

Committee for Health, Social Services and Public Safety

End of Session Report 2014/15

Membership and Powers

The Committee for Health, Social Services and Public Safety is a Statutory Departmental Committee established in accordance with paragraphs 8 and 9 of the Belfast Agreement, section 29 of the Northern Ireland Act 1988 and under Standing Order 48.

The Committee has the power to:

- Consider and advise on Departmental budgets and annual plans in the context of the overall budget allocation;
- Consider relevant secondary legislation and take the Committee stage of primary legislation;
- Call for person and papers;
- Initiate inquiries and make reports; and
- Consider and advise on any matters brought to the Committee by the Minister for Health, Social Services and Public Safety.

The Committee has 11 members including a Chairperson and Deputy Chairperson and a quorum of 5.

The current membership of the Committee is as follows:

Ms Maeve McLaughlin (Chairperson)
Mr Alex Easton (Deputy Chairperson)
Mrs Pam Cameron
Mrs Jo-Anne Dobson
Mr Paul Givan
Mr Kieran McCarthy
Ms Rosaleen McCorley
Mr Michael McGimpsey
Mr Fearghal McKinney
Mr George Robinson

With effect from 23 January 2012 Ms Sue Ramsey replaced Ms Michaela Boyle

With effect from 06 February 2012 Ms Sue Ramsey replaced Ms Michelle Gildernew as Chairperson

With effect from 23 April 2012 Mr Conall McDevitt replaced Mr Mark Durkan

With effect from 02 July 2012 Ms Michelle Gildernew is no longer a Member

With effect from 10 September 2012 Ms Maeve McLaughlin was appointed as a Member

With effect from 15 October 2012 Mr Roy Beggs replaced Mr John McCallister

With effect from 04 September 2013 Mr Conall McDevitt resigned as a Member; his replacement has yet to be announced

With effect from 16 September 2013 Mr David McIlveen replaced Ms Paula Bradley

With effect from 16 September 2013 Ms Maeve McLaughlin replaced Ms Sue Ramsey as Chairperson

With effect from 30 September 2013 Mr Fearghal McKinney was appointed as a Member

With effect from 04 July 2014 Mrs Jo-Anne Dobson replaced Mr Samuel Gardiner

With effect from 23 September 2014 Ms Paula Bradley replaced Mr Jim Wells as Deputy Chairperson

With effect from 06 October 2014 Ms Rosaleen McCorley was appointed to the Committee

With effect from 06 October 2014 Mr George Robinson replaced Mr David McIlveen

With effect from 06 October 2014 Mr Michael McGimpsey replaced Mr Roy Beggs

With effect from 01 December 2014 Mr Paul Givan replaced Mr Gordon Dunne

With effect from 11 May 2015 Mr Alex Easton replaced Ms Paula Bradley as Deputy Chairperson

With effect from 03 June 2015 Mr Mickey Brady resigned as a Member; his replacement has yet to be announced.



Meeting of the Committee for Health, Social Services and Public Safety

MEETINGS

The Committee held 33 meetings, one of which took place outside Parliament Buildings at the Royal Victoria Hospital, Belfast. This meeting coincided with a Committee visit to the Genito Urinary Medicine clinic at the hospital.

The Committee went into closed session during seven of its meetings when it was considering legal advice in relation to the Food Hygiene Rating Bill and discussing the evidence it had received in relation to the Bill. It also went into closed session to consider possible recommendations as part of its Reviews on: Waiting Times for Elective Care; Transforming Your Care and Older People; and the Department's Approach to Budget 2015/2016.

PRIMARY LEGISLATION

Food Hygiene Rating Bill

The Committee completed its scrutiny of the Food Hygiene Ratings Bill on 29 April 2015. As a result of the Committee's scrutiny, the Department agreed to make a number of significant amendments. The Food Standards Agency's intention had been that businesses would only be required to display a ratings sticker at the physical location of their premises. However, the Committee's view was that given the widespread use of the internet for ordering food, customers should be able to access a business's rating on those websites which allow for the direct ordering of food online. The Department accepted the Committee's rationale, and the Committee believes this will have a positive impact in terms of consumer choice and awareness.

Other amendments which came about as a result of the Committee's scrutiny include a requirement for timescales in relation to the notification and publication of hygiene ratings to be included in the Bill, and more limited

powers for the Department to be able to amend the legislation in the future following any review of the Act.



Committee Members attending a food hygiene inspection to inform their scrutiny of the Bill

Health and Social Care (Control of Data Processing) Bill

The Health and Social Care (Control of Data Processing) Bill was referred for Committee Stage on 30 June 2015. Prior to that, the Committee took evidence from departmental officials following the Bill's introduction in June 2015. A number of significant concerns were raised at that point by Members and the Minister indicated at Second Stage that he was likely to bring forward amendments to the Bill to address those concerns. The Committee will continue its scrutiny of the Bill in the 2015/16 session.

Legislative Consent Motion (LCM)

On 21 January 2015 the Committee published its report on the legislative consent motion proposed by the Department in relation to the Westminster government's Health and Social Care (Safety and Quality) Bill. This Bill has a patient safety theme that follows on from events at the former Mid Staffordshire NHS Foundation Trust.

The aspect of the Bill which required a LCM related to the functions of healthcare professional regulators, and introduced an overarching objective of public protection, with further objectives relating to public health and safety, public confidence in the profession, and proper professional standards of conduct, each with equal importance. As the regulation of healthcare professionals is a devolved matter in Northern Ireland, a LCM was required.

After taking evidence from officials, the Committee agreed to support the Department in seeking the Assembly's endorsement of the legislative consent motion. The Assembly agreed the motion on 2 March 2015.

SUBORDINATE LEGISLATION

The Committee considered 37 statutory rules during the period of this report.

As a direct result of Committee involvement, the proposed Provision of Health Services to Persons Not Ordinarily Resident Regulations were amended by the Department. When the draft Regulations were referred to the Committee it was concerned that only certain categories of asylum seekers were entitled to free secondary healthcare. After considering the issue, the Department widened the definition to include all those who have sought or have been granted asylum. Furthermore, now the exemptions entitle all the groups exempt from charges access to free primary healthcare as well as free secondary health care, for example, victims of human trafficking, diplomats, missionaries, students etc. The Committee approved the revised Regulations in October 2014.

BUDGET SCRUTINY

In September 2014, the Committee identified a review into the Department's approach to Budget 2015/2016 as one of its key priorities and produced a report in December 2014. It contained 12 key findings including a concern that the Department's emphasis appeared to be more on using the budget to maintain existing services, rather than reflecting the top two strategic priorities as identified by the Minister – namely, the provision of high-quality front line care and the implementation of Transforming Your Care. Furthermore, the Committee was concerned that the Department did not have a definition of "front line services". Without such a definition, the Committee was not clear how it will ensure that resources are directed to that end, or how it will ensure that the additional £200 million for 2015/2016 will be spent as intended by the Executive. The report was submitted by the Committee as its response to the Committee for Finance and Personnel's consultation on the draft Budget 2015/16.

The Committee held 17 evidence sessions on budgetary matters during the reporting period. These sessions covered a range of issues including the above review; departmental bids made under the monitoring rounds 2015/16 budgetary pressures; and the resources required to progress Programme for Government commitments.

POLICY SCRUTINY

Review of supported living for older people in the context of Transforming Your Care

From January 2014 to September 2015, the Committee carried out a review of the structure and availability of supported living, and its capacity to meet the policy objective set out in Transforming Your Care of reducing the need for statutory residential homes.

The Committee made 11 recommendations, covering areas such as the establishment of a new definition for supported living, a review of the criteria which the Trusts use in terms of suggesting supported living as an option for an older person in the context of their needs assessment, and the requirement to better forecast and plan the need and demand for supported living places for older people. The Department accepted the majority of the Committee's recommendations and work is ongoing in relation to their implementation.

Review of Waiting Times for Elective Care

From January 2014 to September 2015, the Committee carried out a review into waiting times for elective care. The purpose of the Review was to assess the effectiveness of the Department's current approach to reducing waiting times, and to identify effective approaches which have been used in other countries/regions which could be applied in Northern Ireland. The key Committee recommendation was the introduction of a system to measure Referral-to-Treatment Times for elective care with corresponding targets. In response the Department indicated that it was formulating a plan to reduce waiting times for elective care and move towards a system of Referral to Treatment Times. The Committee will consider progress made in September 2015.

Benefits Management Framework for Transforming Your Care

The Committee conducted a review of the Department's Benefits Management Framework for Transforming Your Care. In November 2014 the Committee appointed an Expert to advise it on this Review.

The Committee was particularly interested in whether the benefits framework for Transforming Your Care provides an effective system to clarify and agree outcomes, priorities, and project objectives and to track delivery progress; whether the benefits framework has the capacity to effectively track how the implementation of Transforming Your Care impacts on the levels of health inequalities in Northern Ireland; and what examples of best practice existed in relation to the use of benefits/outcomes frameworks in health settings in other countries or regions and whether such approaches could be usefully applied to Transforming Your Care.

The expert adviser produced her report in December 2014 which identified a total of 14 challenges. After consideration, the Committee referred the report to the Department and in response the Department agreed to address a number of the challenges identified including: to conduct a review of the full Benefits Strategy, including the governance, roles, responsibilities and reporting aspects for benefits realisation; to give more consideration to the identification of disbenefits and reflect this in the next iteration of the Benefits Strategy; and to make the outcome profile more robust in detail.

Commissioning Plan Direction 2015

The Committee considered the Department's draft Commissioning Plan Direction 2015 in February 2015. This is a key document which forms a set of instructions to the Health and Social Care Board (HSCB) in terms of what services the Minister wants it to commission for 2015/2016. The HSCB uses the Minister's Commissioning Plan Direction to produce the Commissioning Plan which runs from 1 April 2015 to 31 March 2016.

The Committee was concerned that the draft Commissioning Plan Direction 2015 did not contain a target in relation to substance misuse, unlike the Direction for 2014. As a result of the Committee's work, the Department revised the Direction and included a target to require the HSCB to build on existing service developments to work towards the provision of seven day substance misuse liaison services.

EUROPEAN SCRUTINY

The Committee considered issues arising from the EU Tobacco Products Directive (TPD) which was adopted in March 2014. The Directive will require all nicotine – containing products (NCPs), including e-cigarettes, to be regulated as consumer products from May 2016. However, the EU Tobacco Products Directive does not contain any requirements around restricting the age of sale of e-cigarettes to under 18s. The Committee was briefed by the Department on this issue and was advised that in England and Wales, the Children and Families Act 2014 contains regulation – making powers to restrict the sale of e-cigarettes to under 18s. However, that Act does not cover Northern Ireland. The Department therefore intends to bring forward primary legislation in the form of the Health (Miscellaneous Provisions) Bill to prohibit the sale of e-cigarettes to under 18s and the Committee looks forward to scrutinising this Bill during Committee Stage.

ENGAGEMENT

Throughout 2014/15 the Committee continued its engagement with a wide range of stakeholders and interest groups through informal stakeholder events. The Committee held two stakeholder events and met with 35 organisations/groups in total. This provided Members with the opportunity to discuss and explore health and social care issues to inform their scrutiny of policy development.

Committee Members also visited Scotland to meet with representatives of Scottish Communities for Health and Wellbeing to hear about the work being undertaken to embed community-led approaches to health improvement in disadvantaged communities across Scotland and to reduce health inequalities. During the same visit, the Committee also met with Members of the Scottish Parliament Health and Sport Committee to discuss areas of mutual interest.



Committee Members on a visit to Pilton Community Health Project, Edinburgh

KEY PRIORITIES FOR NEXT SESSION

The Committee's identified key priorities for the next session include:

- **Committee Stage of the Health and Social Care (Control of Data Processing) Bill** – Committee Stage of the Health and Social Care (Control of Data Processing) Bill commenced on 30 June 2015.
- **Committee Stage of the Health and Personal Social Services (Amendment) Bill** - The Department has indicated that the Health and Personal Social Services (Amendment) Bill will be introduced in the 2015/16 session.
- **Committee Stage of the Health (Miscellaneous Provisions) Bill** – The Department has indicated that the Health (Miscellaneous Provisions) Bill will be introduced in the 2015/16 session.
- **Private Members' Bill on Organ Donation** - If the Bill is introduced and passes Second Stage, it is likely to be referred to the Committee for Health, Social Services and Public Safety for Committee Stage.
- **Completion of the Review of workforce planning required to implement Transforming Your Care.**

Committee for Health, Social Services and Public Safety

Expenditure for the period 1 September 2014 – 31 August 2015

Budget area	Details	Expenditure
Committee Travel - committee members and staff travel and subsistence in relation to visits and meetings outside Parliament Buildings	Committee visits to: <ul style="list-style-type: none"> • Edinburgh, Scotland; and • Genito Urinary Medicine Clinic, Royal Victoria Hospital, Belfast. and a Committee meeting held at the Royal Victoria Hospital, Belfast.	£3,739.40
Printing of committee reports	Report on the Food Hygiene Rating Bill	£609.21
Advertising – the cost of public notices relating to committee inquiries, the committee stage of Bills and meetings held outside Parliament Buildings	Public notices in relation to the : <ul style="list-style-type: none"> • Food Hygiene Rating Bill; and • Health and Social Care (Control of Data Processing) Bill. 	£1270.93
Consultancy support - the cost of specialist advisers appointed by the committee and commissioned research, also the cost of drafting Standing Orders	Consultancy support in relation to the Review of DHSSPS Benefits Management Framework for Transforming Your Care.	£1,629.99
General expenses	Refreshments for committee meetings, working lunches, stakeholder meetings, witness expenses, and gifts provided by the committee during visits.	£2,892.89
Total Expenditure		£10,142.42