugs (Designation) (Amendment No.2) Order (Northern Ireland) 2018

SR 2019/21 The Misuse of Drugs and Misuse of Drugs (Safe Custody) (Amendment) Regulations (Northern Ireland) 2019

SR 2019/207 The Misuse of Drugs (Designation) (Amendment) Order (Northern Ireland) 2019

SR 2019/208 The Misuse of Drugs (Amendment) Regulations (Northern Ireland) 2019

SR 2019/109 The Firefighters' Pension Scheme (Amendment and Transitional Provisions) Order (Northern Ireland) 2019

SR 2017/188 The Pharmaceutical Society of Northern Ireland (General) (Amendment) Regulations (Northern Ireland) 2017

SR 2019/186 The Pharmaceutical Services (Amendments Relating to Serious Shortage Protocols) Regulations (Northern Ireland) 2019

SR 2018/123 The Northern Ireland Social Care Council (Appointments and Procedure) (Amendment) Regulations (Northern Ireland) 2018

SR 2017/207 The Northern Ireland Social Care Council (Social Care Workers Prohibition) and Fitness of Workers (Amendment) Regulations (Northern Ireland) 2017

SR 2019/192 The Mental Capacity (Deprivation of Liberty) (Revocation) Regulations (Northern Ireland) 2019

SR 2017/201 The Natural Mineral Water, Spring Water and Bottled Drinking Water (Amendment) Regulations (Northern Ireland) 2017

SR 2017/157 The Materials and Articles in Contact with Food (Amendment) Regulations (Northern Ireland) 2017

SR 2017/233 The Novel Foods Regulations (Northern Ireland) 2017

SR 2018/16 The Animal Feed (Basic Safety Standards) Regulations (Northern Ireland) 2018

SR 2018/77 The Condensed Milk and Dried Milk Regulations (Northern Ireland) 2018

SR 2018/78 The Jam and Similar Products Regulations (Northern Ireland) 2018

SR 2018/186 The Materials and Articles in Contact with Food (Amendment) Regulations (Northern Ireland) 2018

SR 2019/5 The Food (Miscellaneous Amendments and Revocations) Regulations (Northern Ireland) 2019

SR 2019/9 The Food Safety (Information and Compositional Requirements) (Amendment) Regulations (Northern Ireland) 2019

SR 2019/110 The Food Hygiene (Amendment) Regulations (Northern Ireland) 2019

The Committee noted that the Examiner of Statutory Rules highlighted the following statutory rules which were laid in breach of the 21 day rule and further noted that the Examiner was satisfied that the Department provided a satisfactory explanation for the breach on each occasion:

SR 2018/17 The Ionising Radiation (Medical Exposure) Regulations (Northern Ireland) 2018

SR 2019/62 Health and Personal Social Services (Superannuation) and Health and Social Care Pension Scheme (Amendment) Regulations 2019

SR 2019/218 The Official Feed and Food Controls (Miscellaneous Amendments) Regulations (Northern Ireland) 2019

SR 2019/219 The Meat (Official Controls Charges) (Amendment) Regulations (Northern Ireland) 2019

SR 2019/220 The Fishery Products (Official Controls Charges) (Amendment) Regulations (Northern Ireland) 2019

SR 2019/117 The Healthy Start Scheme and Day Care Food Scheme (Amendment) Regulations (Northern Ireland) 2019

9. SR 2019/193 The Mental Capacity (Research) Regulations (Northern Ireland) 2019

The Committee had considered SR 2019/193 The Mental Capacity (Research) Regulations (Northern Ireland) 2019 at its meeting on 23 January 2020, and agreed that it had no objection to the Rule, subject to the Examiner of Statutory Rules' report.

The Committee noted the Examiner of Statutory Rules had raised an issue with the Regulations and that the Department of Health has laid substitute regulations to address the issue raised.

10. SR 2020/17 The Mental Capacity (Research) (Amendment) Regulations (Northern Ireland) 2020

The Committee considered SR 2020/17 The Mental Capacity (Research) (Amendment) Regulations (Northern Ireland) 2020 which have been laid to substitute SR 2019/193. The Mental Capacity (Research) Regulations (Northern Ireland) 2019 and provide a specific list of those who can act as appropriate bodies for the purpose of approving research under the Mental Capacity Act 2016.

Agreed: The Committee agreed to seek further information from the Department Health and defer consideration of the Statutory Rule.

Agreed: The Committee agreed to seek further information regarding the implications of a deprivation of liberty case considered by the Supreme Court, concerning a child: In the matter of D (A Child) [2019] UKSC 42.

11. SR 2019/62 Health and Personal Social Services (Superannuation) and Health and Social Care Pension Scheme (Amendment) Regulations 2019

The Committee considered SR 2019/62 Health and Personal Social Services (Superannuation) and Health and Social Care Pension Scheme (Amendment) Regulations 2019 which introduced a 6.25 percentage point increase in employer contributions to 22.5% and provided for existing member contribution rates to continue.

Agreed: The Committee considered SR 2019/62 Health and Personal Social Services (Superannuation) and Health and Social Care Pension Scheme (Amendment) Regulations, and had no objection to the Rule.

Agreed: The Committee agreed to request that the Department of Health ask the Scheme Advisory Board to look at the issues the Committee previously raised in relation to the impact of current policies on part-time workers.

Agreed: The Committee agreed that it would scrutinise pension policy going forward.

The Agenda Item was reported by Hansard.

12. SR 2017/200 The Healthy Start Scheme and Day Care Food Scheme (Amendment) Regulations (Northern Ireland) 2017

The Committee considered SR 2017/200 The Healthy Start Scheme and Day Care Food Scheme (Amendment) Regulations (Northern Ireland) 2017 which amend principal regulations to add Universal Credit to the Healthy Start Scheme's qualifying criteria.

The Committee noted information it had requested from the Department of Health in relation to this Rule.

Agreed: The Committee considered SR 2017/200 The Healthy Start Scheme and Day Care Food Scheme (Amendment) Regulations (Northern Ireland) 2017 and had no objection to the Rule.

Agreed: The Committee agreed to request further information from the Department of Health on access to the scheme.

13. SR 2019/42 The Provision of Health Services to Persons Not Ordinarily Resident (Amendment) Regulations (Northern Ireland) 2019

The Committee considered SR 2019/42 The Provision of Health Services to Persons Not Ordinarily Resident (Amendment) Regulations (Northern Ireland) 2019 which were created to provide for continuing healthcare provision in respect of certain categories of person, should the UK exit the EU without an agreement.

The Committee considered further information provided by the Department of Health in relation to the Statutory Rule.

A number of Members expressed concern in relation to this Statutory Rule.

The Committee noted SR 2019/42 The Provision of Health Services to Persons Not Ordinarily Resident (Amendment) Regulations (Northern Ireland) 2019.

The Agenda Item was reported by Hansard.

14. Correspondence

- i. The Committee considered an invitation from Belfast Childcare Partnership to its ‘Hear Our Voice: Improving Access and Inclusion for Children with Additional Needs’ event on 27 March 2020.

Agreed: The Committee agreed that Members should respond to the invitation directly.

- ii. The Committee considered a request from the British Psychological Society to brief Members about its work and enclosing its ‘Psychological Manifesto.’

Agreed: The Committee agreed to consider this as part of its Forward Work Programme.

- iii. The Committee considered an invitation from Amnesty International UK and Informing Choices NI to a briefing event, ‘Beyond Decriminalisation: what you need to know about abortion reform’ on 18 February 2020.

Agreed: The Committee agreed that Members should respond to the invitation directly.

- iv. The Committee considered an invitation from Gambling with Lives to an awareness raising event on 18 February 2020.

Agreed: The Committee agreed that Members should respond to the invitation directly.

- v. The Committee considered an invitation from Pain Alliance Northern Ireland to an event, ‘CBD and Cannabinoids: An evening of Explanation and Discussion’ on 18 February 2020.

Agreed: The Committee agreed that Members should respond to the invitation directly.

- vi. The Committee noted the January 2020 Investment Strategy NI summary report of the projects and investing activities for the Department of Health.

- vii. The Committee considered an invitation from the Northern Ireland Adverse Childhood Experiences Reference Group to its annual conference on 5 March 2020.

Agreed: The Committee agreed that Members should respond to the invitation directly.

- viii. The Committee considered a briefing paper from the British Association of Social Workers (BASW) NI detailing key issues and social work priorities.

Agreed: The Committee agreed to consider the issues raised by BASW as part of its Forward Work Programme.

- ix. The Committee considered an invitation from NI Rare Disease Partnership to a Joint North South Rare Disease Day event on 28 February 2020.

- Agreed:* The Committee agreed that Members should respond to the invitation directly.
- x. The Committee considered an invitation to meet with the College of Paramedics.
- Agreed:* The Committee agreed to consider the request as part of its Forward Work Programme.
- xi. The Committee noted an invitation from the School of Nursing and Midwifery, Queen's University Belfast to a 'Year of the Nurse and Midwife Oncology mini conference' on 5 February 2020.
- xii. The Committee considered an invitation to meet the Alzheimer's Society to discuss its 'Fix Dementia Care Campaign'.
- Agreed:* The Committee agreed to consider the request as part of its Forward Work Programme.
- xiii. The Committee considered a request from a representative of the Infected Blood Community to brief the Committee on the impact of the contaminated blood scandal.
- Agreed:* The Committee agreed to consider the request as part of its Forward Work Programme.
- xiv. The Committee noted that an Institute for Government briefing on 'Brexit and the Ireland/ Northern Ireland Protocol' for Members and Members' staff would take place on 6 February 2020.
- xv. The Committee considered correspondence from the Royal College of Occupational Therapists about the implementation of the Occupational Therapy Workforce Review.
- Agreed:* The Committee agreed to consider the issues raised as part of its consideration of Workforce and Transformation issues.
- xvi. The Committee noted a copy of correspondence from an individual to the Minister for Health regarding the individual's recent experience of health care provision at the Ulster Hospital and further correspondence from the same individual to the Committee proposing an independent review of Accident and Emergency provision.
- xvii. The Committee noted a copy of correspondence from an individual to the Minister for Health relating to recent experience of health care provision at the Ulster Hospital and the impact of the long-term under resourcing of the health service on Emergency Departments.
- xviii. The Committee considered a request from Counselling All Nations Services to meet the Committee to discuss its forthcoming report, 'Hearing Our Needs'.
- Agreed:* The Committee agreed to consider this request further when considering the Mental Health Action Plan.
- xix. The Committee considered a request from the Royal College of Paediatrics and Child Health to meet Members to discuss paediatrics and child health; and an invitation to 'The State of Child Health' report launch on 4 March.
- Agreed:* The Committee agreed that Members should respond to the invitation directly and to consider the issues raised as part of its Forward Work Programme.

- xx. The Committee noted a copy of the Minister for Health’s Urgent Written Statement to the Assembly on 3 February 2020 providing an update on the Department’s response to the emergence of coronavirus.
- xxi. The Committee noted correspondence from the Minister of Health providing an update on general ophthalmic services including fees, training allowances and optical voucher values.

15. Forward Work Programme

The Committee noted its Forward Work Programme.

16. Any Other Business

Ms Bradley advised Members that the Northern Ireland Statistics and Research Agency had published its first report on Loneliness in Northern Ireland and invited Members to attend a meeting at 3.30 pm to constitute an All Party Group on Preventing Loneliness.

17. Date, Time and Place of Next Meeting

The next Committee meeting will be on Thursday, 13 February 2020, at 10.30 am in the Senate Chamber, Parliament Buildings.

The Chairperson adjourned the meeting at 1.18 pm.

Signed: _____
Chairperson

Date: _____