



HYSBYSIAD YNGHYLCH GWELLIANNAU NOTICE OF AMENDMENTS

Cyflwynwyd ar 24 Mehefin 2015
Tabled on 24 June 2015

Bil Lefelau Diogel Staff Nyrsio (Cymru)
Safe Nurse Staffing Levels (Wales) Bill

Darren Millar

1

Section 2, page 1, line 19, after 'numbers', insert 'and have an appropriate mix of qualifications and experience'.

Adran 2, tudalen 1, llinell 20, ar ôl 'numbers', mewnosoder 'and have an appropriate mix of qualifications and experience'.

Darren Millar

2

Section 2, page 1, line 24, leave out 'adult inpatient wards in acute hospitals' and insert 'all hospital wards'.

Adran 2, tudalen 1, llinell 25, hepgorer 'adult inpatient wards in acute hospitals' a mewnosoder 'all hospital wards'.

Darren Millar

3

Section 2, page 1, after line 25, insert—

- '(c) have regard to the degree to which the aims of paragraphs (a) and (b) are being achieved by any provider from which it proposes to commission or fund services.'

Adran 2, tudalen 1, ar ôl llinell 26, mewnosoder—

- '(c) have regard to the degree to which the aims of paragraphs (a) and (b) are being achieved by any provider from which it proposes to commission or fund services.'

Darren Millar

4

Section 2, page 1, after line 25, insert—

- '(c) the duty contained in paragraph (*paragraph to be inserted by amendment 3*) applies, whether those services referred to are provided in Wales or not.'

Adran 2, tudalen 1, ar ôl llinell 26, mewnosoder—

- '(c) the duty contained in paragraph (*paragraff sy'n cael ei fewnosod gan welliant 3*) applies, whether those services referred to are provided in Wales or not.'

Darren Millar

5

Section 2, page 2, after line 8, insert—

- '() must include provision for ensuring that regard is had to the qualifications and experience of nursing staff when exercising functions under this section;'

Adran 2, tudalen 2, ar ôl llinell 8, mewnosoder—

- '() must include provision for ensuring that regard is had to the qualifications and experience of nursing staff when exercising functions under this section;'

Darren Millar

6

Section 2, page 2, after line 28, insert—

- '(i) must include provision about the workforce planning required to enable health service bodies to comply with this section.'

Adran 2, tudalen 2, ar ôl llinell 28, mewnosoder—

- '(i) must include provision about the workforce planning required to enable health service bodies to comply with this section.'

Darren Millar

7

Section 2, page 3, after line 15, insert—

‘() Before issuing guidance under section 10(5)(*paragraph to be inserted by amendment 6*) the Welsh Ministers must consult the independent health care and care home sectors.’.

Adran 2, tudalen 3, ar ôl llinell 15, mewnosoder—

‘() Before issuing guidance under section 10(5)(*paragraff sy’n cael ei fewnosod gan welliant 6*) the Welsh Ministers must consult the independent health care and care home sectors.’.

Darren Millar

8

Section 2, page 3, after line 35, insert—

‘(11) The Welsh Ministers must, by regulations, provide for the independent inspection of compliance by health service bodies with the provisions of this section.’.

Adran 2, tudalen 3, ar ôl llinell 35, mewnosoder—

‘(11) The Welsh Ministers must, by regulations, provide for the independent inspection of compliance by health service bodies with the provisions of this section.’.

Darren Millar

9

Section 2, page 3, after line 35, insert—

‘(11) The Welsh Ministers may, by regulations, provide for the imposition of financial penalties on health service bodies that fail to comply with the provisions of this section.’.

Adran 2, tudalen 3, ar ôl llinell 35, mewnosoder—

‘(11) The Welsh Ministers may, by regulations, provide for the imposition of financial penalties on health service bodies that fail to comply with the provisions of this section.’.

Darren Millar

10

Section 2, page 3, after line 35, insert—

‘(11) Penalties imposed by regulations under subsection (*subsection to be inserted by amendment 9*) may not exceed the cost that would have been incurred by the relevant health service body if it had complied with the provisions of this section.’.

Adran 2, tudalen 3, ar ôl llinell 35, mewnosoder—

‘(11) Penalties imposed by regulations under subsection (*is-adran sy’n cael ei fewnosod gan welliant 9*) may not exceed the cost that would have been incurred by the relevant health service body if it had complied with

the provisions of this section.’.

Darren Millar 11

Section 2, page 3, after line 35, insert—

‘(11) Duties under this section are legal obligations for the purposes of section 43B(1)(b) of the Employment Rights Act 1996.’.

Adran 2, tudalen 3, ar ôl llinell 35, mewnosoder—

‘(11) Duties under this section are legal obligations for the purposes of section 43B(1)(b) of the Employment Rights Act 1996.’.

Darren Millar 12

Section 2, page 3, after line 35, insert—

‘(11) An employee of a health service body, including temporary (agency or bank) staff, who has reasonable cause to suspect that a body is in breach of its duties under this section, must inform the management of that fact.’.

Adran 2, tudalen 3, ar ôl llinell 35, mewnosoder—

‘(11) An employee of a health service body, including temporary (agency or bank) staff, who has reasonable cause to suspect that a body is in breach of its duties under this section, must inform the management of that fact.’.

Darren Millar 13

Section 2, page 3, line 38, after ‘10A(3)’, insert ‘or (subsection to be inserted by amendment 8)’.

Adran 2, tudalen 3, llinell 38, ar ôl ‘10A(3)’, mewnosoder ‘or (is-adran sy’n cael ei fewnosod gan welliant 8)’.

Darren Millar 14

Section 2, page 3, line 38, after ‘10A(3)’, insert ‘or (subsection to be inserted by amendment 9)’.

Adran 2, tudalen 3, llinell 38, ar ôl ‘10A(3)’, mewnosoder ‘or (is-adran sy’n cael ei fewnosod gan welliant 9)’.

Darren Millar

15

Page 3, after line 38, insert a new section –

[] Amendment of the Care Homes (Wales) Regulations 2002

- (1) The Care Homes (Wales) Regulations 2002 are amended as follows.
- (2) At the end of regulation 18 (staffing) add –

“(5) The registered person shall have regard to the provisions of section 10A of the National Health Service (Wales) Act 2006 (safe nurse staffing levels) and guidance issued under that section when operating within the framework of these Regulations.”.

Tudalen 3, ar ôl llinell 38, mewnosoder adran newydd –

[] Diwygiad i Reoliadau Cartrefi Gofal (Cymru) 2002

- (1) Mae Rheoliadau Cartrefi Gofal (Cymru) 2002 wedi eu diwygio fel a ganlyn.
- (2) Ar ddiwedd rheoliad 18 (staffio) ychwaneger –

“(5) Rhaid i’r person cofrestredig roi sylw i ddarpariaethau adran 10A o Ddeddf Gwasanaeth Iechyd Gwladol (Cymru) 2006 (lefelau diogel staff nyrsio) a chanllawiau a ddyroddir o dan yr adran honno wrth weithredu o fewn fframwaith y Rheoliadau hyn.”.

Darren Millar

16

Page 3, after line 38, insert a new section –

[] Amendment of the Independent Health Care (Wales) Regulations 2011

- (1) The Independent Health Care (Wales) Regulations 2011 are amended as follows.
- (2) At the end of regulation 20 (staffing) add –

“(5) The registered person shall have regard to the provisions of section 10A of the National Health Service (Wales) Act 2006 (safe nurse staffing levels) and guidance issued under that section when operating within the framework of these Regulations.”.

Tudalen 3, ar ôl llinell 38, mewnosoder adran newydd –

[] Diwygiad i Reoliadau Gofal Iechyd Annibynnol (Cymru) 2011

- (1) Mae Rheoliadau Gofal Iechyd Annibynnol (Cymru) 2011 wedi eu diwygio fel a ganlyn.
- (2) Ar ddiwedd rheoliad 20 (staffio) ychwaneger –

“(5) Rhaid i’r person cofrestredig roi sylw i ddarpariaethau adran 10A o Ddeddf Gwasanaeth Iechyd Gwladol (Cymru) 2006 (lefelau diogel staff nyrsio) a chanllawiau a ddyroddir o dan yr adran honno wrth weithredu o fewn fframwaith y Rheoliadau hyn.”.

Darren Millar 17

Section 3, page 4, after line 20, insert –

‘(j) problems arising from inadequate nutrition.’.

Adran 3, tudalen 4, ar ôl llinell 22, mewnosoder –

‘(j) problemau sy’n deillio o faethiad annigonol.’.

Darren Millar 18

Section 3, page 4, after line 20, insert –

‘(j) problems arising from inadequate hydration.’.

Adran 3, tudalen 4, ar ôl llinell 22, mewnosoder –

‘(j) problemau sy’n deillio o hydradiad annigonol.’.

Darren Millar 19

Page 4, line 24, leave out section 4 and insert –

‘4 Commencement

- (1) The following provisions come into force on the day on which this Act receives Royal Assent –
 - (a) section 1;
 - (b) this section; and
 - (c) section 5.
- (2) The other provisions of this Act come into force on such day as the Welsh Ministers may appoint by order made by statutory instrument.
- (3) An order under subsection (2) may –
 - (a) appoint different days for different purposes; and
 - (b) make transitional, transitory or saving provision in connection with the coming into force of a provision of this Act.’.

Tudalen 4, llinell 26, hepgorer adran 4 a mewnosoder –

‘4 Cychwyn

- (1) Daw’r darpariaethau a ganlyn i rym ar y diwrnod y mae’r Ddeddf hon yn cael Cydsyniad Brenhinol –
 - (a) adran 1;
 - (b) yr adran hon; ac
 - (c) adran 5.
- (2) Daw darpariaethau eraill y Ddeddf hon i rym ar ddiwrnod a bennir gan Weinidogion Cymru mewn gorchymyn a wneir drwy offeryn statudol.
- (3) Caiff gorchymyn o dan is-adran (2) –

- (a) pennu gwahanol ddyddiau at wahanol ddibenion; a
- (b) gwneud darpariaeth drosiannol, ddarfodol neu arbed mewn cysylltiad â dod â darpariaeth o'r Ddeddf hon i rym.'