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Welsh Government

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The Health Services (Provider Selection Regime) (Wales) Regulations 2025

Integrated Impact Assessment – summary document

January 2025

Mae'r ddogfen hon ar gael yn Gymraeg hefyd / This document is also available in Welsh
Rydym yn croesawu gohebiaeth a galwadau ffôn yn Gymraeg / We welcome correspondence and telephone calls in Welsh

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SECTION 1. WHAT ACTION IS THE WELSH GOVERNMENT CONSIDERING AND WHY?

Wider public procurement reforms

1. Following the UK's departure from the European Union, various changes are being made to the way that public bodies procure goods and services in the UK. A key change is being brought about via a new procurement regime introduced by the UK Government under the Procurement Act 2023 ('the 2023 Act'), which will replace the current public procurement regime under the Public Contracts Regulations 2015 (PCR 2015)¹. The Welsh Ministers made the decision for 'Welsh Contracting Authorities' to be included in the UK Government's procurement reforms and this was reflected in the 2023 Act and associated subordinate legislation including the Procurement (Wales) Regulations 2024².
2. Separately, proposals to change the way health care services are procured in England were brought forward under provisions in the UK Government's Health and Care Act 2022³ and National Health Service Act 2006. This enabled the procurement of health care services in **England** to be removed from the scope of general public procurement rules under PCR 2015; and for a new set of rules to be put in place specifically for these services, under the Health Care Services (Provider Selection Regime) Regulations 2023⁴ to introduce a new regime known as the Provider Selection Regime (PSR).
3. From 1 January 2024, the Department of Health and Social Care's (DHSC) new PSR has applied to the procurement of NHS 'health care services' in England only. Its overall aim is to move away from the expectation of competition in all circumstances and towards a system of collaboration and partnership; joining services together across the whole health system. It aims to remove unnecessary levels of competitive tendering, remove barriers to integrating care, and promote the development of stable collaborations. It will give decision-makers in NHS England and local government organisations in England, the flexibility to arrange health services that best promote the interests of patients and value for public money.

Health service procurement in Wales

4. Health services that are currently provided by the NHS in Wales are undertaken through a variety of mechanisms including arrangements via 'NHS to NHS contracts ('NHS Contracts')⁵ and in situations where the NHS in Wales has neither the internal capacity nor specialist capability to meet patient needs, via arrangements with

¹ [The Public Contracts Regulations 2015 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

² [The Procurement \(Wales\) Regulations 2024](https://www.legislation.gov.uk)

³ [Health and Care Act 2022 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

⁴ [The Health Care Services \(Provider Selection Regime\) Regulations 2023 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

⁵ NHS contracts as defined by Section 7 of the National Health Service (Wales) Act 2006

independent providers using call off agreements (including frameworks), or via the procurement procedures under the PCR 2015.

5. Until the introduction of DHSC's PSR in England, the procurement of health services in both England and Wales was undertaken via the PCR 2015 regime and therefore on a 'level playing field'. As such, the changes introduced by the PSR in England distorts this position and brings about the risk of a range of unintended practical consequences for the procurement and commissioning of health services in Wales.
6. These consequences could include:
 - i. limiting the ability to commission health services on a collaborative basis, and the associated benefits of financial and resource economies of scale;
 - ii. limiting providers desire to supply health services in Wales due to having to participate in different procurement regulatory regimes and undergo competitive tendering exercises; potentially increasing costs and resource pressures for relevant authorities to procure and attract high-quality suppliers in the future.

Health Service Procurement (Wales) Act 2024

7. Failure to take action to restore the 'level playing field' for the procurement of health services in England and Wales, would result in NHS Wales and local authorities in Wales participating in different procurement regimes; potentially increasing costs, bureaucracy and resource pressures for the NHS in Wales, and the ability to attract high quality suppliers in the future.
8. To restore the 'level playing field', in February 2023 the Welsh Ministers introduced the Health Service Procurement (Wales) Act⁶ ('the HSP Act') to the Senedd to seek primary powers and enable the implementation of a new health service procurement regime for Wales. The HSP Act provides a legislative platform to secure parity with the PSR in England, mitigating the above unintended consequences and providing an opportunity to implement a more flexible and creative approach to health service procurement in Wales.

The Health Services (Provider Selection Regime) (Wales) Regulations 2025

9. The HSP Act was granted Royal Assent in February 2024 providing the opportunity to bring forward a new regulatory regime for the procurement of health services in Wales via the Health Service (Provider Selection Regime) (Wales) Regulations 2025 ('the Regulations'). The Regulations and accompanying statutory guidance provides a bespoke procurement regime for health services in Wales, to be known as the Provider Selection Regime Wales, or PSR Wales. The proposals under the PSR Wales will apply to 'relevant authorities' (as defined under the HSP Act, i.e. NHS Wales and local authorities in Wales) and seek to broadly restore the 'level playing field' for the procurement of health services in England and Wales.

⁶ Health Service Procurement (Wales) Act (senedd.wales)

10. The Regulations also provide an opportunity to align with key themes set out in 'A Healthier Wales'⁷, wider Welsh Government Programme for Government⁸ policy objectives, and to bring forward a modern regime governing the procurement of these services in Wales.
11. A full integrated impact assessment was undertaken to review the potential impacts of implementing the Regulations. Sections 1 and 8 of the assessment are published on Welsh Government's website, along with the Equalities Impact Assessment as a summary of the findings.

SECTION 8. CONCLUSION

Summary

12. The Health Services (Provider Selection Regime) (Wales) Regulations 2025 will introduce a new health service procurement regime for relevant authorities in Wales known as the Provider Selection Regime Wales or PSR Wales. The proposals will, where appropriate, seek to align with proposals being brought forward by DHSC's Provider Selection Regime. The PSR Wales will restore the 'level playing field' for health service procurement in England and Wales, introducing a more flexible procurement regime and removing unnecessary bureaucracy to promote the development of stable supplier collaborations.
13. The Regulations also provide an opportunity to align with key themes set out in 'A Healthier Wales' and wider Welsh Government Programme for Government policy objectives.
14. The list of impact assessments completed as part of the IIA exercise and a summary of the findings can be found at **Annex A**.

How have people most likely to be affected by the proposal been involved in developing it?

15. A 12 week public consultation exercise was undertaken between October 2023 and February 2024 to seek stakeholders views on the operational principles of the PSR Wales, and whether it should seek to align or diverge from proposals being brought forward by DHSC's PSR.
16. To support the consultation process, Welsh Government and NHS Wales officials undertook a series of targeted engagement activities with a range of stakeholders from NHS Wales, local authorities in Wales and third sector organisations; to provide an overview of the proposed changes and give stakeholders the opportunity to pose

⁷ [A healthier Wales: long term plan for health and social care | GOV.WALES](#)

⁸ [Programme for government | GOV.WALES](#)

questions and clarify aspects of the proposals ahead of submitting their formal consultation responses.

17. Amongst other groups and individuals, specific engagement took place with the following groups:

- NHS Wales procurement, primary care, finance and planning leads;
- Local authority procurement leads;
- Welsh Local Government Association (WLGA);
- Wales Council for Voluntary Action (WCVA);
- Wales Trade Union Congress (Wales TUC);
- Social services' commissioning network;
- Disability Wales;
- Fair Treatment for the Women of Wales;
- Substance misuse area planning board; and
- Llais (the 'Citizens Voice Body' Wales).

18. In total, 34 consultation responses were received from a range of stakeholders and feedback included views on:

- the application and breadth of the proposed list of Common Procurement Vocabulary (CPV) codes included in the proposed procurement regime;
- the enhancement, or reduction of, the 'basic criteria' and 'key criteria' that need to be considered when 'relevant authorities' select independent health service providers;
- 'mixed procurement' definitions, including the application of the 'main subject-matter' and 'reasonably separable' threshold;
- thresholds for 'modification of contracts' and 'considerable change';
- the role, remit and operation of the 'independent review panel' for the procurement regime;
- transparency, monitoring and publication of information under the proposed regime;
- framework periods and duration;
- transitional arrangements and roll out, timing, training etc, of the proposed new procurement regime;
- the application of the proposed new procurement regime and impact on NHS to NHS 'contracts'; and,
- integration of health services and social care services.

19. Responses to the consultation exercise and stakeholder engagement has informed the development of the Regulations that underpin the PSR Wales. A summary of responses can be found on Welsh Government's website⁹

20. We will continue to engage with partners and stakeholders as we implement the Regulations and the new procurement regime.

⁹[Health service procurement in Wales | GOV.WALES](https://gov.wales/health-service-procurement-in-wales)

What are the most significant impacts, positive and negative? How will the proposals maximise contributions to our well-being objectives and the seven well-being goals; and/or avoid, reduce or mitigate any negative impacts?

Summary of positive/negative impacts

21. The following potential **positive impacts** have been identified as a result of implementing the Health Services (Provider Selection Regime) (Wales) Regulations. The Regulations will:

- provide an opportunity to refresh health service procurement in Wales to align with current and future Welsh Government policy and Programme for Government¹⁰ objectives;
- maintain the ability to attract high quality suppliers of health services providing continuity of health services for the citizens of Wales;
- move away from mandatory competitive tendering which could benefit businesses (health service providers), saving time and resources associated with preparing and submitting tenders that do not translate into contract award;
- provide resource cost savings for relevant authorities not undertaking unnecessary tendering exercises, providing an opportunity to potentially free up staff and financial resources which could be better utilised elsewhere on other high priority areas;
- provide opportunities for relevant authorities to engage and negotiate with local suppliers and help form and maintain collaborative partnerships with independent health services providers;
- encourage more supplier collaborations, which will be of benefit to the third sector as competitive tendering is perceived to be a barrier for participation by third sector organisations;
- offer a less adversarial approach to contract award with increased transparency and monitoring which will strengthen accountability and potential collaboration opportunities;
- provide opportunities to include enhanced evaluation criteria and targets for suppliers to reduce impacts on climate change and decarbonisation as part of the specification and contract management, increasing opportunities to engage with suppliers who will proactively commit to reducing impacts on climate change; and
- reinforce obligations for relevant authorities to have regard to the Wales Procurement Policy Statement (WPPS)¹¹, which sets the strategic vision for public sector procurement in Wales, helping to meet well-being goals being pursued under the Well-being and Future Generations (Wales) Act 2015¹².

22. The following potential **negative impacts** have been identified:

- some decision making processes included in the Regulations could be perceived as exclusive and unfair to providers, particularly in cases where existing contracts are 'rolled over', thus removing opportunities for providers to bid for tenders. Measures in the Regulations will seek to mitigate this issue, by ensuring that relevant authorities 'open up' frameworks on a regular basis;

¹⁰ Programme for government | GOV.WALES

¹¹ [Wales Procurement Policy Statement update | GOV.WALES](#)

¹² [Well-being of Future Generations \(Wales\) Act 2015: the essentials \[HTML\] | GOV.WALES](#)

- potential confusion by relevant authorities on which is the most appropriate procurement regime to procure health services. This will be mitigated by clearly setting out the scope of the PSR Wales in the Regulations and accompanying statutory guidance and providing training for relevant authorities;
- there may be some short term administrative burden for relevant authorities to adapt internal processes and procedures to meet the requirements of the Regulations; and
- failure to implement the PSR Wales will result in relevant authorities procuring health services under the Procurement Act 2023. This would result in contracts being sought via competitive tendering exercises and the necessary resource implications for providers in preparing and submitting competitive tenders for contracts. Supplying health services in Wales may become less attractive to providers due to the necessity to undergo competitive tendering procedures. This may have a cost/resource implication in terms of increased supplier costs and increased staff resources to procure and attract high quality suppliers in the future.

How will the impact of the proposal be monitored and evaluated as it progresses and when it concludes?

23. There is a requirement under the HSP Act to ensure that the Regulations support transparency, fairness, verification of compliance, and manage conflicts of interest. As such there are detailed reporting provisions within the Regulations to meet these aims, which will increase reporting for relevant authorities to demonstrate transparency on procurement decisions being made under the PSR Wales.
24. There is a requirement under the HSP Act to review the operation of Regulations and publish the conclusions of the review within 5 years of the Regulations coming into force.

ANNEX A – FULL LIST OF IMPACT ASSESSMENTS AND SUMMARY OF FINDINGS.

Impact Assessment	Yes/No	Summary
Children's rights	No	<p>The Regulations underpin the technical processes and procedures governing the procurement of health services by relevant authorities in Wales and has been considered in the light of children's rights, the Child Poverty Strategy for Wales.¹³ and impacts upon the UNCRC Articles.</p> <p>Having reviewed the Children's Rights Impact Assessment, it is considered the Regulations will not directly impact upon children's rights, nor are there any specific links between the proposals and the Child Poverty Strategy for Wales.</p>
Equality	Yes*	Full impact assessment at Annex B
Socio-economic Duty	Yes	The Regulations will underpin prescriptive and technical procurement processes for relevant authorities in Wales. It is considered that proposals are unlikely to enhance socio-economic duty or exacerbate inequality of outcome.
Rural Proofing	Yes	It is considered that the Regulations will have little direct positive or negative impact on rural communities and individuals located in rural locations, but may have an indirect moderate impact on rural

¹³ [Child poverty strategy: 2022 progress report \[HTML\] | GOV.WALES](#)

		communities and individuals located in rural locations in relation to accessibility to services, both positively and negatively.
Health	No	<p>The proposals have been considered alongside the Wales Health Impact Assessment Support Unit (WHIASU) screening process for undertaking a Health Impact Assessment (HIA) and against the Health and Determinants Checklist to understand if the proposed proposals could impact certain population groups.</p> <p>Changes to the implementation of health service procurement in Wales should ensure that all population groups will maintain access to the services they require. It is not anticipated that changes to the way that health services are procured under the proposed Regulations will have a detrimental effect on specific sex/gender related groups, age related groups, groups at risk of discrimination or social disadvantage, income related groups or geographical groups.</p> <p>Any groups or persons who are usually resident in Wales are entitled to care and support from health and social care providers in Wales. This entitlement will not be affected by proposed changes to the health services procurement regime in Wales.</p>
Privacy	Yes	The Privacy/Data Protection Impact Assessment has been completed as part of this Integrated Impact Assessment to consider how the proposed Regulations will impact on privacy. It was determined that no Data Protection Impact Assessment (DPIA) was required.

Welsh Language	Yes	The assessment of the proposals on the Welsh language has been completed as part of this Integrated Impact Assessment. It is determined that the proposed Regulations and new procurement regime will have no direct impact on themes 1 & 3 of the Cymraeg 2050 strategy. The proposals should be supportive of theme 2 of the strategy: increasing the use of Welsh.
Economic / RIA	Yes	A Regulatory Impact Assessment has been completed to accompany the proposed Regulations.
Justice	No	The Regulations will not amend or create a new civil sanctions or fixed penalties, nor will they create new offences, extend or revise existing offences, nor provide new rights of appeal or application that will impact the Ministry of Justice (MoJ). As such, it is considered that a new Justice Impact Assessment and consultation with the MoJ is not required for the Regulations, over and above what was completed and submitted for the HSP Act.
Biodiversity	Yes*	Having considered the proposals against the three priorities of the Natural Resources Policy, no direct impacts have been identified. Therefore, a full impact assessment has not been undertaken. To comply with Section 6 of the Environment (Wales) Act 2016 a Biodiversity Impact Assessment has been completed. It is determined that there is no direct opportunity to integrate biodiversity measures into

		the future Regulations for health service procurement reform as they underpin technical procurement processes. References to biodiversity will continue to be encompassed as part of commitments for 'relevant authorities' to meet individual commitments to decarbonisation and biodiversity.
Climate Change	No	N/A
Strategic Environmental Assessment	No	N/A
Habitat Regulations Assessment	No	N/A
Environmental Impact Assessment	No	N/A

ANNEX B - EQUALITY IMPACT ASSESSMENT

1. Describe and explain the impact of the proposal on people with protected characteristics as described in the Equality Act 2010.

Protected characteristic or group	What are the positive or negative impacts of the proposal?	Reasons for your decision (including evidence)	How will you mitigate Impacts?
Background		<p>The Health Services (Provider Selection Regime) (Wales) Regulations ('the Regulations') are largely technical in nature and refer to the regulation of how public procurements are undertaken by 'relevant authorities'¹⁴ in Wales.</p> <p>The Regulations will underpin a new health service procurement regime for Wales, known as the Provider Selection Regime Wales, or PSR Wales. The Regulations will be supported by statutory guidance setting out the operational principles of the new regime.</p> <p>The PSR Wales will seek to move away from a position of competitive tendering by default (as specified by the Public Contracts Regulations 2015)¹⁵ and provide relevant authorities with the flexibility to undertake 'direct award' and</p>	<p>The introduction of a new health service procurement regime for Wales should mitigate against the potential inability to access certain health services as result of the changes being introduced by DHSC's PSR in England.</p>

¹⁴ 'Relevant authorities' as defined under the Health Service Procurement (Wales) Act 2024

¹⁵ [The Public Contracts Regulations 2015 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

		<p>'roll over' of contracts to health services providers, where there is no justifiable benefit in going out competitively to the market. For example, in circumstances where the incumbent service provider is providing best financial and patient value, or there is limited choice of a single preferred provider.</p>	
General	Neutral	<p>The ability to operate a more flexible procurement regime under the PSR Wales will potentially be of benefit to all citizens; allowing a position where contracts can be 'rolled over' with an incumbent provider where an existing arrangement is working well.</p> <p>This arrangement should mean less disruption for patients, particularly so for those patients where there are longstanding 1-2-1 patient/carer relationships and in circumstances where making unnecessary changes to the carer would be disruptive to the patient. This flexibility should be of particular benefit to those individuals and patients with protected characteristics who may find it more difficult to re-establish relationships with carers and health service providers.</p> <p>Conversely, providing an ability to 'roll over' contracts, may result in the continuation of services that are not working as well as they should or could be, without challenge or input from service end users. This could result in</p>	<p>Consideration needs to be given to how relevant authorities use the key criteria included in the PSR Wales to select providers, and in particular open up opportunities for third sector and smaller, more user led local groups and providers to bid for and provide services.</p> <p>Such an approach will support the local and foundational economy and in turn benefit local supply chains; in turn contributing to environmental and sustainability goals as part of relevant authorities obligations to meet the Well-being of Future Generations Act. The inclusion key criteria around 'social value' will contribute to meeting these obligations.</p> <p>The regime should, where possible, include measures to ensure that service providers identify and challenge unconscious bias and structural inequity in healthcare settings. This could be achieved by ensuring that relevant authorities seek to record equality and diversity information from health service providers as part of the standard pre-qualification checks of service providers.</p>

		<p>certain groups, or demographics, being excluded or underrepresented.</p> <p>The flexibility to undertake direct award contracts may also lend itself to the engagement of more third sector providers and more, smaller user-led local providers, who under the current public procurement regime may be excluded and disenfranchised from procurement exercises due to lack of resources to bid for contracts. Third sector partners may also be better positioned to deliver less mainstream and more specific components of health services, such as holistic health & wellbeing packages.</p>	<p>The roll over of health service contracts under the PSR Wales may also support longer-term funding models, resulting in higher levels of staff retention in providers and surety of continuity of services for patients end users.</p> <p>Relevant authorities should ensure that procurement decisions made under the PSR Wales actively prevent and reduce health inequalities by including this requirement as a key criteria when selecting providers.</p> <p>It is important that relevant authorities operate a visible and accessible means for service end users to raise concerns. It is suggested that relevant authorities should consider the appropriateness of patient engagement (particularly those with protected characteristics) when selecting health service providers.</p> <p>Llais (the Citizens Voice Body Wales)¹⁶ can be used as a means to monitor patient views on service providers. The statutory guidance setting out the operational principles of the PSR Wales should outline relevant authorities obligations to consider the recommendations of Llais.</p>
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¹⁶ [Llais Wales | Llais](#)

Age (think about different age groups)	Neutral	The PSR Wales should seek to meet the aim of 'A Healthier Wales' ¹⁷ by ensuring people of all ages have access to the services they require.	<p>The introduction of the PSR Wales should mitigate against any potential inability to access certain health services as result of the changes being introduced by DHSC's PSR in England.</p> <p>Relevant authorities and health and social care providers in Wales are reminded of their duties in relation to children & young people and older people in the NHS Planning Framework.¹⁸ This framework is underpinned by a range data, Welsh Government strategies and guidance documents relating to these groups of people. These include the Dementia Action Plan¹⁹, Strategy for Older People in Wales 2013-2023 and the Healthy Child Wales Programme²⁰. The PSR Wales should bolster the requirements to meet the obligations under these policies.²¹</p>
Disability (consider the social model of disability and the way in which your proposal could inadvertently cause, or could be used to proactively remove, the	Neutral	<p>As a result of changes being introduced by DHSC's PSR in England, the ability to access, attract and retain health services suppliers in Wales may be inadvertently impacted.</p> <p>The PSR Wales should reflect the 2022 Social Partnership and Public Procurement Act's</p>	<p>The PSR Wales should mitigate against the potential inability to access certain health services as result of the changes being introduced by DHSC's PSR in England.</p> <p>Health and social care providers in Wales are required to adhere to a wide range of Welsh</p>

¹⁷ [A healthier Wales: long term plan for health and social care | GOV.WALES](#)

¹⁸ [Well-being of Future Generations \(Wales\) Act 2015: the essentials \[HTML\] | GOV.WALES](#)

¹⁹ [Well-being of Future Generations \(Wales\) Act 2015: the essentials \[HTML\] | GOV.WALES](#)

²⁰ [An overview of the Healthy Child Wales Programme \(gov.wales\)](#)

²¹ [A-healthier-wales-equality-impact-assessment.pdf](#)

barriers that disable people with different types of impairments)		(SPPP Act) ²² aim to promote fair work, ensuring that the rights of workers are protected including disabled workers. Additionally, the SPPP Act's aim to achieve socially responsible procurement will require public bodies to set objectives against well-being goals, which will help address inequalities. For example, disabled peoples access to services.	Government policies set out in several strategies and guidance documents relating to particular impairments and/or long-term health conditions. These include: <ul style="list-style-type: none"> • Together for Mental Health²³, • Action on Disability²⁴, • The Learning Disability Strategic Action Plan²⁵, • Autistic Spectrum Disorder Strategic Action Plan²⁶, • The 'Locked out' report ²⁷, and • Future Disability Rights Action Plan The obligations for relevant authorities to meet these existing policies will not change as a result of the implementation of the PSR Wales.
Gender Reassignment (the act of transitioning and Transgender people)	Neutral	There are no perceived specific impacts on transgender people or those transitioning, over and above those identified elsewhere in this assessment. Relevant authorities provides health services to transgender individuals in accordance with	The overarching 'health services' common procurement vocabulary (CPV) codes in the Regulations that underpin the new regime provide a wide scope to include conditions that are more prevalent in people who have undergone gender reassignment (if not included as a specific CPV).

²² [Social Partnership and Public Procurement \(Wales\) Act 2023 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2023/1/section/1)

²³ <https://www.gov.wales/sites/default/files/publications/2020-01/together-for-mental-health-delivery-plan-2019-to-2022.pdf>

²⁴ <https://www.gov.wales/sites/default/files/publications/2019-09/action-on-disability-the-right-to-independent-living-framework-and-action-plan.pdf>

²⁵ [Learning Disability Strategic Action Plan 2022 to 2026 | GOV.WALES](https://www.gov.wales/sites/default/files/publications/2022-03/learning-disability-strategic-action-plan-2022-to-2026.pdf)

²⁶ [refreshed-autistic-spectrum-disorder-strategic-action-plan.pdf \(gov.wales\)](https://www.gov.wales/sites/default/files/publications/2022-03/autistic-spectrum-disorder-strategic-action-plan-2022-to-2026.pdf)

²⁷ [Locked out: liberating disabled people's lives and rights in Wales beyond COVID-19 | GOV.WALES](https://www.gov.wales/sites/default/files/publications/2022-03/locked-out-liberating-disabled-peoples-lives-and-rights-in-wales-beyond-covid-19.pdf)

		Welsh Government policies & guidance e.g. the LGBTQ+ Action Plan ²⁸ .	
Pregnancy and maternity	Neutral	<p>There are no perceived specific impacts on pregnancy and maternity, over and above those identified elsewhere in this assessment.</p> <p>Relevant authorities provide health and care services to expectant and new parents in accordance with Welsh Government policies & guidance e.g. Maternity Care in Wales²⁹ and the Healthy Child Wales Programme³⁰. The guidance and policies which are currently in place are unlikely to be impacted by the implementation of a new health service procurement in Wales.³¹</p> <p>Relevant authorities under the new procurement regime should seek to reflect the aims of the SPPP Act; promoting fair work, which could have a positive impact on expectant and new parents who are more likely to be subject to discrimination in the workforce.³²</p>	The overarching 'health services' common procurement vocabulary (CPV) codes in the Regulations that underpin the new regime provide a wide scope to include conditions that are more prevalent in pregnant women (if not included as a specific CPV).

²⁸ [LGBTQ+ Action Plan for Wales \(gov.wales\)](#)

²⁹ [maternity-care-in-wales-a-five-year-vision-for-the-future-2019-2024.pdf \(gov.wales\)](#)

³⁰ [An overview of the Healthy Child Wales Programme \(gov.wales\)](#)

³¹ Welsh Government's A Healthier Wales - equality impact assessment

³² Social Partnership and Public Procurement Bill update | GOV.WALES

<p>Race (include different ethnic minorities, Gypsies and Travellers and Migrants, Asylum seekers and Refugees)</p>	<p>Neutral</p>	<p><u>National Origin</u></p> <p>Any persons who are usually resident in Wales are entitled to care and support from health and social care providers in Wales, regardless to their national origin. This entitlement will not be affected by the implementation of a new health service procurement regime in Wales.</p> <p><u>Ethnic Minorities</u></p> <p>Any changes to health service procurement will not impact on individuals because of their ethnic minority as relevant authorities will still be expected to meet their existing public sector equality duties.</p> <p>Consideration should be given to ensure that the proposed new health service regime includes provisions for conditions that are more prevalent in ethnic minorities.</p> <p><u>Gypsy and Travellers</u></p> <p>Health service providers are required to follow the Welsh Government’s policy on the Implementation Guidance for working effectively with Gypsies and Travellers – Travelling to Better Health³³.</p> <p><u>Asylum Seekers and Refugees</u></p> <p>Health service providers are required to follow the Welsh Government’s Policy</p>	<p>The introduction of the PSR Wales should mitigate against the potential inability to access certain health services as result of the changes being introduced by DHSC’s PSR in England.</p> <p>Access to services for all groups and individuals should not be constrained by the introduction of the PSR Wales.</p> <p>The overarching ‘health services’ common procurement vocabulary (CPV) codes in the Regulations that underpin the new regime provide a wide scope to include conditions that are more prevalent in ethnic minorities (if not included as a specific CPV).</p>
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³³ [travelling-to-better-health.pdf \(gov.wales\)](http://travelling-to-better-health.pdf.gov.wales)

		<p>Implementation Guidance on the Health and wellbeing provision for refugees and asylum seekers³⁴. Obligations to meet these requirements will not change as a result of a new health service procurement regime for Wales.</p> <p><u>Migrants</u></p> <p>Any persons who are usually resident in Wales are entitled to care and support from health and social care providers in Wales. Obligations to meet these requirements will not change as a result of a new health service procurement regime for Wales.</p>	
Religion, belief and non-belief	Neutral	Changes to health service procurement will not adversely impact individuals because of their religion or beliefs. It will not affect the existing public sector equality duty that relevant authorities are currently subject to in relation to religion.	N/A
Sex / Gender	Neutral	Changes to health service procurement will not adversely impact individuals because of their sex, with relevant authorities still being required to comply with existing public sector equality duties in relation to gender.	The overarching 'health services' common procurement vocabulary (CPV) codes in the Regulations that underpin the new regime will provide a wide scope to include conditions that

³⁴ [health-and-wellbeing-provision-for-refugees-and-asylum-seekers_0.pdf \(gov.wales\)](#)

			<p>are more prevalent in males and females (if not included as a specific CPV).</p> <p>Relevant authorities should give due regard should be given to strategies such as the Quality Statement for women and girls' health³⁵ and specific initiatives around improving men's health.</p>
Sexual orientation (Lesbian, Gay and Bisexual)	Neutral	Changes to health service procurement will not adversely impact individuals because of their sexual orientation, with relevant authorities still being required to comply with existing public sector equality duties in relation to sexual orientation.	The overarching 'health services' common procurement vocabulary (CPV) codes in the Regulations that underpin the new regime provide a wide scope to include conditions that are more prevalent in LGBTQ+ groups (if not included as a specific CPV).
Marriage and civil partnership	Neutral	Changes to health service procurement will not adversely impact individuals because of their marital status, with relevant authorities still being required to comply with existing public sector equality duties in relation to marital status.	N/A
Children and young people up to the age of 18	Neutral	Please see comments above in relation to impacts on 'age'.	The overarching 'health services' common procurement vocabulary (CPV) codes in the Regulations that underpin the new regime provide a wide scope to include conditions that are more prevalent in children and young

³⁵ [The Quality Statement for women and girls' health \[HTML\] | GOV.WALES](#)

			people up to the age of 18 (if not included as a specific CPV).
Low-income households	Neutral	<p>Low levels of household income are associated with increased mental health disorders and the development of chronic diseases such as heart disease, cancer, and diabetes. There is also the potential for 'intersectional disadvantage', for people embodying certain protected characteristics and experiencing a higher risk of poverty, who in turn are more likely to be marginalised/excluded as a consequence, resulting in inequitable health experiences and outcomes.</p> <p>If access to health services are impeded, it could have a negative impact on these individuals.</p>	The introduction of the PSR Wales should help to mitigate against the potential inability to access certain health services as result of the changes being introduced by DHSC's PSR in England.

2. Human Rights and UN Conventions

Do you think that this policy will have a positive or negative impact on people's human rights? (*Please refer to point 1.4 of the EIA Guidance for further information about Human Rights and the UN Conventions*).

Human Rights	What are the positive or negative impacts of the proposal?	Reasons for your decision (including evidence)	How will you mitigate negative Impacts?
	Neutral	<p>The introduction of the PSR Wales will not positively or negatively impact on people's human rights.</p> <p>There is existing specific Welsh Government guidance on this area to which public bodies in Wales, including relevant authorities, must adhere.</p> <p>For example, NHS Wales has a duty to comply with the Welsh Government's Code of Practice on ethical employment in supply chains³⁶. The Code supports the development of more ethical supply chains to deliver contracts for the Welsh public sector organisations in receipt of public funds.</p> <p>NWSSP's Ethical Employment Statement states: '<i>NWSSP is equally committed to ensuring that procurement activity conducted on</i></p>	<p>The requirement for relevant authorities to comply with Welsh Government's Code of Practice on ethical employment in supply chains will not be impacted by the implementation of in the PSR Wales.</p>

³⁶ [Ethical employment in supply chains: code of practice, guidance and training | GOV.WALES](#)

		<p><i>behalf of NHS Wales is done so in an ethical way. We will ensure that workers within the supply chains through which we source our goods and services are treated fairly, in line with Welsh Government's Code of Practice for Ethical Employment in Supply Chains. Specifically, we will ensure that our organisation and any parts of our supply chain comply with all elements of the Code of Practice including:</i></p> <ul style="list-style-type: none"> <i>• Modern slavery & human rights abuses;</i> <i>• Blacklisting;</i> <i>• False self-employment;</i> <i>• Unfair use of umbrella schemes and false self-employment; and</i> <i>• Paying the living wage.³⁷</i> 	
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³⁷ NWSSP – Ethical Employment Statement

3. EU/EEA and Swiss Citizens' Rights

These Regulations and the statutory guidance are largely technical, regulating how public procurements for health services in Wales are undertaken, hence there are no further perceived impacts either positive or negative on EU/EEA and Swiss Citizens' Rights in the following areas:

- Residency – the right to reside and other rights related to residence: rights of exit and entry, applications for residency, restrictions of rights of entry and residence;
- Mutual recognition of professional qualifications –the continued recognition of professional qualifications obtained by EU/EEA/Swiss citizens in their countries (and already recognised in the UK);
- Access to social security systems – these include benefits, access to education, housing and access to health care
- Equal treatment – this covers non-discrimination, equal treatment and rights of workers;
- Workers rights - Workers and self-employed persons who are covered under the Citizens Rights Agreements are guaranteed broadly the same rights as they enjoyed when the UK was a Member State. They have a right to not be discriminated against due to nationality, and the right to equal treatment with UK nationals.