

2016 No. 829 (W. 208) (C. 59)

**NATIONAL HEALTH
SERVICE, WALES**

**The Nurse Staffing Levels (Wales)
Act 2016 (Commencement) Order
2016**

EXPLANATORY NOTE

(This note is not part of the Order)

The Nurse Staffing Levels (Wales) Act 2016 (“the Act”) has three sections. Sections 2 (commencement) and 3 (short title) came into force on 21 March 2016, the day that the Act received Royal Assent.

This Order brings section 1 of the Act (nurse staffing levels) into force in three stages. Section 1 inserts new sections 25A to 25E into the National Health Service (Wales) Act 2006 (“the 2006 Act”).

Article 2(a) brings section 1 of the Act into force on 3 August 2016 in so far as it inserts section 25D (nurse staffing levels: guidance) of the 2006 Act.

Section 25D places a duty on the Welsh Ministers to issue guidance to Local Health Boards and NHS Trusts in Wales (where applicable) about the duties under sections 25B and 25C.

Article 2(b) brings section 1 of the Act into force on 6 April 2017 in so far as it inserts section 25A (duty to have regard to providing sufficient nurses) of the 2006 Act.

Section 25A places a duty on Local Health Boards and NHS Trusts in Wales when considering how many nurses are required to meet all reasonable requirements, to have regard to the importance of providing sufficient nurses to allow nurses time to care for patients sensitively.

Article 2(c) brings section 1 of the Act into force on 6 April 2018 in so far as it inserts sections 25B, 25C and 25E of the 2006 Act (duty to calculate and take steps to maintain nurse staffing levels, nurse staffing

levels: method of calculation and nurse staffing levels: reports).

Section 25B places a duty on Local Health Boards and NHS Trusts in Wales to calculate and take steps to maintain nurse staffing levels in specified settings and to inform patients of the level.

Section 25C sets out the method for calculating the nurse staffing level.

Section 25E sets out the reporting requirements for the Act.

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Made

2 August 2016

The Welsh Ministers, in exercise of the powers conferred by section 2 of the Nurse Staffing Levels (Wales) Act 2016(1) make the following Order:

Title and interpretation

1.—(1) The title of this Order is the Nurse Staffing Levels (Wales) Act 2016 (Commencement) Order 2016.

(2) In this Order—

“the Act” (“*y Ddeddf*”) means the Nurse Staffing Levels (Wales) Act 2016; and

“the 2006 Act” (“*Deddf 2006*”) means the National Health Service (Wales) Act 2006(2).

Days appointed for the coming into force of section 1 of the Act

2. The days appointed for the coming into force of section 1 of the Act (nurse staffing levels) are—

- (a) 3 August 2016 in so far as it inserts section 25D of the 2006 Act (nurse staffing levels: guidance);
- (b) 6 April 2017 in so far as it inserts section 25A of the 2006 Act (duty to have regard to providing sufficient nurses); and
- (c) 6 April 2018 in so far as it inserts sections 25B, 25C and 25E of the 2006 Act (duty to calculate and take steps to maintain nurse

(1) 2016 anaw 5.

(2) 2006 c. 42.

staffing levels, nurse staffing levels: method of calculation and nurse staffing levels: reports).

Vaughan Gething
Cabinet Secretary for Health, Well-being and Sport,
one of the Welsh Ministers
2 August 2016