



**Northern Ireland
Assembly**

COMMITTEE FOR HEALTH

DRAFT MINUTES OF PROCEEDINGS

**Thursday, 5 November 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
Mr Colin McGrath MLA*
Mr Pat Sheehan MLA

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

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

The meeting commenced at 8.48 am in public session.

1. Apologies

None.

2. Chairperson's Business

- i. The Chairperson welcomed Mr Jonathan Buckley MLA to the Health Committee.
- ii. The Chairperson advised that he and Mr Gerry Carroll had attended at meeting with representatives of the transgender community and would provide an update later in the meeting.

3. Draft Minutes

The Committee agreed the minutes of the meetings held on 20 and 22 October 2020.

4. Matters Arising

There were no matters arising.

5. COVID-19 Disease Response: Ministerial Update

The Minister of Health, Mr Robin Swann MLA, and the Chief Medical Officer, Dr Michael McBride, joined the meeting at 8.49 am.

The Minister provided an update on the Department of Health's response and planning in relation to COVID-19.

Ms Paula Bradshaw joined the meeting at 8.52 am.

The briefing was followed by a question and answer session.

The Chairperson declared an interest as having a relative who works as a nurse.

The Deputy Chairperson declared an interest as having a family member who works in an Intensive Care Unit and another family member recently recruited into the Test and Tracing system.

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

The Chairperson thanked the Minister and the Chief Medical Officer for their attendance.

The briefing session was reported by Hansard.

Mr Colin McGrath left the meeting at 10.15 am.

The Committee noted correspondence from the Minister of Health, regarding his Department's engagement and consultation on rebuilding services.

Agreed: The Committee agreed to seek information from the Department for Communities on the isolation grant.

Agreed: The Committee agreed to bring forward a motion for plenary debate calling for a scaled up Find, Test, Trace, Isolate and Support strategy as well as recognition of personal responsibility for adhering to guidance, with a view to avoiding further lockdown measures.
The Committee further agreed that the precise wording of the motion would be agreed by email, if possible.

Mr Gerry Carroll left the meeting at 10.30 am.

6. Food Standards Agency: UK Common Framework

Officials from the Food Standards Agency joined the meeting at 10:30 am.

Ms Emily Miles, Chief Executive

Ms Sharon Gilmore, Head of Standards and Dietary Health

The FSA officials briefed the Committee on the provisional Framework Outline Agreement and Concordat of the Nutrition Labelling, Composition and Standards Common Framework, which has been developed by the FSA in Northern Ireland in conjunction with their counterparts in Scotland, Wales and England.

Mr Gerry Carroll re-joined the meeting at 10.40 am.

The briefing was followed by a question and answer session.

Mr Colin McGrath re-joined the meeting at 10.51 am.

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

Agreed: The Committee agreed to ask the FSA to conduct further engagement with stakeholders in Northern Ireland on the Common Framework and advise the Committee of their views; and to advise of any specific engagement with the Food Safety Authority of Ireland on the Common Framework, outwith the Memo of Understanding in place between the two organisations.

Agreed: The Committee agreed to defer its consideration of the Common Framework pending further briefing and response to the Committee's request for further information.

The meeting was suspended at 11.03 am and resumed at 11.16 am.

7. SR 2020/213 The Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 8) Regulations (Northern Ireland) 2020

Departmental officials joined the meeting at 11.16 am.

Mr David Hughes, Director, Department of Finance

Mr Alasdair MacInnes, Principal Officer, Department of Health.

The officials briefed the Committee on four statutory rules (agenda items 7 to 10) that provide for coronavirus-related restrictions.

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 and the Chairperson requested that the officials ensure Committee Members receive this information in advance of the plenary debate on Monday, 9 November.

Mr Colin McGrath re-joined the meeting at 11.50 am.

The Chairperson thanked the officials for their attendance.

The briefing session was reported by Hansard.

Agreed: The Committee agreed to request briefing from the Department of Health on the evidence on the use of face coverings.

Agreed: The Committee agreed to ask the Department of Health to ensure that officials briefing the Committee on forthcoming SRs are adequately prepared to respond to questions on the post-hoc impact and application of the measures.

The meeting was suspended at 12.09 pm for informal discussion and resumed at 12.30 pm.

Mr Pat Sheehan left the meeting at 12.31 pm.

Agreed: The Committee agreed to write to the First Minister and Deputy First Minister to ask them to explore whether there is a way to improve the scrutiny of regulations containing measures responding to the pandemic.

The Committee considered SR 2020/213 The Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 8) Regulations (Northern Ireland) 2020 which introduced restrictions in Derry and Strabane district council area, since revoked, and makes some technical amendments.

Agreed: The Committee had considered SR 2020/213 The Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 8) Regulations (Northern Ireland) 2020 and recommended that it be approved by the Assembly.

8. SR 2020/224 The Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 9) Regulations (Northern Ireland) 2020

The Committee considered SR 2020/224 The Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 9) Regulations (Northern Ireland) 2020 which introduces restrictions for a period of four weeks, in relation to gatherings, sporting events, the hospitality sector, businesses, places of worship, marriages, funerals and libraries; and amends an error in previous regulations. It also replaces the schedule dealing with postcode-based restrictions which could be amended by direction, and revokes the Schedule providing for the Derry and Strabane area restrictions.

Agreed: The Committee had considered SR 2020/224 The Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 9) Regulations (Northern Ireland) 2020 and recommended that it be approved by the Assembly.

9. SR 2020/225 The Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 10) Regulations (Northern Ireland) 2020

The Committee considered Statutory Rule 2020/225 The Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 10) Regulations (Northern Ireland) 2020 which amends some errors in previous regulations; permits sports and massage therapy to be provided to elite athletes; provides that dance of any type shall be deemed to be a form of exercise or sport; and provides exemptions to restrictions for education, training, blood donation, motorcycle driving instruction, ferries and the use of touring caravans in an emergency.

Agreed: The Committee had considered SR 2020/225 The Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 10) Regulations (Northern Ireland) 2020 and recommended that it be approved by the Assembly.

Mr Pat Sheehan re-joined the meeting at 12.34 pm.

10. SR 2020/220 The Health Protection (Coronavirus, Wearing of Face Coverings) (Amendment No. 2) Regulations (Northern Ireland) 2020

The Committee considered Statutory Rule 2020/220 The Health Protection (Coronavirus, Wearing of Face Coverings) (Amendment No. 2) Regulations (Northern Ireland) 2020 which extends the requirement to wear a face covering to: a bus, coach, taxi, vehicle being used to train for or take a driving test, an aeroplane, an airport, a restaurant, café, bar or public house, a bank, and public areas of government buildings. It also extends the requirement to wear a face covering to members of staff in retail and hospitality settings when they are in areas accessible to the public, unless they are protected by a partition.

Agreed: The Committee had considered SR 2020/220 The Health Protection (Coronavirus, Wearing of Face Coverings) (Amendment No. 2) Regulations (Northern Ireland) 2020 and recommended that it be approved by the Assembly.

11. SR 2020/215 The Health Protection (Coronavirus, Public Health Advice for Persons Travelling to Northern Ireland) (No. 2) Regulations (Northern Ireland) 2020

Department of Health officials joined the meeting at 12.35 pm.

Ms Elaine Colgan, Chief of Staff to Chief Medical Officer

Ms Gillian Hynes, Health Protection Branch

The Committee noted a response from the Minister of Health, to its request for further information relating to travel restriction regulations.

Ms Hynes briefed the Committee on three Statutory Rules (agenda items 11 to 13) relating to travel restrictions.

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 considered SR 2020/215 The Health Protection (Coronavirus, Public Health Advice for Persons Travelling to NI) (No. 2) Regulations (Northern Ireland) 2020, which require operators of commercial transport services bringing passengers to NI from outside the common travel area, to provide specific information to passengers, in a particular manner.

Agreed: The Committee had considered SR 2020/215 The Health Protection (Coronavirus, Public Health Advice for Persons Travelling to NI) (No. 2) Regulations (Northern Ireland) 2020 and had no objection to the Rule.

12. SR 2020/216 The Health Protection (Coronavirus, International Travel) (Amendment No. 14) Regulations (Northern Ireland) 2020

The Committee considered SR 2020/216 The Health Protection (Coronavirus, International Travel) (Amendment No. 14) Regulations (Northern Ireland) 2020, which adds the Greek islands of Lesbos, Tinos, Serifos, Santorini and Zakyntos to the list of countries and territories exempt from the 14-day self-isolation requirement.

Agreed: The Committee had considered SR 2020/216 The Health Protection (Coronavirus, International Travel) (Amendment No. 14) Regulations (Northern Ireland) 2020 and had no objection to the Rule.

13. SR 2020/223 The Health Protection (Coronavirus, International Travel) (Amendment No. 15) Regulations (Northern Ireland) 2020

The Committee considered SR 2020/223 The Health Protection (Coronavirus, International Travel) (Amendment No. 15) Regulations (Northern Ireland) 2020, which adds the Greek island of Crete to the list of countries and territories exempt from the 14-day self-isolation requirements and omits Italy, San Marino and Vatican City State from that list.

Agreed: The Committee had considered SR 2020/223 The Health Protection (Coronavirus, International Travel) (Amendment No. 15) Regulations (Northern Ireland) 2020 and had no objection to the Rule.

14. UK SI: The Human Medicines (Amendment Etc.) (EU Exit) Regulations 2020

The Committee considered UK SI The Human Medicines (Amendment Etc.) (EU Exit) Regulations 2020 which will amend how medicines and clinical trials will be regulated in NI and in GB at the end of the implementation period, taking account of the Ireland/NI Protocol.

The Committee noted a briefing paper on this SI from the Department of Health.

Officials from the Department of Health joined the meeting at 12.52 pm.

Mr Canice Ward, Head of Medicines Regulatory Group

Mr Chris Garland, Senior Principal Pharmacist

Ms Bernie Duffy, Head of Medicines Policy Branch

A question and answer session in relation to agenda items 14 and 15 ensued.

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

The Chairperson thanked the officials for their attendance.

The question and answer session with officials was reported by Hansard.

Agreed: The Committee agreed to note UK SI The Human Medicines (Amendment Etc.) (EU Exit) Regulations 2020.

15. UK SI: The Human Medicines (Coronavirus and Influenza) (Amendment) Regulations 2020

The Committee considered UK SI The Human Medicines (Coronavirus and Influenza) (Amendment) Regulations 2020 which will make changes to existing legislation to support the rapid and effective roll-out of a COVID-19 vaccine and an influenza vaccine.

Agreed: The Committee agreed to note UK SI The Human Medicines (Coronavirus and Influenza) (Amendment) Regulations 2020.

16. Correspondence

- i. The Committee noted a response from the Minister of Health, to its request for an update on the ongoing review of gender identification services and Mr Gerry Carroll provided an update on the informal meeting that he and the Chairperson held with representatives of the Transgender community, on behalf of the Committee.

- ii. The Committee considered a response from the Minister of Health, to its request for an update on his meeting with the Minister for Communities on addressing gambling-related harm.

Agreed: The Committee agreed to note the response pending further consideration of mental health.

- iii. The Committee noted correspondence from the Minister of Health, advising that he had received confirmation from HMRC that any award made under the COVID-19 Life Assurance Scheme would not impact on social security benefits.

- iv. The Committee noted a response from the Minister of Health, to its request for information relating to coronavirus regulations.

- v. The Committee considered a response from the Minister of Health, to its request for further information on the decision-making process for the establishment of the second Nightingale facility at Whiteabbey Hospital.

Agreed: The Committee agreed to write to the Department to ask for an update on staffing levels of the facility and for information on the membership of the project board involved in the decision-making.

- vi. The Committee considered a response from the Minister of Health, to its request for information about the impact of the Stop COVID app on school attendance.

Agreed: The Committee agreed to forward the Minister's response to the individual who had raised this matter with the Committee.

- vii. The Committee noted a response from the Minister of Health, to its request for information on the RQIA Interim Board Appointments.

- viii. The Committee noted a response from the Minister of Health, to its request for information on planned meetings between senior departmental officials and those affected by the Neurology Recall.

- ix. The Committee noted correspondence from the Minister of Health, confirming the availability of departmental officials to provide briefing to assist the Committee's consideration and scrutiny of statutory rules.

- x. The Committee noted correspondence from the Minister of Health, providing clarification on funding for the PrEP pilot.

- xi. The Committee considered correspondence from the Minister of Health, providing further information relating to matters raised during the recent Brexit briefing with department officials.

Agreed: The Committee agreed to note the correspondence pending the planned departmental Brexit briefing session on 19 November.

- xii. The Committee considered correspondence from the Minister of Health, on the Department's proposed legislation, and other business, to be brought before the Committee up to the end of March 2021.

Agreed: The Committee agreed to note the correspondence pending the Committee's next strategic planning session in January 2021.

- xiii. The Committee noted an update from the Minister of Health, on coded death statistics.
- xiv. Committee considered correspondence from the Minister of Health, advising of the upcoming launch of the public consultation on the new alcohol and drug strategy "Making Life Better – Preventing Harm & Empowering Recovery: A Strategic Framework to Tackle Substance Use."

Agreed: The Committee agreed to ask the Department of Health for further detail on the consultation process and engagement with the Mental Health Champion on this matter.

- xv. The Committee noted correspondence from the Minister of Health, advising that he is seeking Executive approval for the cross-cutting Online Safety Strategy and Action Plan.
- xvi. The Committee considered responses from the Departments of Health, Finance, Economy and Education to the Committee's correspondence on financial support for carers.

Agreed: The Committee agreed to note the correspondence pending the briefing session with carers' representatives on 12 November.

- xvii. The Committee noted correspondence from the Department of Health, outlining the Minister of Health's concern regarding the Committee's engagement with staff from the Public Health Agency at the briefing session on 15 October 2020.

The Chairperson advised that his view is that engagement with officials should be respectful, courteous and constructive, while holding officials to account in a robust manner.

- xviii. The Committee considered correspondence from the Royal College of Surgeons of England in NI, providing its views on a proposed podiatric surgery service.

Agreed: The Committee agreed to forward the correspondence to the Department of Health for a response to the issues raised.

- xix. The Committee noted correspondence from an individual, regarding a campaign to bring changes to the restrictions to maternity services during the pandemic.
- xx. The Committee noted correspondence from an individual, regarding the South West Acute Hospital.
- xxi. The Committee considered correspondence from the office of the Mental Health Champion, regarding opportunities for the Mental Health Champion to engage with the Committee.

Agreed: The Committee agreed to invite the Mental Health Champion to brief the Committee in the New Year.

- xxii. The Committee considered correspondence from the National Counselling Society requesting an opportunity to brief the Committee.

Agreed: The Committee agreed to note the request pending its consideration of mental health.

- xxiii. The Committee considered a copy of a letter of complaint from an individual to the NI Ambulance Service.

Agreed: The Committee agreed to note the correspondence pending a planned briefing session with the Ambulance Service.

- xxiv. The Committee considered a public petition presented in the Assembly by Mr Colin McGrath MLA, regarding the restoration of emergency services at Downe Hospital.

Agreed: The Committee agreed to note the petition pending the Department of Health's response and further consideration of urgent and emergency care scheduled for December and planned briefing from all of the Trusts on rebuilding services.

- xxv. The Committee considered correspondence from Walgreens Boots Alliance, regarding the implications of the Northern Ireland Protocol on medicines supplies.

Agreed: The Committee agreed to note the correspondence pending the planned departmental Brexit briefing session on 19 November.

- xxvi. The Committee considered correspondence from an individual, regarding pay equality between hospitals, for porter staff.

Agreed: The Committee agreed to forward the correspondence to the Belfast Health and Social Care Trust for a response.

xxvii. The Committee noted a report from Belfast Health and Social Care Trust on the Safer Together Project.

xxviii. The Committee noted the October 2020 Investing Activity Report for the Department of Health.

xxix. The Committee considered correspondence from the owner of Hydro-ease NI, regarding the classification of its service as part of the coronavirus restrictions.

Agreed: The Committee agreed to forward this correspondence to the Department of Health for response.

xxx. The Committee noted correspondence from the Minister of Health and Minister of Education, regarding their work on the development of a new strategy for looked after children.

xxxi. The Committee considered correspondence from an individual, regarding the impact of coronavirus restriction measures on the provision of baby sensory classes.

Agreed: The Committee agreed to forward the correspondence to the Department of Health.

Mr Pat Sheehan left the meeting at 1.11 pm.

xxxii. The Committee considered correspondence from the Department of Health, advising of its plans to make a statutory rule that will extend the modifications provided in the Children's Social Care (Coronavirus) (Temporary Modification of Children's Social Care) Regulations from 6 months to 12 months and providing the most recent monitoring report on the application of the provisions for September.

Agreed: The Committee agreed to seek the views of the stakeholders it consulted on the original regulation, about the Department's intention to extend the time period in which the modifications will apply.

xxxiii. The Committee considered correspondence from the Acting Chief Dental Officer, advising that a revised version of the NI Operational Dental Guidance has been issued to all general dental practices.

Agreed: The Committee agreed to seek the views of BDA and BAPDNI on the revised guidance.

xxxiv. The Committee noted a copy of correspondence from the Public Health Agency, to an individual regarding their experience of attending the COVID-19 Test Centre at the Queen's University PEC.

xxxv. The Committee considered correspondence from the Royal College of Occupational Therapists, regarding Occupational Therapy Week.

Agreed: The Committee agreed to highlight this campaign through its social media channels.

xxxvi. The Committee considered correspondence from Fairness (IN) Fertility, regarding continued delays in fertility treatments at the Regional Fertility Centre.

Agreed: The Committee agreed to forward this correspondence to the Department of Health for response.

xxxvii. The Committee considered correspondence from an individual, regarding the change in shielding advice.

Agreed: The Committee agreed to provide the individual with a copy of the statement made by the Chief Medical Officer on 23 October; and to advise of the Committee's action.

Agreed: The Committee agreed to write to the Department to raise the issue of communication of shielding advice to those affected.

xxxviii. The Committee noted a response from the Public Health Agency, to its request for further information following the briefing session with the Committee on 15 October.

xxxix. The Committee considered a request from the All Party Group on Learning Disability Planning, to brief the Committee on the issues COVID-19 is causing for people with learning disabilities and their families.

Agreed: The Committee agreed to defer its consideration of this request until the New Year.

xl. The Committee noted correspondence from the NI Cancer Registry, providing an analysis of the impact of COVID-19 on cancer.

Agreed: The Committee agreed to discuss consideration of cancer services at its next strategic planning session.

xli. The Committee considered correspondence from the All Party Group on Lung Health, requesting research assistance to identify how many health and wellbeing programmes and services exist across NI, and the risk and potential cost to the Department of Health, if these services had to stop or be reduced.

Agreed: The Committee agreed to request that the Clerk explore whether the Committee could assist with this request.

- xlii. The Committee considered correspondence from an individual, suggesting an approach to the development of COVID-19 public awareness.

Agreed: The Committee agreed to advise the individual to contact the Public Health Agency on this matter.

17. Forward Work Programme

The Committee noted its Forward Work Programme.

The Chairperson advised that he will advise Members of the date for the informal meeting with representatives of mother and baby institutions, when this has been confirmed.

18. Any Other Business

There was no other business.

19. Date, Time and Place of Next Meeting

The next committee meeting was scheduled to take place on Thursday, 12 November 2020, at 9.30 am, in the Senate Chamber, Parliament Buildings.

The Chairperson adjourned the meeting at 1.29 pm.

Signed: _____
Chairperson

Date: _____