

**5.2. Manx Care Bill 2020 –
Third Reading approved**

Mr Ashford to move:

That the Manx Care Bill 2020 be read a third time.

The Speaker: The Manx Care Bill 2020 and I call on Mr Ashford to move.

Mr Ashford: Thank you, Mr Speaker.

5 I am pleased to move the Third Reading of the Manx Care Bill 2020. I am grateful to Hon. Members for the careful consideration and support that has been given to this important piece of legislation both during the summer, which led to Government amendments being proposed and accepted, and during clauses.

10 I am happy to provide at Third Reading further clarification updates to the House today, particularly to the Hon. Member for Douglas Central, Mr Thomas and the Hon. Member for Ramsey, Mr Hooper. As Hon. Members have heard during the previous Readings, the purpose of this Bill is to establish Manx Care as an arm's-length Statutory Board, operationally independent from the Department of Health and Social Care and responsible for the provision of Health and Social Care Services. This separation of responsibility between the Department and Manx Care will implement recommendation 2 of Sir Jonathan Michael's Independent Review of Health and Social Care, and will set the foundation for implementing many of the other recommendations.

15 During the consideration of clauses a question was raised about the reference to the assessment of social care in one clause but not in other nearby clauses that similarly refer to provision of social services. I have looked into this and can confirm that there is a good reason for the differences in the terminology between the clauses. In the two other clauses where assessment is *not* referenced, one refers to the Department's existing remit in broad terms rather than the specific services to be provided, and the second looks at improvement in services.

20 Turning to the question about the ability to lease facilities such as the hospital, café and shop: if it were thought preferable to lease these in future that would indeed be possible, and under the Bill Manx Care would have the ability to supervise the leaseholder if necessary.

25 Also as part of consideration of clauses concern was expressed about the circumstances in which the requirement to share information would not be a requirement of our health and social care service providers. The duty to share reinforces existing good practice and obligations on the health and social care professionals and provides statutory support for the seventh Caldicott principle that:

The duty to share information can be as important as the duty to protect patient confidentiality.

35 It makes it clear that unless an individual objects information *can* and *must* be shared between health and social care providers to facilitate the provision of health services or social care if it is in the individual's best interests. However, there may be circumstances where the sharing of information is not feasible because, for example, the cost of compliance would be disproportionately high, such as for some small or voluntary organisations who may not have the capacity or infrastructure to enable them to ensure that they fully comply with this duty.

40 In closing, I would like to thank the Hon. Member for Glenfaba and Peel, Mr Harmer for seconding this Bill, promoted jointly between the Department of Health and Social Care and the Cabinet Office; and also for my colleague from Douglas East, Mrs Barber, for very ably moving the Government amendments at clauses stages.

Mr Speaker, with that I beg to move that the Manx Care Bill 2020 be read for a third time.

45 **The Speaker:** Hon. Member, Mr Harmer.

Mr Harmer: Thank you, Mr Speaker.
I beg to second and reserve my remarks.

50 **The Speaker:** Mr Thomas.

55 **Mr Thomas:** Thank you very much, Mr Speaker.
Just for the record, could the hon. mover perhaps use this as an opportunity to lay down quite clearly how this Statutory Board is different from the other Statutory Boards, because I think that might be quite helpful for all the other Statutory Boards to know?

The Speaker: Mover to reply.

Mr Ashford: Thank you, Mr Speaker.

60 The difference is that although the Statutory Boards Act 1987 lays down provisions as to how Statutory Boards run within the actual Manx Care Bill, there are certain differences in terms of how the board can be removed in terms of the services that they can provide and what they can do in terms of their duties.

65 **The Speaker:** I put the question that the Manx Care Bill 2020 be read for a third time. Those in favour, please say aye; against, no. The ayes have it. The ayes have it.

Hon. Members, that concludes the business on our Order Paper today. I would like to thank Hon. Members for keeping me on *my* toes today. The House is adjourned until 10 o'clock on 10th November in our own Chamber.

Thank you.

The House adjourned at 12.27 p.m.