



# Health and Social Care (Quality and Engagement) (Wales) Act 2020

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## HEALTH AND SOCIAL CARE (QUALITY AND ENGAGEMENT) (WALES) ACT 2020

### **PART 1**

#### OVERVIEW

- 1 Overview of this Act

### **PART 2**

#### IMPROVEMENT IN HEALTH SERVICES

- 2 Quality in the provision of health services

### **PART 3**

#### DUTY OF CANDOUR

##### *Application of the duty*

- 3 When the duty of candour applies

##### *Procedural and other requirements*

- 4 Duty of candour procedure
- 5 Primary care providers: duty to prepare report
- 6 Supply and summary of report under section 5
- 7 Local Health Board, NHS trust and Special Health Authority: reporting requirements
- 8 Publication of section 6 summary and section 7 report
- 9 Confidentiality
- 10 Guidance given by the Welsh Ministers
- 11 Interpretation of “health care” and other terms

**PART 4**

## THE CITIZEN VOICE BODY FOR HEALTH AND SOCIAL CARE

*Establishment and general objective etc. of Citizen Voice Body*

- 12 Establishment of Citizen Voice Body
- 13 General objective
- 14 Public awareness and statement of policy

*Making representations*

- 15 Representations to public bodies
- 16 Advocacy services etc. in respect of complaints about services

*Duties imposed on certain public bodies in respect of Citizen Voice Body*

- 17 Duty to promote awareness of activities of Citizen Voice Body
- 18 Duty to supply information to Citizen Voice Body

*Access to premises by Citizen Voice Body: duty to have regard to code of practice*

- 19 Code of practice on access to premises

*Co-operation in the exercise of functions*

- 20 Co-operation between the Body, local authorities and NHS bodies

*Interpretation of this Part*

- 21 Meaning of “health services” and “social services”
- 22 Meaning of other terms

*Abolition of Community Health Councils etc.*

- 23 Abolition of Community Health Councils, and connected matters

**PART 5**

## MISCELLANEOUS AND GENERAL

*Constitution of NHS trusts*

- 24 Vice-chairs of boards of directors of NHS trusts

*General*

- 25 Regulations
- 26 Interpretation
- 27 Minor and consequential amendments
- 28 Power to make transitional etc. provision
- 29 Coming into force
- 30 Short title

*Status*

- 1 (1) The Citizen Voice Body is not to be regarded...  
PART 2 — MEMBERS

*Membership*

- 2 (1) The Citizen Voice Body's members are—

*Disqualification from appointment as non-executive member*

- 3 A person is disqualified from being appointed as a non-executive...

*Terms of non-executive membership*

- 4 (1) A non-executive member of the Citizen Voice Body holds...

*Removal of non-executive members from office*

- 5 (1) The Welsh Ministers may by written notice to a...

*Appointment of the associate member*

- 6 (1) Sub-paragraph (2) applies where— (a) one or more trade...

*Terms of associate membership etc.*

- 7 (1) An associate member of the Citizen Voice Body is...

*Removal of associate member from office*

- 8 (1) The non-executive members may by written notice to the...  
PART 3 — STAFF

*Chief executive*

- 9 (1) The non-executive members of the Citizen Voice Body must...

*Other staff*

- 10 (1) The Citizen Voice Body may appoint other members of...  
PART 4 — ANCILLARY FUNCTIONS ETC.

*Committees*

- 11 (1) The Citizen Voice Body may establish committees and sub-committees....

*Delegation*

- 12 (1) The Citizen Voice Body may arrange for any of...

*Supplementary powers*

- 13 (1) The Citizen Voice Body may do anything which is...  
PART 5 — PROCEDURE ETC.

*Procedure*

- 14 (1) The Citizen Voice Body must make rules to regulate...

*Validity of proceedings and acts*

15 The validity of proceedings and acts of the Citizen Voice...

*Seal*

16 (1) The Citizen Voice Body may have a seal.

*Evidence*

17 A document purporting to be duly executed under the seal...

## PART 6 — FINANCIAL MATTERS

*Funding*

18 The Welsh Ministers may make payments to the Citizen Voice...

*Accounting officer*

19 (1) The Citizen Voice Body's chief executive is its accounting...

*Accounts*

20 (1) The Citizen Voice Body must for each financial year—...

*Audit*

21 (1) This paragraph applies in relation to each statement of...

## PART 7 — REPORTING REQUIREMENTS ETC.

*Annual plan*

22 (1) Before the start of each financial year the Citizen...

*Annual reports*

23 (1) As soon as is practicable after the end of...

*Provision of information to Welsh Ministers*

24 The Citizen Voice Body must provide the Welsh Ministers with...

## PART 8 — INTERPRETATION

*General interpretation*

25 In this Schedule— “financial year” means the period of 12...

## SCHEDULE 2 — Transfers of Property, Rights and Liabilities

*Transfer schemes*

1 (1) The Welsh Ministers may, in connection with the abolition...

## SCHEDULE 3 — Minor and Consequential Amendments

## PART 1 — AMENDMENTS AND REPEALS RELATING TO PART 2

*Health and Social Care (Community Health and Standards) Act 2003 (c. 43)*

1 Part 2 of the Health and Social Care (Community Health...

**Changes to legislation:** There are currently no known outstanding effects for the Health and Social Care (Quality and Engagement) (Wales) Act 2020. (See end of Document for details)

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- 2 Section 45(1) is repealed.
- 3 In section 47 (power to prepare and publish standards in...
- 4 In section 70 (reviews and investigations relating to Wales), in...  
PART 2 — AMENDMENTS AND REPEALS RELATING TO PART 4  
*Public Bodies (Admission to Meetings) Act 1960 (c. 67)*
- 5 In Schedule 1 to the Public Bodies (Admission to Meetings)...  
*Mental Health Act 1983 (c. 20)*
- 6 In section 134 of the Mental Health Act 1983 (correspondence...  
*Community Health Councils (Access to Information) Act 1988 (c. 24)*
- 7 The Community Health Councils (Access to Information) Act 1988 is...  
*Freedom of Information Act 2000 (c. 36)*
- 8 In Schedule 1 to the Freedom of Information Act 2000...  
*Government of Wales Act 2006 (c. 32)*
- 9 In section 148 of the Government of Wales Act 2006...  
*Equality Act 2010 (c. 15)*
- 10 In Schedule 19 to the Equality Act 2010 (public authorities),...  
*Welsh Language (Wales) Measure 2011 (nawm 1)*
- 11 In Schedule 6 to the Welsh Language (Wales) Measure 2011...  
*Well-being of Future Generations (Wales) Act 2015 (anaw 2)*
- 12 In section 32 of the Well-being of Future Generations (Wales)...  
*Counter-Terrorism and Security Act 2015 (c. 6)*
- 13 In Schedule 6 to the Counter-Terrorism and Security Act 2015...  
*Regulation and Inspection of Social Care (Wales) Act 2016 (anaw 2)*
- 14 In section 177 of the Regulation and Inspection of Social...  
*Digital Economy Act 2017 (c. 30)*
- 15 In Schedule 4 to the Digital Economy Act 2017 (specified...  
*The Welsh Language Standards (No. 7) Regulations 2018 (S.I. 2018/441)*
- 16 (1) The Welsh Language Standards (No. 7) Regulations 2018 are...  
*Public Services Ombudsman (Wales) Act 2019 (anaw 3)*
- 17 (1) The Public Services Ombudsman (Wales) Act 2019 is amended...  
PART 3 — AMENDMENT OF 2006 ACT: INDEPENDENT ADVOCACY SERVICES

**Changes to legislation:** There are currently no known outstanding effects for the Health and Social Care (Quality and Engagement) (Wales) Act 2020. (See end of Document for details)

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*National Health Service (Wales) Act 2006 (c. 42)*

18 In section 187 of the 2006 Act (duty of Welsh...

**Changes to legislation:**

There are currently no known outstanding effects for the Health and Social Care (Quality and Engagement) (Wales) Act 2020.