

SCHEDULES

SCHEDULE 1

Section 1

SCHEDULE 7A TO BE INSERTED IN THE NATIONAL HEALTH SERVICE ACT 1977

“SCHEDULE 7A

Section 20A

FURTHER PROVISIONS ABOUT COUNCILS UNDER SECTION 20A

- 1 It is the duty of a Council—
 - (a) to represent the interests in the health service of the public in its district; and
 - (b) to perform such other functions as may be conferred on it by regulations under paragraph 2.

- 2 The National Assembly for Wales may by regulations make provision about—
 - (a) the membership of Councils (including the election by members of a Council of a member to chair the Council);
 - (b) the proceedings of Councils;
 - (c) the staff, premises and expenses of Councils;
 - (d) the discharge of any function of a Council by a committee of the Council or by a joint committee appointed with another Council;
 - (e) the appointment, as members of a committee or joint committee, of persons who are not members of the Council or Councils concerned;
 - (f) the consultation of Councils by Health Authorities, Local Health Boards, Strategic Health Authorities, Primary Care Trusts and NHS trusts with respect to such matters, and on such occasions, as may be prescribed;
 - (g) the consideration by Councils of matters relating to the operation of the health service within their districts, and the giving of advice by Councils to Health Authorities, Local Health Boards and NHS trusts on such matters;
 - (h) the preparation and publication of reports by Councils;
 - (i) matters to be included in any such report;
 - (j) the furnishing and publication by Health Authorities, Local Health Boards and NHS trusts of comments on reports of Councils;
 - (k) the provision of information (including descriptions of information which are or are not to be provided) to Councils by Health Authorities, Local Health Boards, Strategic Health Authorities, Primary Care Trusts or NHS trusts;
 - (l) the provision of information (including descriptions of information which are or are not to be provided) by Councils to other persons (including other Councils);
 - (m) the provision by Councils on behalf of the Assembly of the independent advocacy services required to be provided under section 19A of this Act;
 - (n) the functions to be exercised by Councils in addition to those exercisable otherwise by virtue of this Schedule.

- 3 (1) The Assembly may make regulations requiring—

Status: This is the original version (as it was originally enacted).

- (a) Health Authorities;
 - (b) Local Health Boards;
 - (c) Strategic Health Authorities;
 - (d) Primary Care Trusts;
 - (e) local authorities;
 - (f) NHS trusts;
 - (g) persons providing services under Part 2 of this Act or under arrangements under section 28C of this Act; or
 - (h) persons providing piloted services under pilot schemes established under section 28 of the Health and Social Care Act 2001 (c. 15), or providing LP services under an LPS scheme established under Schedule 8A to this Act,
- to allow members of a Council authorised by or under the regulations to enter and inspect, for the purposes of any of the Council's functions, premises owned or controlled by those referred to in paragraphs (a) to (h).
- (2) The Assembly may also make regulations requiring any other person who owns or controls premises where services are provided as mentioned in sub-paragraph (1) (g) or (h) to allow members of a Council authorised by or under the regulations to enter and inspect the premises for the purposes of any of the Council's functions.
- (3) The regulations may in particular make provision as to—
- (a) cases and circumstances in which access is to be permitted;
 - (b) limitations or conditions to which access is to be subject.
- 4 The Assembly may by regulations—
- (a) provide for the establishment of a body—
 - (i) to advise Councils with respect to the performance of their functions, and to assist Councils in the performance of their functions; and
 - (ii) to perform such other functions as may be prescribed; and
 - (b) provide for the membership, proceedings, staff, premises and expenses of that body.
- 5 The Assembly may pay to members of Councils and any body established under paragraph 4 such travelling and other allowances (including compensation for loss of remunerative time) as it may determine.”.