



House of Commons

Thursday 30 January 2014

PUBLIC BILL COMMITTEE PROCEEDINGS

CARE BILL [LORDS]

[THIRTEENTH AND FOURTEENTH SITTINGS]

Paul Burstow

Withdrawn 91

Clause 109, page 95, line 35, after ‘Health;’, insert—
‘() the Chief Nursing Officer of the Department of Health.’.

Mr Jamie Reed
Liz Kendall

Not called 169

Clause 109, page 95, line 41, at end insert—
‘(j) the Chief Nursing Officer of the Department of Health;
(k) the Medicines and Healthcare Products Regulatory Authority.’.

Clause agreed to.

Clauses 110 and 111 agreed to.

Schedule 8 agreed to.

Clauses 112 to 117 agreed to.

Paul Burstow

Withdrawn 151

Clause 118, page 101, line 31, at end insert—
‘(A1) In section 65H of the National Health Service Act 2006 (Chapter 5A of Part 2: consultation requirements), in subsection (7) after “Secretary of State;”, insert—
“(c) any overview and scrutiny committees in whose area the affected trusts have hospitals, establishments or facilities; and”
(A2) In section 65H of that Act (consultation requirements), in subsection (8) leave out
“(a) an overview and scrutiny committee of any authority to which section 244 applies;”.

Care Bill [Lords], continued

Paul Burstow

Not called 153

Clause 118, page 101, line 31, at end insert—

(A3) In section 65H of that Act (consultation requirements), at the end of subsection (4) insert—

“() The Trust Special Administrator must hold at least one meeting with overview and scrutiny committees in whose area the affected trusts have hospitals, establishments or facilities.”.

Paul Burstow

Not called 170

Clause 118, page 101, line 31, at end insert—

(A4) In section 65KB of the National Health Service Act 2006 (Secretary of State’s response to regulator’s decision), after paragraph (1)(b), insert—

“(ba) that in the discharge of its functions the trust special administrator has reasonably sought and considered responses from any affected trusts, staff of any affected trusts and such persons as the trust special administrator may recognise as representing staff of any affected trust, and any person to which an affected trust provides goods or services under this Act that would be affected by the action recommended in the draft report.”.

Norman Lamb

Agreed to 135

Clause 118, page 102, line 19, at end insert—

() After subsection (7) of that section insert—

“(8) Where the administrator recommends taking action in relation to another NHS foundation trust or an NHS trust, the references in subsection (5) to a commissioner also include a reference to a person to which the other NHS foundation trust or the NHS trust provides services under this Act that would be affected by the action.”.

Norman Lamb

Agreed to 136

Clause 118, page 102, line 27, at end insert—

() In section 65H of that Act (consultation requirements), in subsection (4)—

(a) after “trust special administrator must” insert “—

(a) ”, and

(b) at the end insert “, and

(b) in the case of each affected trust, hold at least one meeting to seek responses from staff of the trust and from such persons as the trust special administrator may recognise as representing staff of the trust.”

() In subsection (7) of that section, after paragraph (b) (but before paragraph (ba) inserted by section 84(10)(a)) insert—

“(bza) any affected trust;

(bzб) any person to which an affected trust provides goods or services under this Act that would be affected by the action recommended in the draft report;”.

() In subsection (9) of that section—

Care Bill [Lords], continued

- (a) after “trust special administrator must” insert “—
 (a) ”,
 - (b) after “subsection (7)(b),” (but before the insertion made by section 84(10)(b)) insert “(bzb),” and
 - (c) at the end insert “, and
 (b) hold at least one meeting to seek responses from representatives of each of the trusts from which the administrator must request a written response under subsection (7)(bza).”
- () After subsection (11) of that section, insert—
- “(11A) In this section, “affected trust” means—
- (a) where the trust in question is an NHS trust, another NHS trust, or an NHS foundation trust, which provides goods or services under this Act that would be affected by the action recommended in the draft report;
 - (b) where the trust in question is an NHS foundation trust, another NHS foundation trust, or an NHS trust, which provides services under this Act that would be affected by the action recommended in the draft report.”.
- () In subsection (12)(a) of that section, after “subsection (7)(b)”, insert “and (bzb)”. . .

Norman Lamb

Agreed to 137

Clause 118, page 103, line 22, at end insert—

() in that paragraph, after sub-paragraph (7) insert—

“(8) Omit subsection (8).”. . .

Norman Lamb

Agreed to 138

Clause 118, page 103, line 26, at end insert—

() in paragraph 17, in sub-paragraph (2)(a), for “paragraph (b)” substitute “paragraphs (b) and (bzb)”,

() in that paragraph, after sub-paragraph (4) insert—

“(4A) In subsection (11A)—

(a) omit paragraph (a), and

(b) in paragraph (b), omit “where the trust in question is an NHS foundation trust,” and “, or an NHS trust.”. . .

*Clause, as amended, agreed to.**Clauses 119 to 125 agreed to.*

[Adjourned until Tuesday 4 February at 8.55 am]