



Llywodraeth Cymru
Welsh Government

WRITTEN STATEMENT BY THE WELSH GOVERNMENT

TITLE	Introduction of the Health and Social Care (Quality and Engagement) (Wales) Bill
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BY	Vaughan Gething AM, Minister for Health and Social Services

The Health and Social Care (Quality and Engagement) (Wales) Bill has today been introduced to the National Assembly for Wales, together with its explanatory memorandum and regulatory impact assessment.

The Bill will support a system-wide approach to quality in the NHS; an organisational culture of openness and honesty and improved and continual public engagement in the design and delivery of integrated health and social services.

It has four main objectives, to:

- Strengthen the existing duty of quality on NHS bodies and extend this to Welsh Ministers in relation to their health service functions;
- Establish an organisational duty of candour on providers of NHS services, requiring them to be open and honest with patients and service users when things go wrong;
- Strengthen the voice of citizens, by replacing community health councils with a new all-Wales Citizen Voice Body, which will represent the interests of people across health and social care;
- Enable the appointment of vice chairs for NHS trusts, bringing them into line with health boards.

Duty of Quality

Our aim is to create a system-wide approach to quality in the health service. The Bill, if passed, will impose a duty on Welsh Ministers and NHS bodies – health boards, NHS trusts and special health authorities – to exercise their functions with a view to securing improvement in the quality of services.

In practice, this will mean that when making decisions about how health services are arranged and delivered they must actively consider how they can improve quality, including, service effectiveness, safety and patient experience.

The intention is that improving quality – and outcomes for people – will become an embedded and transparent, integral part of the decision-making process.

Both Welsh Ministers and NHS bodies will be required to report annually about the steps they have taken to comply with this duty and assess the extent of any improvement in outcomes.

Duty of Candour

The primary purpose of the duty of candour is to achieve a system-wide approach to being open and honest with patients and their families when things go wrong. The duty will require NHS bodies, including providers of primary care services, to follow a prescribed process whenever someone suffers an adverse outcome, which has or could result in more than minimal harm and whenever healthcare was or may have been a factor.

The detail of the “candour procedure” will be set out in regulations, to be developed in partnership with stakeholders. However, the Bill ensures this will include

- Informing the person concerned (or their representative) of the incident at the earliest opportunity;
- Providing them with a point of contact;
- Explaining any further enquiries to be undertaken;
- Offering an apology; and,
- Arranging appropriate support.

The Bill require that NHS providers report annually about the duty of candour, including what steps have been taken to prevent something similar happening again. The duty is not about apportioning blame – it is about promoting a culture of openness with a view to improving the quality of care by encouraging organisational learning and avoiding future incidents.

Citizen Voice Body

The move towards closer integration of health and social services, with improved and ongoing public engagement in their design and delivery was championed by the Parliamentary Review and is key to *A Healthier Wales*.

To help realise this, and to strengthen the voice of patients and service users, the Bill will introduce a new, independent, national Citizen Voice Body to replace community health councils, which currently represent the patient voice in the health service only.

It will exercise its functions across health and social services and its main aim will be to represent the views of the public, helping to ensure that experience drives improvement.

The new Citizen Voice Body will:

- Seek the views of the public about health and social services;
- Have the power to make representations to NHS bodies and local authorities about any matter it considers is relevant to the provision of health or social services, including changes to services. This is a broad power to ensure NHS bodies and local authorities are aware of what matters to patients and service users and this information will be used to drive service improvements and improve quality;
- Provide advice and assistance to people making complaints about health and specified social services;
- Promote public awareness of its functions, publishing a statement of policy, setting out how it will do this and how it intends to seek the views of the public.

To support this, the Bill will require NHS bodies and local authorities to:

- Have regard and take into account any representations made to them by the new Citizen Voice Body when exercising the functions to which those representations relate;
- Promote awareness of the new Citizen Voice Body and what it does among people who are or may receive health or social services;
- Provide the new Citizen Voice Body with information it reasonably requests.

The necessary detail of the body's constitution and related matters, including the appointment and removal of members, the appointment of staff, its governance, and financial matters are set out on the face of the Bill. There will be further detail provided in guidance. Each year the Citizen Voice Body must prepare a plan for how it intends to carry out its functions and, at year end, report on how it has done this.

Vice chairs of NHS trusts

At present, NHS trusts have the power to appoint a vice chair to their board but the current arrangements only enable them to appoint from within their existing pool of independent members and restrict the role to providing cover when the chair is unavailable or unable to undertake their responsibilities.

The Bill introduces a power for Welsh Ministers to appoint a vice chair to the board of an NHS trust, strengthening the governance of these important organisations. Vice chairs will fully contribute to the work of NHS trusts, improving governance and decision-making and providing consistency across the NHS in Wales.