



**Northern Ireland  
Assembly**

**COMMITTEE FOR HEALTH**

**DRAFT MINUTES OF PROCEEDINGS**

**Thursday, 12 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 Éilis Haughey (Clerk)  
Mr Brendan Miskelly (Clerical Officer)

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

*The meeting commenced at 9.31 am in public session.*

**1. Apologies**

None.

**2. Chairperson's Business**

- i. The Chairperson reminded members that the meeting would continue into the afternoon to begin consideration of evidence relating to its inquiry into the impact of COVID-19 on care homes. The Chairperson thanked the organisations, individuals and the family members of care home residents, who had provided evidence to the Committee on its inquiry.
- ii. The Chairperson provided an update on an informal meeting that he and the Deputy Chairperson held with the Children's Law Centre.

*Mr Colin McGrath MLA joined the meeting at 9.32 am.*

### **3. Draft Minutes**

The Committee agreed the minutes of the meeting held on 5 November 2020.

### **4. Matters Arising**

- i. The Chairperson advised that the Committee motion on COVID-19 strategy was agreed by email and that the debate had been scheduled to take place on 23 November.
- ii. The Chairperson advised that further to a request the Committee considered at the meeting the previous week, it would not be possible to provide research support to the All Party Group on Lung Health, but advised that the Clerk would discuss options for assistance with the Chair of the APG.

### **5. COVID-19 Disease Response: Briefing from Carer's Coalition**

Representatives from the Carers' Coalition joined the meeting at 9.35 am via video-conference.

Ms Clare-Anne Magee, Head, Carers NI

Ms Orla Watt, Director, Parent Action

Ms Valerie Sullivan, Chief Executive, CAUSE

Mr Craig Harrison, Policy and Public Affairs Manager, Marie-Curie

Ms Magee briefed the Committee on the impact of COVID-19 on carers.

*The Chairperson advised that he had worked with a number of the representatives on the Carers' Coalition panel and was currently collaborating with them on the formation of an All Party Group on Carers.*

The briefing was followed by a question and answer session.

The Chairperson thanked the representatives for their attendance.

The briefing session was reported by Hansard.

*Agreed:* The Committee agreed to write to the Department of Health to request an urgent review of the needs of carers and the delivery of carers' services by the Trusts.

*Agreed:* The Committee agreed to request an update on the Department of Health's Strategic Framework for Rebuilding Health and Social Care Services.

### **6. SR 2020/232 The Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 11) Regulations (Northern Ireland) 2020**

Departmental officials joined the meeting at 10.38 am via video-conference.

Mr David Hughes, Director, Department of Health

Ms Liz Redmond, Director of Population Health, Department of Health

Mr Jonathan Boyd, Principal Officer, Department of Education

Ms Linda Buick, Principal Officer, Department for Infrastructure

Mr Hughes briefed the Committee on SR 2020/232 The Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 11) Regulations (Northern Ireland) 2020; and SR 2020/239 The Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 12) Regulations (Northern Ireland) 2020.

The briefing was followed by a question and answer session.

Ms Redmond and Ms Buick briefed the Committee on SR 2020/233 The Health Protection (Coronavirus, Wearing of Face Coverings) (Amendment No. 3) Regulations (Northern Ireland) 2020.

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 2020/232 The Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 11) Regulations (Northern Ireland) 2020, which clarifies the meaning of self-catering accommodation; provides for a person to take part in indoor exercise or sport with a carer or carers; requires the closure of hostels and similar establishments, with certain exemptions; provides that an exemption in relation to caravans also relates to motorhomes; provides that hairdressing, makeup and other close contact services may operate in film and television production; and defines certain terms.

*Agreed:* The Committee had considered SR 2020/232 The Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 11) Regulations (Northern Ireland) 2020 and recommended that it be approved by the Assembly.

*Agreed:* The Committee agreed to seek further information on how other jurisdictions are managing the introduction and scrutiny of similar regulations.

The Committee noted correspondence from the Minister of Health, providing information requested by the Committee in relation to the regulations imposing restrictions in the Derry and Strabane district area.

The Committee noted correspondence from the Minister of Health, providing information requested by Members in relation to coronavirus restrictions regulations which had been debated in the Assembly on 9 November 2020.

**7. SR 2020/233 The Health Protection (Coronavirus, Wearing of Face Coverings) (Amendment No. 3) Regulations (Northern Ireland) 2020**

The Committee considered SR 2020/233 The Health Protection (Coronavirus, Wearing of Face Coverings) (Amendment No. 3) Regulations (Northern Ireland) 2020, which extends the requirement to wear a face covering to post-primary school children on school transport and on other public transport.

*Agreed:* The Committee had considered SR 2020/233 The Health Protection (Coronavirus, Wearing of Face Coverings) (Amendment No. 3) Regulations (Northern Ireland) 2020 and recommended that it be approved by the Assembly.

**8. SR 2020/239 The Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 12) Regulations (Northern Ireland) 2020**

The Committee considered SR 2020/239 The Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 12) Regulations (Northern Ireland) 2020, which provide for physical education to take place in schools and other educational settings; and also provides that tables, or other facilities in an area adjacent to hospitality premises, are to be treated as part of the premises.

*Agreed:* The Committee had considered SR 2020/239 The Health Protection (Coronavirus, Restrictions) (No. 2) (Amendment No. 12) Regulations (Northern Ireland) 2020 and recommended that it be approved by the Assembly.

*The meeting was suspended at 11.24 and resumed at 11.43 am.*

**9. UK SIs: The Blood Safety and Quality (Amendment) (EU Exit) Regulations 2020; The Quality and Safety of Organs Intended for Transplantation (Amendment) (EU Exit) Regulations 2020; and The Human Tissue (Quality and Safety for Human Application) (Amendment) (EU Exit) Regulations 2020**

The Committee considered three UK Statutory Instruments which amend current legislation to provide for the continued application of three EU Directives under the EU Withdrawal Act 2018 and Protocol on Ireland/Northern Ireland.

Ms Patricia Quinn-Duffy, EU Exit Lead - Reciprocal Healthcare/Workforce issues, Department of Health, joined the meeting at 11.43 am via video-conference and answered Members' questions on the UK Statutory Instruments.

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

The Chairperson thanked Ms Quinn-Duffy for her attendance.

The question and answer session was reported by Hansard.

*Agreed:* The Committee agreed to note UK SI The Blood Safety and Quality (Amendment) (EU Exit) Regulations 2020.

*Agreed:* The Committee agreed to note UK SI The Quality and Safety of Organs Intended for Transplantation (Amendment) (EU Exit) Regulations 2020.

*Agreed:* The Committee agreed to note UK SI The Quality and Safety of Organs Intended for Transplantation (Amendment) (EU Exit) Regulations 2020.

#### **10. SL1 The Food (Miscellaneous Amendments etc.) (EU Exit) Regulations (Northern Ireland) 2020**

The Committee considered a proposal by the Food Standards Agency, to make a Statutory Rule to revoke the Food (Amendment) (Northern Ireland) (EU Exit) Regulations 2019; and to ensure, 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.

Ms Kathryn Baker, Head of Food Safety Policy and Delivery, Food Standards Agency, joined the meeting at 11.59 am via video-conference and answered Members' questions on the proposed statutory rule.

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

The question and answer session was reported by Hansard.

*Agreed:* The Committee agreed that it was content with the proposal for the Statutory Rule.

#### **11. SL1 The Food Hygiene Rating Act (Amendment) Regulations (Northern Ireland) 2020**

Ms Baker, Head of Food Safety Policy and Delivery, Food Standards Agency, remained at the meeting and answered Members' questions on a proposal to make a Statutory Rule to allow a technical amendment to the Food Hygiene Rating Act (Northern Ireland) 2016 to replace references to repealed EC Regulation (EC) 882/2004 with references to the EU Regulation replacing it.

The Chairperson thanked Ms Baker for her attendance.

The question and answer session was reported by Hansard.

*Agreed:* The Committee agreed that it was content with the proposal for the Statutory Rule.

## 12. Legislative Consent Motion: Amendment to the Medicines and Medical Devices Bill

Officials from the Department of Health joined the meeting at 12.10 pm via video-conference.

Ms Cathy Harrison, Chief Pharmaceutical Officer

Ms Bernie Duffy, Head of Medicines Policy Branch

Mr David Wilson, Head of Safety Strategy Unit

Ms Harrison briefed the Committee on the Legislative Consent Memorandum in respect of an amendment to the Medicines and Medical Devices Bill, which the Department of Health laid in the Assembly on 5 November 2020.

The briefing was followed by a question and answer session.

The briefing session was reported by Hansard.

*The question and answer session was interrupted intermittently as a result of technical difficulties and the Committee was unable to proceed with the briefing session.*

*Agreed:* The Committee agreed that Members' questions on the Legislative Consent Memorandum would be forwarded to the Department of Health for a written response.

*Agreed:* The Committee agreed to request the input of the Committee for Agriculture, Environment & Rural Affairs on aspects of the LCM relevant to its remit.

## 13. Correspondence

- i. The Committee noted correspondence from the Minister of Health advising of the appointment of six interim Non-Executive Members to the Board of the RQIA.
- ii. The Committee noted the publication of the Department of Health's Annual Progress Report, outlining progress on implementation of the Section 75 statutory duties and the positive duties resulting from Section 49A of the Disability Discrimination Act 1995.
- iii. The Committee noted correspondence from the Minister of Health providing a correction to remarks made by the Chief Social Worker at the meeting on 22 October 2020.
- iv. The Committee considered a response from the Minister of Health to its enquiry regarding the resumption of ADHD assessments.

*Agreed:* The Committee agreed to forward this correspondence to the individual who had raised this matter with the Committee.

- v. The Committee noted a response from the Minister of Health to its request for further information on the consultation undertaken to inform the development of the Autism Strategy 2021-2028.
- vi. The Committee noted correspondence from the Minister of Health regarding departmental communications with the Committee.
- vii. The Committee considered correspondence from an individual regarding COVID-19 testing for elderly or disabled individuals who are unable to travel to a test centre or administer a home test kit.

*Agreed:* The Committee agreed to forward this correspondence to the Department of Health for consideration of the issues raised.

- viii. The Committee noted a copy of correspondence from the Committee for the Economy to the Minister of Health regarding the requirement for a mental health and well-being strategy for students as a result of the impact of COVID-19.
- ix. The Committee noted the Examiner of Statutory Rules' 26<sup>th</sup> and 27<sup>th</sup> Reports of Session 2019-2020.
- x. The Committee noted correspondence from the Justice Committee regarding the publication of its report on the Domestic Abuse and Family Proceedings Bill.
- xi. The Committee considered a request from Hernia Mesh Awareness NI to brief the Committee.

*Agreed:* The Committee agreed to hold an informal meeting with Hernia Mesh Awareness NI.

- xii. The Committee noted the publication of the Department of Health report, Statistics of Scientific Procedures on Living Animals NI 2019.
- xiii. The Committee considered correspondence from the British Association of Private Dentists regarding queries that had arisen further to its recent FoI request to the Department of Health.

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

- xiv. The Committee considered a request from the Stroke Association to brief the Committee.

*Agreed:* The Committee agreed to consider this request as part of its Strategic Planning work to be undertaken in January.

- xv. The Committee noted correspondence from the Neurology Patient Support Group providing notes on its recent meeting with the Minister of Health and senior departmental officials.

*Agreed:* The Committee agreed to note this correspondence pending further scrutiny of this issue.

- xvi. The Committee noted correspondence from RQIA providing an update on its neurology work programme.

*Agreed:* The Committee agreed to note this correspondence pending further consideration of this issue.

- xvii. The Committee considered correspondence from Cancer Research UK providing a copy of an open letter the First and Deputy First Minister, the UK Prime Minister and First Ministers of Scotland and Wales from the cancer community on the importance of mitigating the impact of Covid-19 on cancer services and using the upcoming spending review as an opportunity to commit additional monies to improve cancer survival in all nations.

*Agreed:* The Committee agreed to note this correspondence pending further consideration of cancer services in the new year.

- xviii. The Committee considered a copy of correspondence from the Chair of the Commons Framework Scrutiny Committee of the House of Lords, to the UK Minister of Health regarding the Nutrition Labelling, Composition and Standards framework.

*Agreed* The Committee agreed to write to the Commons Framework Scrutiny Committee to highlight the issues identified during the Food Standards Agency briefing on 5 November and to note this correspondence pending the Brexit briefing on 19 November.

- xix. The Committee noted correspondence from the Minister of Health providing information on the procurement of ventilators, as requested during the briefing session on 1 October 2020.

- xx. The Committee noted correspondence from the Minister of Health providing an update on his engagement with those affected by the Neurology Recall.

#### **14. Forward Work Programme**

The Committee noted its Forward Work Programme.



*Agreed:* The Committee agreed to schedule a briefing session with academics who could provide briefing on international experience of the development of Find, Test, Trace, Isolate and Support systems.

### **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 on Thursday, 19 November 2020, at 9.30 am, in the Senate Chamber, Parliament Buildings.

*The meeting moved into closed session at 12.45 pm.*

### **17. Committee Inquiry: Impact of COVID-19 on Care Homes: consideration of evidence**

*Mr Colin McGrath left the meeting at 12.51 pm.*

*Mr Jonathan Buckley left the meeting at 1.20 pm.*

*Ms Pam Cameron left the meeting at 1.25 pm.*

*The meeting was suspended at 1.28 pm and resumed at 2.30 pm in Room 21.*

**Present:** Mr Colm Gildernew (Chairperson)  
Ms Pam Cameron MLA (Deputy Chairperson)  
Mr Jonathan Buckley MLA  
Mr Gerry Carroll MLA  
Mr Pat Sheehan MLA\*

*\*Mr Sheehan attended the meeting via telephone-conference.*

The Committee considered the evidence it had received in relation to the Inquiry into the impact of COVID-19 on care homes and discussed possible findings and recommendations.

*The meeting was adjourned at 4.10 pm.*

Signed: \_\_\_\_\_  
Chairperson

Date: \_\_\_\_\_