



**Northern Ireland
Assembly**

COMMITTEE FOR HEALTH

MINUTES OF PROCEEDINGS

**Thursday, 17 December 2020
Senate Chamber, Parliament Buildings**

Present: Mr Colm Gildernew (Chairperson)
Ms Pam Cameron MLA (Deputy Chairperson)*
Ms Paula Bradshaw MLA*
Mr Jonathan Buckley MLA*
Mr Gerry Carroll MLA
Mr Alan Chambers MLA
Ms Órlaithí Flynn MLA
Ms Cara Hunter MLA
Mr Pat Sheehan MLA*

In Attendance: Ms Éilis Haughey (Clerk)
Mr Jonathan Lamont (Clerical Supervisor)

**These Members attended the meeting via video-conference.*

The meeting commenced at 9.02 am in closed session.

The Committee agreed to consider agenda item 5.

1. Committee Inquiry: Impact of COVID-19 on Care Homes: consideration of draft report

The Committee continued the consideration of its draft inquiry report on the impact of COVID-19 on care homes.

Mr Gerry Carroll joined the meeting at 9.13 am.

Mr Alan Chambers joined the meeting at 9.20 am.

The Committee concluded its consideration of the evidence it received and its deliberations on the findings and recommendations to be included in its report.

The Chairperson advised the Committee that a complete draft report would be prepared for formal agreement by the Committee.

The meeting was suspended at 10.06 am and resumed at 10.15 am in public session.

The Committee returned to agenda item 1.

2. Apologies

None.

3. Chairperson's Business

The Chairperson referred to the recent figures relating to COVID-19 infections and hospital capacity, and reiterated the importance of people adhering to guidance regarding reducing social contacts, wearing face coverings and maintaining social distance.

4. Draft Minutes

The Committee agreed the minutes of the meetings held on 8 and 10 December 2020.

5. Matters Arising

There were no matters arising.

The Committee agreed to move to agenda item 16.

6. COVID-19 Regulations on Restrictions for Christmas

Ms Karen Pearson, Director of EU Relations, The Executive Office, joined the meeting via video-conference at 10.20 am.

Ms Pearson briefed the Committee on the planned easement of the health protection regulations during the Christmas period.

The briefing was followed by a question and answer session.

Ms Pearson agreed to provide the Committee with further information on issues raised during the question and answer session.

The Chairperson thanked Ms Pearson for her attendance.

The briefing session was reported by Hansard.

The Committee noted the following correspondence relevant to this agenda item:

- correspondence from an individual highlighting that some key workers, living and working in England, would not be able to travel home to Northern Ireland during the time period in which restrictions are being relaxed due to work commitments;
- correspondence from an individual regarding the impact of health protection rules on swimming clubs; and

- correspondence from an individual expressing concern regarding the impact of the relaxation of health protection rules on infection rates over the Christmas period.

The Committee also considered two items of correspondence from the Minister of Health relevant to this agenda item:

- correspondence providing further information requested by the Committee during the briefing session on SR 2020/233 The Health Protection (Coronavirus, Wearing of Face Coverings) (Amendment No.3) Regulations (Northern Ireland) 2020; and
- correspondence providing information on Christmas visiting arrangements for care homes.

Agreed: The Committee agreed to note the Minister's correspondence pending his next briefing session with the Committee.

The meeting was suspended at 10.57 am and resumed at 11.04 am in public session.

The Committee returned to agenda item 6.

7. Departmental Briefing - Brexit

The following officials from the Department of Health joined the meeting, in person, at 11.04 am:

Ms Cathy Harrison, Chief Pharmaceutical Officer; and
Ms Patricia Quinn-Duffy, EU Exit Lead - Reciprocal Healthcare/Workforce issues.

The following departmental officials joined the meeting via video-conference:

Ms Eimear Smyth, Senior Principal Officer EU Exit Transition Unit;
Ms Fiona Taylor, EU Exit Lead – Medicines; and
Mr Brendan O'Neill, Head of Information Governance.

The officials briefed the Committee on Brexit issues.

The briefing was followed by a question and answer session.

The officials agreed to provide the Committee with further information on issues raised during the question and answer session.

The Chairperson thanked the officials for their attendance.

The briefing session was reported by Hansard.

The Committee noted correspondence from an individual regarding the availability of essential medications from early January 2021.

The meeting was suspended at 12.27 pm and resumed at 12.34 pm.

8. SR 2020/267 The Food Hygiene Rating Act (Amendment) Regulations (Northern Ireland) 2020

Ms Kathryn Baker, Head of Food Safety Policy and Delivery, Food Standards Agency NI, joined the meeting via video-conference at 12.34 pm and answered questions from Members on three statutory rules, listed on the agenda, relating to food standards.

The Committee considered SR 2020/267 The Food Hygiene Rating Act (Amendment) Regulations (Northern Ireland) 2020, which makes a technical amendment to replace references to repealed EC Regulation 882/2004 with references to the EU Regulation replacing it.

Agreed: The Committee had considered SR 2020/267 The Food Hygiene Rating Act (Amendment) Regulations (Northern Ireland) 2020, and had no objection to the Rule.

9. SR 2020/286 The Food (Miscellaneous Amendments etc.) (EU Exit) Regulations (Northern Ireland) 2020

The Committee considered SR 2020/286 The Food (Miscellaneous Amendments etc.) (EU Exit) Regulations (Northern Ireland) 2020, which revokes the Food (Amendment) (Northern Ireland) (EU Exit) Regulations 2019; and ensures, at the end of the Transition Period, that the legislation it was intended to amend, remains operable. It also makes some technical amendments to domestic regulations.

Agreed: The Committee had considered SR 2020/286 The Food (Miscellaneous Amendments etc.) (EU Exit) Regulations (Northern Ireland) 2020, and had no objection to the Rule.

10. SR 2020/291 The Food and Feed Hygiene and Safety (Miscellaneous Amendments) Regulations (Northern Ireland) 2020

The Committee considered SR 2020/291 The Food and Feed Hygiene and Safety (Miscellaneous Amendments) Regulations (Northern Ireland) 2020, which provides for enforcement of Regulation (EU) 2020/354 on establishing a list of uses of feed intended for particular nutritional purposes and repeals Directive 2008/38/EC. The Rule also corrects an omission in The Official Feed and Food Controls Regulations (Northern Ireland) 2009, and makes other minor consequential amendments relating to Part 3 of the 2009 Regulations.

Agreed: The Committee had considered SR 2020/291 The Food and Feed Hygiene and Safety (Miscellaneous Amendments) Regulations (Northern Ireland) 2020, and had no objection to the Rule.

11. SR 2020/288 The Health Protection (Coronavirus, Travel from Denmark) (Revocation) Regulations (Northern Ireland) 2020

The Committee considered SR 2020/288 The Health Protection (Coronavirus, Travel from Denmark) (Revocation) Regulations (Northern Ireland) 2020, which revokes two previous Rules which prohibited the arrival in Northern Ireland of vessels and aircraft travelling directly from Denmark.

Agreed: The Committee had considered SR 2020/288 The Health Protection (Coronavirus, Travel from Denmark) (Revocation) Regulations (Northern Ireland) 2020, and had no objection to the Rule.

12. SR 2020/289 The Health Protection (Coronavirus, International Travel) (Amendment No. 24) Regulations (Northern Ireland) 2020

The Committee considered SR 2020/289 The Health Protection (Coronavirus, International Travel) (Amendment No. 24) Regulations (Northern Ireland) 2020, which adds Aruba, Bhutan, Kiribati, Micronesia, Mongolia, Samoa, the Solomon Islands, TimorLeste, Tonga, and Vanuatu to the list of countries and territories in respect of which travellers arriving in Northern Ireland are exempt from self-isolation requirements; and omits Estonia and Latvia from that list. The Rule also revokes previous amendments made to the principal regulations in relation to travel from Denmark.

Agreed: The Committee had considered SR 2020/289 The Health Protection (Coronavirus, International Travel) (Amendment No. 24) Regulations (Northern Ireland) 2020, and had no objection to the Rule.

13. Correspondence

- i. The Committee considered a response from the Minister of Health to the Committee's recommendations relating to the extension of the provisions of The Children's Social Care (Coronavirus) (Modification of Children's Social Care) Regulations (Northern Ireland) 2020, and providing a copy of speaking notes from the briefing session on 19 November 2020, in relation to this matter.

Agreed: The Committee agreed to note the Minister's correspondence pending further scrutiny of the COVID-19 Vulnerable Children and Young People's Plan.

- ii. The Committee considered a response from the Minister of Health, distinguishing The Children's Social Care (Coronavirus) (Modification of Children's Social Care) Regulations (Northern Ireland) 2020, from equivalent legislation in England, which was the subject of a recent judgement by the Court of Appeal in England, brought to the Committee's attention by the Children's Law Centre.

Agreed: The Committee agreed to forward the Minister's correspondence to the Children's Law Centre and the NI Commissioner for Children and Young People.

- iii. The Committee considered a response from the Minister of Health to the Committee's request for further information relating to the O'Hara Report into Hyponatraemia-Related Deaths.

Agreed: The Committee agreed to request further information from the Department of Health in relation to this matter.

- iv. The Committee considered correspondence from the Minister of Health providing the Provisional Framework Outline Agreement and Concordat of the Food and Feed Safety and Hygiene Common Framework.

Agreed: The Committee agreed to request briefing from the Department in relation to this matter.

- v. The Committee noted correspondence from the Minister of Health advising of amendments being made to section 20 of the Children and Young People Act (Northern Ireland) 1968, by the Domestic Abuse and Family Proceedings Bill.

- vi. The Committee considered a response from the Minister of Health to the Committee's request for further information on shielding advice.

Agreed: The Committee agreed to note the correspondence pending the next briefing session with the Minister and Chief Medical Officer.

- vii. The Committee considered a response from the Minister of Health to the Committee's request that the Department give further consideration to COVID-19 testing arrangements for young children.

Agreed: The Committee agreed to note the correspondence pending the next briefing session with the Minister and Chief Medical Officer.

- viii. The Committee considered correspondence from an individual regarding the track, trace and isolate service.

Agreed: The Committee agreed to note the correspondence pending the next briefing session with the Minister and Chief Medical Officer.

- ix. The Committee considered correspondence from an individual regarding measures to restrict the spread of COVID-19 within retail settings.

Agreed: The Committee agreed to note the correspondence pending the next briefing session with the Minister and Chief Medical Officer.

- x. The Committee considered correspondence from the Committee for Justice regarding the scrutiny of Health Protection Regulations and advising that it had written to the First Minister and deputy First Minister to request that all Ministers engage with their respective Statutory Committees on any aspects of the Regulations that cover policy areas for which they have responsibility.
- xi. The Committee considered correspondence from the Minister of Health providing an update on the COVID-19 Vaccination Programme and advising that the Head of the Programme was not available to provide oral briefing to the Committee, as requested, on 17 December, but would attend a meeting of the Committee in early 2021.
- Agreed:* The Committee agreed to note the correspondence pending the next briefing session with the Minister and Chief Medical Officer.
- xii. The Committee considered a response from the Minister of Health to a request from the Committee for his Department to undertake an urgent review of the needs of carers.
- Agreed:* The Committee agreed to forward the Minister's correspondence to the Coalition of Carers' Organisations.
- xiii. The Committee considered correspondence from the Minister of Health advising of the launch of a public consultation on the introduction of a statutory soft opt-out system for organ donation.
- Agreed:* The Committee agreed to schedule a briefing session on this matter at the conclusion of the consultation.
- xiv. The Committee considered correspondence from the Department of Health providing information on the development of an Advance Care Planning Policy for Northern Ireland for adults.
- Agreed:* The Committee agreed to note the correspondence pending future scrutiny of this matter.
- xv. The Committee considered the University of Ulster report, 'Health, Equality and the Economy'.
- Agreed:* The Committee agreed to note the report pending future scrutiny of health inequalities.
- xvi. The Committee noted the Examiner of Statutory Rules' Sixteenth Report of session 2020-2021.
- xvii. The Committee considered correspondence from an individual regarding Assembly control in relation to COVID-19 Regulations.
- Agreed:* The Committee agreed to advise the individual that the Committee shared the concerns raised in relation to the

process but was content that the technical issues raised in the individual's correspondence had been addressed.

- xviii. The Committee noted a copy of correspondence from the Committee for Infrastructure to the Department of Health regarding funding allocated to Community Transport.
- xix. The Committee noted the Pivotal report, 'Education, training and skills for young people aged 14-19 years old'.
- xx. The Committee noted a copy of correspondence from the Committee for Communities to the Department of Health, advising that it was content for the Department to provide a written response on the Licensing and Registering of Clubs (Amendment) Bill.
- xxi. The Committee noted correspondence from the Minister of Health relating to the Private Family Law Early Resolution Action Programme, which is in development with the Minister of Justice.

14. Forward Work Programme

The Committee noted its Forward Work Programme.

15. Any Other Business

There was no other business.

16. Date, Time and Place of Next Meeting

The next committee meeting was scheduled to take place subject to the availability of the Minister of Health and at the request of the Chairperson.

The meeting was adjourned at 12.52 pm.

Signed: _____
Chairperson

Date: _____