

## HEALTH & SOCIAL SERVICES GROUP

### 2014 / 2015 ANNUAL UPDATE REPORT ON IMPLEMENTATION OF THE WELSH MINISTERS' BUSINESS SCHEME

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#### INTRODUCTION

The Welsh Ministers' Business Scheme is a statutory scheme under section 75 of GOWA 2006 and outlines how the Government will engage proactively with social partners in developing policy and legislation. 'Social partners' is defined in the Welsh Ministers Business Scheme as 'business and employer representative organisations, trade unions and the members they represent'. The First Minister chairs the Council for Economic Renewal which steers this work and also funds a Welsh Social Partners Unit, which supports the social partner's engagement activity.

This annual update report provides the First Minister and Council for Economic Renewal with a detailed return of relevant activity that the Health and Social Services (HSS) Group has undertaken and plans to undertake related to the requirements of the Welsh Minister's Business Scheme over the 2014/2015 period.

The Healthcare Innovation team have led the collation of this report. The information was obtained through engagement with policy and legislation teams within the HSS group between June and August 2015.

This report is ordered with the most pertinent HSS Group 'Activity' headings included first.

This annual update report is presented to HSS Group's Executive Directors team meeting before agreement by the Minister for Health and Social Services.

#### ACTIVITY – HSS GROUP ENGAGEMENT WITH SPECIFIC SOCIAL PARTNER GROUPS

- The **Royal Pharmaceutical Society (RPS)** is the professional body for pharmacists and pharmacy in England, Scotland and Wales. The Minister meets with RPS on an annual basis to discuss and receive updates on key issues, with the respective policy teams engaging on a more regular basis.

- The **Welsh Partnership Forum (WPF)** supports the development, support and delivery of workforce policies on a national, regional and local level. In July 2014, the WPF trade union side Chair was involved in stakeholder engagement process for the “Lessons Learned” Review undertaken by Ann Lloyd, former Chief Executive of NHS Wales.
- The **General Pharmaceutical Council (GPhC)** is responsible for the independent regulation of over 70,000 pharmacists, pharmacy technicians and pharmacy premises in England, Scotland and Wales. The GPC’s Director for Wales is in regular contact with the Pharmacy and Prescribing Team, with recent engagement over:
  - (i) the development of the new inspection framework for community pharmacies across England, Scotland and Wales
  - (ii) the rebalancing of medicines and pharmacy legislation and modernising the pharmacy careers and education program.
- The **Association of the British Pharmaceutical Industry (ABPI)** represents pharmaceutical companies. ABPI members supply 90 per cent of all medicines used by the NHS, and are researching and developing over two-thirds of the current medicines pipeline. The Minister and Chief Pharmaceutical Officer meet with ABPI on issues such as the Prescription Pricing Regulation Scheme and access to new medicines. Policy teams such as Healthcare innovation work with the ABPI on industry engagement policies and projects.
- **Community Pharmacy Wales (CPW)** represents Welsh based pharmacies who deliver NHS services in communities across Wales on behalf of Welsh Government and its agencies. CPW has been a key contributor to the development of the Choose Pharmacy pilot project, which is a Programme for Government commitment.
- The **British Medical Association (BMA)** is the representative and trade union body for Doctors nationally and locally. It has a Welsh branch, established in 1852 with 15 members and a dedicated secretariat and public affairs team. The Welsh Government engages with the BMA through a wide range of formal and informal channels. Formally, the BMA has 6 representatives on the Welsh Medical Committee, with each rep feeding views and information in from their own bespoke networks. More informally, specific policy divisions across Health engage in their own spheres with members from each of the eight BMA Wales sub committees (these represent the different types of doctors from Medical students and staff, to specialists and consultants).
- The **Royal College of General Practitioners (RCGP)** is the professional membership body and guardian of standards for family doctors in the UK. The RCGP has a Wales branch and engages with the Welsh Government, Local Health Boards and other stakeholders. Formal representation is via the GP Committee for Wales (linked to the Welsh Medical Committee and the BMA) and the GP National Specialist Advisory Group (NSAG).
- The **Royal College of Radiologists (RCR)** is the professional body responsible for the specialties of Clinical Oncology and Clinical Radiology throughout the United Kingdom. The Standing Welsh Committee (SWC) represents the College in Wales and includes radiologists from each Health Board, and clinical oncologists working in the 3 Welsh Cancer Centres. The SWC meets 3 times a year, and has an annual meeting with the

Chief Medical Officer and Chief Scientific Advisor (Health) at which the officers of the RCR are present. The SWC has representatives on the Clinical Oncology sub Committee (COSC) and Medical Imaging sub-Committees (MISC) of WSAC as well as the faculty boards of the RCR in London.

- The **Academy of Medical Royal Colleges Wales** was established in 1999. It exists as a non statutory committee set up by Welsh Government in an advisory capacity. It comprises 18 Medical Royal Colleges and Faculties which meet with the Chief Medical Officer on a quarterly basis to provide a source of expert independent and impartial medical and dental advice and leadership in relation to the delivery of healthcare in Wales.
- The **Royal College of Physicians in Wales (RCP Wales)** has over 30,000 members worldwide, who work in hospitals and the community across 30 different medical specialties. With an emphasis on maintaining education and training for physicians, RCP also has some involvement in Welsh policy and engages with health boards, hospitals, specialist societies and other medical colleges.
- The **British Dental Association (BDA)** is the professional association and trade union for dentists in the United Kingdom. The BDA has a Welsh branch with a National Director for Wales. BDA Wales is consulted about proposed changes to legislation and policy e.g. amendments to the General Dental Services Regulations; and developing the National Oral Health Plan for Wales. They are included in a number of working, steering and task and finish groups; e.g. new approaches to the delivery of NHS dental services in Wales; and arrangements for the inspection of dental practices. BDA are included in all relevant consultations. The Director meets the Chief Dental Officer and other officials on a regular basis throughout the year, including discussion about pay and expenses.
- The **Royal College of Midwives (RCM)** is the professional association for midwives in the UK, as well as being a trade union. It has a Welsh branch with a Director for Wales. The Director meets the Minister and Chief Nursing Officer (CNO) on a regular basis throughout the year. The RCM was a key stakeholder in the development of the Vision for Maternity Services (2012) and its subsequent implementation during 2013/14; development of national guidance on foetal monitoring issued in Sept 2013; the approach to breast feeding in NHS Wales, led by Public Health Wales; leadership preparation for future heads of midwifery services; and motivational interview training for midwives. The RCM is now invited to provide evidence to support the 6 monthly maternity services performance board meetings which began in April 2013 whilst RCM also has a seat on the Welsh revalidation of nurses and midwives implementation group chaired by the CNO which will run until 2016. In addition, the organisation will provide professional advice on the future of midwifery supervision and post the regulator's decision to seek change to legislation.
- The **Royal College of Nurses (RCN)** is the leading professional association for nurses in the UK, as well as being a trade union. It has a Welsh branch with a Director for Wales. The Director meets the Minister, Director General and CNO on a regular basis throughout the year. RCN Wales contributes to public and professional consultations initiated by Welsh Government, e.g. the Health Professions Investment Review (2015). The Director RCN also has a seat on the Welsh revalidation of nurses and midwives implementation group chaired by the CNO and will run until 2016. RCN Wales holds an annual Nurse of the Year celebration in Nov, at which the CNO presents a Welsh

Government sponsored award. The CNO also attends the UK national RCN Congress to speak to Welsh delegates to gauge issues faced by front line staff.

- The **Wales Council for Voluntary Action (WCVA)** is the representative body for the third sector in Wales. The HSS Minister meets with the WCVA twice a year at the Biannual Ministerial round table meeting. There is more specific HSS Group engagement on the Third Sector Partnership Council and through the Third Sector Departmental Action Plan. Specific third sector groups also sit on their associated Major Health Condition Implementation Groups.
- The **Association of Directors of Social Services Cymru (ADSSC)** is the professional and strategic leadership organisation for local authority social services in Wales, major employers in the field of social care. It is composed of statutory Directors of Social Services, and the Heads of Service who support them in delivering social services responsibilities and accountabilities. The Minister, Director General and Director of Social Services and Integration meet the ADSSC regularly to discuss the implementation of Welsh Government policy for Social Services in Wales, as set out in *Sustainable Social Services for Wales: A framework for Action*.
- The **Welsh Local Government Association Social Services Policy Group (SSPG)** exists as an advisory arm to the WLGA and is chaired by the WLGA's Political Spokesperson for Health and Social Services. Its membership consists of cabinet members from each local authority in Wales with a responsibility for social services. The Minister for Health and Social Services SSPG meets on an all Wales level biannually with the Group to discuss the implementation of Welsh Government policy for Social Services in Wales, as set out in *Sustainable Social Services for Wales: A framework for Action*.
- The **British Association of Social Workers Cymru (BASW Cymru)** is the professional organisation representing social workers in Wales, and an integral part of the British Association of Social Workers (BASW). The Minister for Health and Social Services launched the BASW Cymru Social Work Awards 2014. A BASW Cymru representative sits on the Advisory Panel for the transition to Social Care Wales.

#### **ACTIVITY – SPECIFIC HEALTH AND SOCIAL SERVICES GROUP ENGAGEMENT WITH BUSINESS AND INDUSTRY**

- **Health and Care Research Wales** works alongside other high profile research funders such as the **Medical Research Council, Innovate UK** and the **Wellcome Trust**. Increasingly funding schemes include or require collaborative work with industry in areas which reflect strengths of the life science sector in Wales, including experimental research, precision medicine disease biomarker development and diagnostic / validation expertise.
- The membership for the **Joint Welsh Consultants Contracts Committee (JWCCC)** includes Welsh Government officials, NHS employers and representatives from the BMA. The purpose of the JWCCC is to systematically review the Amendment to the National Consultant Contract in Wales and its implementation to date and to provide agreed definitive guidance to all parties on the interpretation of the Amendment, any JWCCC agreements flowing therefrom and their future implementation. Meeting on a quarterly

basis to discuss relevant issues affecting the consultant contract in Wales, it has previously met to discuss arrangements around changing the mileage rate for medical and dental staff and a mechanism for updating the 2003 Wales medical and dental handbook. It has also been used as a mechanism of positively engaging with a trade union that represents the whole medical and dental workforce - keeping in touch with the medical and dental workforce and providing information and advice on policies or changes that are likely to affect medical and dental staff and vital that a positive relationship is formed with the BMA to ensure the medical and dental workforce in Wales are fully represented and have a voice on changes that are made to their terms and conditions.

- As part of the ongoing commitment to industry, the HSS Group continues to work in a number of spheres with **MediWales** the forum representatives of the medical technology sector in Wales and the **ABPI**. The work undertaken with these organisations has helped to develop policy and built on and improved the research and innovation landscape for companies which they represent with a view to increased investment in R&D in Wales and additional benefits to patients.
- The HSS Group holds full membership of **Life Sciences Hub Wales** and has held numerous health themed events on its premises, from policy specific meetings to industry visits to NHS Wales CEO meetings. An exercise to further promote the Hub to NHS Wales is in progress following a meeting between the Economy Minister, LS Hub Chair, NHS Wales Chief Executive and Chief Medical Officer in March 2015. Hub membership for all 10 NHS Wales organisations has also been agreed.
- **Promoting NHS/Industry partnership** – The Minister for HSS and Director General both spoke at the BioWales conference in early March on the importance of developing NHS/industry engagement and partnerships, aligned to Prudent Healthcare. Officials are developing opportunities with a number of potential partners, working towards an NHS Wales Industry Engagement Framework which would establish principles and general terms of engagement for working with industry. This approach and constituent projects have been discussed at a number of NHS Wales' Chief Executive meetings.
- Officials are developing new innovation and industry engagement initiatives, such as the **Health Innovation Cymru Wales Programme**. This work is also supported by the recent designation of **University Health Boards** and in **NHS Wales Integrated Medium Term Plans**. This has increased the amount and intensity of engagement with industry partners, for example through structured engagement via the Life Sciences Hub, site visits, and representation from NHS Wales and HSS Group at industry engagement and innovation events.
- A cross-department **Life Sciences and Health Officials Group** meets monthly to share information and to align policy across government. This group is chaired by a senior health official but includes strong representation from other departments, including particularly economy, science and innovation.
- **The Welsh Therapies Advisory Committee (WTAC)** is currently working on advice to Welsh Government on the role of therapies in primary care which covers both the public and private sector contracted professions and how they can engage with General Practice to delivery population need based clinical services through the primary care clusters. Examples of recent policy reports include 'The contribution of physiotherapy to community service provision' and the 'Health and social care occupational therapy

progress report in respect of the development of integrated services'. Welsh Government is represented on WTAC through policy leads and committee secretariat.

- **Care Forum Wales** represents 450+ care homes, nursing homes and other independent health and social care providers across Wales with the chair and officers meeting the Minister for Health and Social Services and senior officials on a regular basis throughout the year. Care Forum Wales has been supported to engage with the Welsh Government on the Social Services and Wellbeing (Wales) Act 2014 and White Paper on the Regulation and Inspection of Social Care. The Forum represents the interests of independent providers of social care in the National Social Services Partnership Forum, chaired by Gwenda Thomas AM, formerly the Deputy Minister for Social Services. To further support engagement over the implementation of the Social Services and Well-being (Wales) Act 2014, the Welsh Government has also provided grant funding to Care Forum Wales of £10,000 in 2014-15 which enabled Care Forum Wales to contribute to the technical groups thus supporting development of the regulations, codes of practice and statutory guidance underpinning the Act and to produce and disseminate helpful information to its members on the Act.
- To reinforce the consultation underway on tranche 1 of the implementation of the Social Services and Well-being (Wales) Act, the Minister for Health and Social Services attended a meeting the **UNISON Social Services Forum** and discussed the implications of the Act for the social services workforce.
- Another example is the engagement with the alcohol industry through the **Welsh Government Alcohol Industry Network (WGAIN)** which was established primarily to support Welsh drink retailers to play their part in helping the alcohol industry to deliver on the Public Health Responsibility Deal Pledges. The network is also a forum where Government and the Industry can exchange information and work together to address alcohol related harm.

## ACTIVITY – LEGISLATIVE PROCESS

### Public Health White Paper/ Public Health (Wales) Bill

Timeframe: 2 April to 24 June 2014

Introduced to the National Assembly for Wales on 8 June 2015

The development activity for the White Paper sought views on a series of proposals aimed at addressing discrete public health challenges in Wales. The proposals covered topics ranging from tobacco and e-cigarettes, to alcohol misuse and pharmaceutical services.

As the proposals were relevant to a broad range of stakeholders, an extensive number of organisations were alerted to the consultation by email and encouraged to respond including advisory groups, representative groups, private organisations and business/industry representative groups amounting to 700 responses and comprising of a number of businesses and industries. Examples of organisations which responded include the **Association of Convenience Stores, Boots, British Hospitality Association Cymru, Federation of Small Businesses Wales, National Federation of**

**Retail Newsagents, Welsh Retail Consortium**, as well as responses from the tobacco and e-cigarette industries, and from practitioners and unions representing the cosmetic piercing and tattooing sectors.

Amongst the responses, the primary areas of interest included proposals to introduce a national tobacco retailers' register, restrict the use of e-cigarettes in enclosed public places, introduce minimum unit pricing for alcohol, change the way in which local pharmaceutical services are planned, and introduce a national special procedures register. Consultation was also extended to members of the public, health professionals, public sector stakeholders, third sector representatives and industry representatives.

### **Regulation and Inspection of Social Care (Wales) Bill**

Timeframe: Stage 2 of Bill submitted on 14<sup>th</sup> July passing Stage 1 of legislative scrutiny process of National Assembly for Wales and expected to receive Royal Assent in late December 2015/ early 2016.

During the development of the policy for the White Paper and Draft Bill, the Policy/Bill team held a series of consultation events and technical workshops with stakeholders including, including **Care Forum Wales, UK Homecare Association** (UKHCA - representing over 2,000 home care providers from the independent, voluntary, not-for-profit and statutory sectors across the UK) and a number of businesses (including **HC One Healthcare, Glasallt Fawr, Perthyn, Linc Cymru, Afon Goch Children's Homes Ltd, Highbury Care Services, Integra Community Living Options, Quarry Hall Care Home, Bluebird Care (Newport), ND Care and Support, Ludlow Strett Healthcare, Tros Gynnal Plant, Steddy Ltd, Leonard Cheshire Care Homes and Michael Phillips Care Agency Ltd**).

## **ACTIVITY – POLICY DEVELOPMENT**

### **Public Health**

The Public Health Department routinely seeks views from business organisations and social partners when consulting on new legislation. For example, the team responsible for the Food Hygiene Rating (Wales) Act and Regulations sought views from representatives of the food industry in relation to a consultation on draft food hygiene regulations, including direct communication with over 2500 takeaway businesses in Wales. Industry representatives who responded included **Sainsbury's PLC, Federation of Small Businesses, Wales Tourism Alliance, Welsh Retail Consortium** as well as a number of small food business owners. The draft regulations were revised on the basis of some of the responses from the food industry, and will be subject to a further consultation later in 2015.

### **Employment Practices & Development, Workforce and Organisational Development**

A number of groups contribute towards to developing and shaping workforce policies on a national, regional and local level. The **Welsh Partnership Forum (WPF)** is a key group and provides strategy leadership on partnership working between employers and

employee representatives as well as being involved in all aspects of strategic implementation including; planning; education; recruitment; retention; development and support of NHS Wales' staff. WPF also commissions the development of all Wales policies where there is discretion to do so within the UK Agenda of Change agreement and has previously developed the following policies - Dignity at Work, Raising Concerns, Special Leave, Recruitment & Retention Payment Protocol, Reserve Forces Training & Mobilisation, Secondment, Capability, Sickness Absence, Grievance, Employment Break, Pay Progression for Agenda for Change staff, Disciplinary Policy (for non-medical and non-dental employees) Organisational Change and Use of Settlement Agreements and Confidentiality Clauses. Once approved, the expectation is for health boards and trusts in Wales to adopt and operate these policies of work and subject to periodic review or development.

### **Planned Care Programme**

The Planned Care Programme through its structure of a National Programme Board, Speciality Boards and Reference Groups engage with a range of partners including **health boards, NSAG leads, clinical leads, Royal College of Surgeons, British Medical Association, Community Health Councils**, the third sector and patient representatives to ensure that the policies and plans being developed for the **Planned Care Programme** are informed by the widest possible stakeholder grouping and enables best practice and the latest information to be incorporated into current thinking.

### **Department of Social Care and Health Research (DSCHR) - formerly the National Institute of Social Care and Health Research (NISCHR)**

The NISCHR restructure took place in 2014/15, to realign research infrastructure to focus on investment in areas where Wales excels and is unique. DSCHR is the Welsh Government division responsible for setting policy direction for health and social care research in Wales. It funds Health and Care Research Wales, a national, multi-faceted virtual organisation comprising several distinct elements. Health and Care Research Wales supports and develops excellent research which has a positive impact on the health, wellbeing and prosperity of the people in Wales and provides the infrastructure to support and increase R&D capacity. The new infrastructure also allows a sharper focus on Wales' current and emerging areas of excellence. This research in turn supports the development of policy.

Prior to the restructure Health Research Wales provided information and support for life sciences' based companies wishing to undertake clinical research in Wales. As part of the NISCHR review services previously delivered under the Health Research Wales brand are now delivered within the Health and Care Research Wales infrastructure. This change will build on the successful work already achieved through the industry stream of Health Research Wales and will incorporate the same excellent functions and service provision that our industry stakeholders have come to expect. Health and Care Research Wales is supported by an industry advisory group which advises on collaboration and industry engagement.

### **DHSS Capital, Estates and Facilities**

The Designed for Life: Building for Wales Framework is NHS Wales' construction procurement and delivery framework for major capital projects. This framework has been in operation since 2006 and is based on three fundamental principles of integrated supply chains, collaborative working, and continual improvement. The NHS in Wales and the Welsh construction industry were consulted prior to commencement of the procurement process. The NHS ProCure 21 process standardises the procurement of healthcare facilities through developing long term relationships with carefully selected supply chains which have the capability to work with NHS clients from the earliest stages of a scheme through to delivery of completed healthcare facilities.

## **ACTIVITY – CONSULTATIONS**

### **Health and Social Services consultations taking place between 1<sup>st</sup> April 2014 and 31<sup>st</sup> March 2015**

29 Health Consultations were undertaken during or overlapping this time period. More significant consultations included:

- Service Framework for the Treatment of People with a Co-occurring Mental Health and Substance Misuse Problem 2015
- Health Standards Framework
- Human Transplantation (Wales) Act 2013: New Regulations
- Liver Disease Delivery Plan
- Community Health Councils in Wales: proposed changes
- Inappropriate admissions guidance
- Smoke Free private vehicles carrying children
- Implementation of Parts 2, 3, 4, 7 and 11 of the Social Services and Well-being (Wales) Act 2014

### **Health and Social Services consultations currently being undertaken:**

#### **Draft Public Health Bill**

During November 2014 WPF members gave their views on and provided their full backing to the consultation work being undertaken by Alcohol Concern Wales to look at the impact on alcohol misuse by the public.

The National Assembly for Wales' **Health and Social Care Committee** will be seeking views from interested groups as part of its scrutiny of the Public Health Bill. This is being done by the Committee receiving both written and oral evidence.

Officials will continue to engage with stakeholders most directly affected by the Bill's proposals as it progresses, and encourage their participation in the scrutiny process. Planned discussions include a major e-cigarette manufacturer; ECITA (Electronic Cigarette Industry Trade Association), and e-cigarette businesses based in Wales. Meetings with representative bodies of retail stores will also take place.

### **The Green Paper – Our Health, Our Health Service**

By undertaking a number of consultations, this sets out current systems which support quality and governance in the NHS in Wales and aimed to seek views on to improve, including the possible use of legislation by way of revisiting the current organisational and governance structures following the last major health reforms of 2009. The paper also informs the public debate on the role of Healthcare Inspectorate Wales, leadership in the Welsh NHS and the role of patient feedback with consultation ending 20<sup>th</sup> November 2015.

### **Implementation of parts 5, 6, 9 and 10 of the Social Services and Well Being (Wales) Act 2014**

Consultations were undertaken covering Co-operation and partnership – Part 9, Complaints, Representations and Advocacy Services – Part 10, Looked After and Accommodated Children – Part 6 and Charging and Financial Assessment – Part 5. Receiving Royal Assent on 1 May 2014, the Act formed the basis of a new statutory framework for social care in Wales. Consultation closed on 31 July 2015.

### **EXAMPLES OF FUTURE ACTIVITY**

- **Invention for innovation (i4i).** As funder of Health and Social Care Research, DSCHR recognises the important role of industry/business to address unmet need. Since 2012, DSCHR has brought access for Wales based researchers into the **NIHR (National Institute for Health Research)** which supports collaborative research between **NHS, HEI** and industry partners in England and Wales. Designed to encourage new solutions, (including medical technology for clinical and social care unmet need) many of these awards include collaborations which, once established, will help to secure other sources of research income from schemes such as **Horizon 2020** and the **Biomedical Catalyst Fund jointly funded by the MRC and Innovate UK**. Such collaborations also involve and help industry, particularly the SME sector in Wales to develop R&D capacity which has the potential to increase revenue streams and increase prosperity.
- The Welsh Medical and Nursing and Midwifery Committees will be hosting a joint symposium at the Millennium Stadium on the 21<sup>st</sup> October. All members of the seven statutory committees have been invited and also the **National Specialist Advisory Groups (NSAGs)** to encourage the sharing of information through clinical networks. The Deputy Minister for Health and senior officials will also attend, alongside selected expert speakers.
- **Welsh Scientific Advisory Committee** will be hosting a symposium for this year at the Life Science Hub on the 25 November. The theme is the prudent use of technologies in health looking at the innovative use and development of technology to assist with targeted diagnosis and treatment of health service users to meet the demands of choosing wisely and the principles of prudent healthcare to do no harm and only do what is necessary.
- Joint programmes of activities and events are currently under development with two of the **Welsh European Union Funding Ambassadors** appointed by the Minister for Finance and Government Business. This will help ensure a coherent external presentation of activities across public, private and academic health and well-being actors in Wales.

- **A review of NHS Wales non pay spend took place in 14/15**, with a final report issued in May 2015. The Health and Economy Ministers considered the report and were encouraged to find that following further investigation into initial data, over 50% of NHS Wales non pay spend takes place with Welsh companies. Officials have now been tasked with working through the report's recommendations, which will stimulate further support to improve the ability of Welsh companies to tender for NHS Wales contracts.