



Northern Ireland
Assembly

Committee for Health

OFFICIAL REPORT (Hansard)

Health and Social Care Bill:
Clause-by-clause Consideration

23 September 2021

NORTHERN IRELAND ASSEMBLY

Committee for Health

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Members present for all or part of the proceedings:

Mr Colm Gildernew (Chairperson)
Mrs Pam Cameron (Deputy Chairperson)
Mr Jonathan Buckley
Mr Gerry Carroll
Mr Alan Chambers
Ms Cara Hunter
Ms Carál Ní Chuilín

The Chairperson (Mr Gildernew): I will proceed through the clauses and put the Question formally. First, however, I will ask the Clerk to read the Committee's agreed amendments.

The Committee Clerk: Thank you, Chair. I will read into the record the amendments that the Committee has agreed. It has agreed to amendment No 1, which is a new clause for a new model:

"After clause 1 insert:

'New Model for Health and Social Care

(1A)(1) The Department must, before the first anniversary of this Act coming into operation, lay before the Assembly regulations to —

(a) establish a new model for the planning, management and delivery of health and social care in Northern Ireland; and

(b) set out the governance and reporting arrangements for the new model.

(2) If it is not reasonably practicable for the Department to comply with section 1A(1), the Minister must make a statement to the Assembly on why it is not reasonably practicable to do so.

(3) Regulations under this section are not to be made unless a draft of the regulations has been laid before, and approved by a resolution of, the Assembly.' "

Amendment No 2 is the repeal of the local commissioning groups (LCGs):

"At clause 4, page 2, line 14, at end insert:

'(4) The Department may by regulations repeal section 9 of the Health and Social Care (Reform) Act (Northern Ireland) 2009.

(5) The regulations provided for under section 4(4) must not specify a date which is earlier than a date on which the regulations provided for under section (1A) of this Act are approved by a resolution of the Assembly.

(6) The regulations provided for under section 4(4) are not to be made unless a draft of the regulations has been laid before, and approved by a resolution of, the Assembly.

(7) Regulations under section 4(4) may make such amendments to the Health and Social Care (Reform) Act (Northern Ireland) 2009 as are necessary or appropriate in consequence of the repeal made by the regulations.' "

Finally, amendment No 3 relates to continuation of the local commissioning groups:

"In schedule 1, page 5, line 3, paragraph 11, leave out "and (b)".

In schedule 1, page 42, line 35, paragraph 232, leave out "7 to 11" and insert "7, 8, 10 and 11".

In schedule 1, page 42, line 35, at the end insert:

"232(A) In section 9(1)—

(a) for 'regional boards' substitute 'Department';

(b) omit 'in accordance with paragraph 7 of Schedule 1'".

In 232(B) in section 9(3)(b), for

"regional board may, with the agreement of the Department"

substitute

"Department may".

In 232(c), omit section 9(6)(b). In 232(d), omit section 9(7).

In schedule 1, page 42, line 37, leave out "and Local Commissioning Groups".

In schedule 1, page 42, line 38 leave out paragraph 233(b).

In schedule 1, page 42, line 39, leave out paragraph 233(c).

In schedule 1, page 43, line 38, leave out "and Local Commissioning Groups". "

Those are the amendments that the Committee has agreed to.

The Chairperson (Mr Gildernew): OK. Thank you, Clerk. I will proceed through the clauses and put the Questions formally. I advise members that, where there are amendments, I will put the Question on the amendment first. If there is no consensus on the Questions, I will ask members to vote through a show of hands, and the Clerk will confirm the result of each vote.

Question, That the Committee is content with clause 1, put and agreed to.

Question, That the Committee is content with new clause 1A, put and agreed to.

Question, That the Committee is content with clause 2, put and agreed to.

Question, That the Committee is content with clause 3, put and agreed to.

Clause 4 (Transitional provision)

The Chairperson (Mr Gildernew): There is an amendment on the repeal of the local commissioning groups.

The Committee Clerk: Sorry, Chair. On that one, there is an amendment to the clause, but it is not in the brief. We should put the Question on the amendment first.

Amendment proposed:

"At clause 4, page 2, line 14, at end insert:

'(4) The Department may by regulations repeal section 9 of the Health and Social Care (Reform) Act (Northern Ireland) 2009.

(5) The regulations provided for under section 4(4) must not specify a date which is earlier than a date on which the regulations provided for under section (1A) of this Act are approved by a resolution of the Assembly.

(6) The regulations provided for under section 4(4) are not to be made unless a draft of the regulations has been laid before, and approved by a resolution of, the Assembly.

(7) Regulations under section 4(4) may make such amendments to the Health and Social Care (Reform) Act (Northern Ireland) 2009 as are necessary or appropriate in consequence of the repeal made by the regulations.' "

Question, That the Committee is content with the amendment, put and agreed to.

Question, That the Committee is content with clause 4, subject to the proposed amendment, put and agreed to.

Question, That the Committee is content with clause 5, put and agreed to.

Question, That the Committee is content with clause 6, put and agreed to.

Question, That the Committee is content with clause 7, put and agreed to.

Schedule 1 (Transfer of the Regional Board's functions)

The Chairperson (Mr Gildernew): There is an amendment on the continuation of the LCGs.

Amendment proposed:

"In schedule 1, page 5, line 3, paragraph 11, leave out "and (b)".

In schedule 1, page 42, line 35, paragraph 232, leave out "7 to 11" and insert "7, 8, 10 and 11".

In schedule 1, page 42, line 35, at the end insert:

"232(A) In section 9(1)—

(a) for 'regional boards' substitute 'Department';

(b) omit 'in accordance with paragraph 7 of Schedule 1'."

In 232(B) in section 9(3)(b), for

"regional board may, with the agreement of the Department"

substitute

"Department may".

In 232(c), omit section 9(6)(b). In 232(d), omit section 9(7).

In schedule 1, page 42, line 37, leave out "and Local Commissioning Groups".

In schedule 1, page 42, line 38 leave out paragraph 233(b).

In schedule 1, page 42, line 39, leave out paragraph 233(c).

In schedule 1, page 43, line 38, leave out "and Local Commissioning Groups". "

Question, That the Committee is content with the amendment, put and agreed to.

Question, That the Committee is content with schedule 1, subject to the proposed amendment, put and agreed to.

Question, That the Committee is content with schedule 2, put and agreed to.

Question, That the Committee is content with schedule 3, put and agreed to.

Question, That the Committee is content with the long title, put and agreed to.

The Chairperson (Mr Gildernew): Members, that concludes our formal clause-by-clause consideration of the Bill. In order to agree the Committee's final report at next Thursday's meeting, the Committee will need to have a short meeting next Tuesday to consider the draft report. Are members content to schedule a short meeting for Tuesday lunchtime?

Members indicated assent.

The Chairperson (Mr Gildernew): Thank you for that, members.