

**Changes to legislation:** There are currently no known outstanding effects for the Health and Social Care (Quality and Engagement) (Wales) Act 2020, SCHEDULE 3. (See end of Document for details)

## SCHEDULE 3

(introduced by section 27)

### 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 and Standards) Act 2003 (standards in relation to health care provided by or for Welsh NHS bodies) is amended as follows.

#### Commencement Information

- I1** Sch. 3 para. 1 in force at 1.4.2023 by S.I. 2023/370, art. 3(1)(t)

- 2 Section 45(1) is repealed.

#### Commencement Information

- I2** Sch. 3 para. 2 in force at 1.4.2023 by S.I. 2023/370, art. 3(1)(t)

- 3 In section 47 (power to prepare and publish standards in relation to the provision of health care), in subsection (4), for the words from “every” to the end substitute “ a Welsh NHS body in discharging a duty under section 12A(1), 20A(1) or 24A(1) of the National Health Service (Wales) Act 2006 (duties to secure quality in the provision of health services). ”

#### Commencement Information

- I3** Sch. 3 para. 3 in force at 1.4.2023 by S.I. 2023/370, art. 3(1)(t)

- 4 In section 70 (reviews and investigations relating to Wales), in subsection (3), for the words from “arrangements” to the end substitute “ steps taken by a Welsh NHS body for the purpose of discharging a duty under section 12A(1), 20A(1) or 24A(1) of the National Health Service (Wales) Act 2006 (duties to secure quality in the provision of health services). ”

#### Commencement Information

- I4** Sch. 3 para. 4 in force at 1.4.2023 by S.I. 2023/370, art. 3(1)(t)

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## 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) Act 1960 (bodies to which Act applies), in paragraph 1, after sub-paragraph (bj) insert—  
 “(bja) the Citizen Voice Body for Health and Social Care, Wales;”.

**Commencement Information**

**I5** Sch. 3 para. 5 in force at 1.4.2023 by S.I. 2023/370, art. 3(1)(t)

#### *Mental Health Act 1983 (c. 20)*

- 6 In section 134 of the Mental Health Act 1983 (correspondence of patients)—  
 (a) after subsection (3)(ca), insert—  
 “(cb) the Citizen Voice Body for Health and Social Care, Wales;”;  
 (b) in subsection (3)(e), omit “, a Community Health Council”.

**Commencement Information**

**I6** Sch. 3 para. 6 in force at 1.4.2023 by S.I. 2023/370, art. 3(1)(t)

#### *Community Health Councils (Access to Information) Act 1988 (c. 24)*

- 7 The Community Health Councils (Access to Information) Act 1988 is repealed.

**Commencement Information**

**I7** Sch. 3 para. 7 in force at 1.4.2023 by S.I. 2023/370, art. 3(1)(t)

#### *Freedom of Information Act 2000 (c. 36)*

- 8 In Schedule 1 to the Freedom of Information Act 2000 (public authorities)—  
 (a) in Part 3 (the National Health Service, England and Wales), omit paragraph 41;  
 (b) in Part 6 (other public bodies and offices: general), after the entry for the Children's Commissioner for Wales insert— “The Citizen Voice Body for Health and Social Care, Wales.”

**Commencement Information**

**I8** Sch. 3 para. 8 in force at 1.4.2023 by S.I. 2023/370, art. 3(1)(t)

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*Government of Wales Act 2006 (c. 32)*

- 9 In section 148 of the Government of Wales Act 2006 (meaning of “Welsh public records”), in subsection (2), after paragraph (a) insert—  
“(aa) the Citizen Voice Body for Health and Social Care, Wales,”.

**Commencement Information**

**I9** Sch. 3 para. 9 in force at 1.4.2023 by S.I. 2023/370, art. 3(1)(t)

*Equality Act 2010 (c. 15)*

- 10 In Schedule 19 to the Equality Act 2010 (public authorities), in Part 2 (relevant Welsh authorities)—  
(a) under the heading “National Health Service”—  
(i) omit the words “A Community Health Council in Wales.”;  
(ii) omit the words “The Board of Community Health Councils in Wales or Bwrdd Cynghorau Iechyd Cymuned Cymru.”;  
(b) under the heading “other public authorities”, after the entry for the Auditor General for Wales insert— “ The Citizen Voice Body for Health and Social Care, Wales or Corff Llais y Dinesydd ar gyfer Iechyd a Gofal Cymdeithasol, Cymru. ”

**Commencement Information**

**I10** Sch. 3 para. 10 in force at 1.4.2023 by S.I. 2023/370, art. 3(1)(t)

*Welsh Language (Wales) Measure 2011 (nawm 1)*

- 11 In Schedule 6 to the Welsh Language (Wales) Measure 2011 (public bodies etc.: standards), in the table—  
(a) omit the entry for the Board of Community Health Councils in Wales;  
(b) omit the entry for Community Health Councils;  
(c) under the heading “General”, after the entry for the Children's Commissioner for Wales insert—

“The Citizen Voice Body for Health and Social Care, Wales (“ <i>Corff Llais y Dinesydd ar gyfer Iechyd a Gofal Cymdeithasol, Cymru</i> ”)	Service delivery standards
	Policy making standards
	Operational standards
	Record keeping standards”.

**Commencement Information**

**I11** Sch. 3 para. 11 in force at 1.4.2023 by S.I. 2023/370, art. 3(1)(t)

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*Well-being of Future Generations (Wales) Act 2015 (anaw 2)*

- 12 In section 32 of the Well-being of Future Generations (Wales) Act 2015 (other partners of public services boards)—
- (a) omit subsection (1)(c);
  - (b) after subsection (1)(b) insert—
    - “(ba) the Citizen Voice Body for Health and Social Care, Wales;”.

**Commencement Information**

**I12** Sch. 3 para. 12 in force at 1.4.2023 by S.I. 2023/370, art. 3(1)(f)

*Counter-Terrorism and Security Act 2015 (c. 6)*

- 13 In Schedule 6 to the Counter-Terrorism and Security Act 2015 (specified authorities), in Part 1 (General: England and Wales), under the heading “Health and social care”, omit the words “A Community Health Council in Wales.”

**Commencement Information**

**I13** Sch. 3 para. 13 in force at 1.4.2023 by S.I. 2023/370, art. 3(1)(f)

*Regulation and Inspection of Social Care (Wales) Act 2016 (anaw 2)*

- 14 In section 177 of the Regulation and Inspection of Social Care (Wales) Act 2016 (meaning of relevant authority in Part 9 of Act)—
- (a) omit subsection (1)(g), and
  - (b) omit subsection (2)(c).

**Commencement Information**

**I14** Sch. 3 para. 14 in force at 1.4.2023 by S.I. 2023/370, art. 3(1)(f)

*Digital Economy Act 2017 (c. 30)*

- 15 In Schedule 4 to the Digital Economy Act 2017 (specified persons for purposes of disclosure of information to improve public service delivery), in Part 2 (Welsh bodies)—
- (a) in paragraph 35 for “A Community Health Council in Wales.” substitute “The Citizen Voice Body for Health and Social Care, Wales.”;
  - (b) omit paragraph 38.

**Commencement Information**

**I15** Sch. 3 para. 15 in force at 1.4.2023 by S.I. 2023/370, art. 3(1)(f)

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*The Welsh Language Standards (No. 7) Regulations 2018 (S.I. 2018/441)*

- 16 (1) The Welsh Language Standards (No. 7) Regulations 2018 are amended as follows.
- (2) In regulation 3(2)(b) for “Community Health Councils and the Board of Community Health Councils in Wales requiring them” substitute “ the Citizen Voice Body requiring it ”.
- (3) In Schedule 6—
- (a) omit the entry for the Board of Community Health Councils in Wales;
  - (b) omit the entry for Community Health Councils;
  - (c) at the appropriate place insert— “ the Citizen Voice Body for Health and Social Care, Wales (“*Corff Llais y Dinesydd ar gyfer Iechyd a Gofal Cymdeithasol, Cymru*”) ”.

**Commencement Information**

**I16** Sch. 3 para. 16 in force at 1.4.2023 by S.I. 2023/370, art. 3(1)(f)

*Public Services Ombudsman (Wales) Act 2019 (anaw 3)*

- 17 (1) The Public Services Ombudsman (Wales) Act 2019 is amended as follows.
- (2) In section 16 (power to investigate other health-related services), in the definition of “relevant listed authority” in subsection (4)—
- (a) omit paragraph (a);
  - (b) omit paragraph (e);
  - (c) after paragraph (i) insert—  
“(ia) the Citizen Voice Body for Health and Social Care, Wales;”.
- (3) In Schedule 3 (listed authorities), under the heading “Health and social care”—
- (a) omit the words “The Board of Community Health Councils in Wales.”;
  - (b) omit the words “A Community Health Council.”;
  - (c) after the final entry insert— “ The Citizen Voice Body for Health and Social Care, Wales. ”

**Commencement Information**

**I17** Sch. 3 para. 17 in force at 1.4.2023 by S.I. 2023/370, art. 3(1)(f)

### PART 3

#### AMENDMENT OF 2006 ACT: INDEPENDENT ADVOCACY SERVICES

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

- 18 In section 187 of the 2006 Act (duty of Welsh Ministers to arrange for provision of independent advocacy services)—
- (a) in subsection (2)(ca), after “health service body” insert “ , family health service provider in Wales, independent provider ”;

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(b) in subsection (3), at the appropriate place, insert—

““family health service provider in Wales” has the same meaning as it has in the Public Services Ombudsman (Wales) Act 2019 (see, in particular, section 78 of that Act).”

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**Commencement Information**

**I18** Sch. 3 para. 18 in force at 1.4.2023 by S.I. 2023/370, art. 3(1)(f)

**Changes to legislation:**

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