
WELSH STATUTORY INSTRUMENTS

2022 No. 208 (W. 66) (C. 9)

**NATIONAL HEALTH SERVICE, WALES
SOCIAL CARE, WALES**

The Health and Social Care (Quality and Engagement)
(Wales) Act 2020 (Commencement No. 1) Order 2022

Made - - - - 27 February 2022

The Welsh Ministers, in exercise of the powers conferred on them by section 29(2) and (3) of the Health and Social Care (Quality and Engagement) (Wales) Act 2020⁽¹⁾, make the following Order:

Title and interpretation

1.—(1) The title of this Order is the Health and Social Care (Quality and Engagement) (Wales) Act 2020 (Commencement No. 1) Order 2022.

(2) In this Order, “the Act” means the Health and Social Care (Quality and Engagement) (Wales) Act 2020.

Provisions coming into force on 8 March 2022

2. The following provisions of the Act come into force on 8 March 2022—
- (a) section 24 (vice-chairs of boards of directors of NHS trusts), and
 - (b) section 26 (interpretation).

Provisions coming into force on 1 April 2022

3. The following provisions of the Act come into force on 1 April 2022—
- (a) section 12 (establishment of Citizen Voice Body);
 - (b) section 19(1), (2) and (5) (code of practice on access to premises);
 - (c) section 21 (meaning of “health services” and “social services”);
 - (d) section 22 (meaning of other terms);
 - (e) Schedule 1 (Citizen Voice Body for Health and Social Care, Wales), save for paragraphs 6, 7, 8 and 22 of that Schedule.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

27 February 2022

Eluned Morgan
Minister for Health and Social Services, one of
the Welsh Ministers

EXPLANATORY NOTE

(This note is not part of the Order)

This Order made by the Welsh Ministers brings into force certain provisions of the Health and Social Care (Quality and Engagement) (Wales) Act 2020 (“the Act”).

Article 2 of this Order brings into force sections 24 and 26 of the Act on 8 March 2022. Section 24 of the Act amends Part 1 of Schedule 3 to the National Health Service (Wales) Act 2006 (“the 2006 Act”) to enable the Welsh Ministers, if they consider it appropriate, to appoint a vice-chair to the board of an NHS trust. Section 24 of the Act also makes consequential amendments to Part 1 of Schedule 3 to the 2006 Act in connection with this, including to allow the Welsh Ministers to make regulations about the qualifications and tenure of office of a vice-chair (including the circumstances in which they cease to hold office or may be removed or suspended).

Section 26 of the Act defines key terms used in the Act including “the 2006 Act”.

The provisions listed in article 3 of this Order come into force on 1 April 2022. Article 3 brings into force section 12 of the Act. Section 12(1) establishes the Citizen Voice Body for Health and Social Care, Wales (“the Body”) as a body corporate and allows for preparatory work to be carried out to enable the Body to perform its functions when the remaining provisions in Part 4 to the Act are commenced. Section 12(2) of the Act introduces Schedule 1 to the Act. Schedule 1 makes provision about the Body’s constitution and related matters. Schedule 1 to the Act is commenced, save for paragraphs 6 (appointment of the associate member), 7 (terms of associate membership etc), 8 (removal of associate member from office) and 22 (annual plan) of that Schedule.

Article 3 also brings into force sections 19(1), 19(2), 19(5), 21 and 22 of the Act to enable the Welsh Ministers to prepare a code of practice about requests made by the Body for access to premises for the purpose of seeking the views of individuals in respect of health services or social services, and where access to those premises has been agreed, engagement with individuals at those premises for that purpose. While the Welsh Ministers will be required to consult with the Body, local health boards, NHS trusts, special health authorities and local authorities in preparing the code, these bodies will not be under a duty to have regard to the code until section 19(3) and (4) are commenced.