



Deddf Lefelau Staff Nyrsio (Cymru) 2016

2016 dccc 5

Deddf Cynulliad Cenedlaethol Cymru i wneud darpariaeth ynghylch Byrddau Iechyd Lleol ac Ymddiriedolaethau GIG yng Nghymru yn sefydlu lefelau staff nyrsio. [21 Mawrth 2016]

Gan ei fod wedi ei basio gan Gynulliad Cenedlaethol Cymru ac wedi derbyn cydsyniad Ei Mawrhydi, deddfir fel a ganlyn:

1 Lefelau staff nyrsio

- (1) Yn Rhan 2 o [Ddeddf y Gwasanaeth Iechyd Gwladol \(Cymru\) 2006 \(p.42\)](#) (cyrff y gwasanaeth iechyd), ym Mhennod 4 (amrywiol), cyn adran 26 mewnosoder—

“Nursing services

25A Duty to have regard to providing sufficient nurses

- (1) Subsection (2) applies where a Local Health Board is considering the extent of provision of nursing services for its area necessary to meet all reasonable requirements.
- (2) The Local Health Board must have regard to the importance of—
 - (a) providing sufficient nurses to allow the nurses time to care for patients sensitively, and
 - (b) where securing the provision of nursing services, ensuring that there are sufficient nurses to allow the nurses time to care for patients sensitively.
- (3) Where an NHS Trust in Wales provides nursing services it must provide those services to such extent as it considers necessary to meet all reasonable requirements; and subsection (4) applies where an NHS Trust in Wales is considering the extent of provision of nursing services.
- (4) The NHS Trust must have regard to the importance of—

Status: This is the original version (as it was originally enacted).

- (a) providing sufficient nurses to allow the nurses time to care for patients sensitively, and
 - (b) where securing the provision of nursing services, ensuring that there are sufficient nurses to allow the nurses time to care for patients sensitively.
- (5) For the purposes of having regard to the importance of providing sufficient nurses to allow the nurses time to care for patients sensitively, a Local Health Board or NHS Trust in Wales must (among other things) undertake workforce planning (including planning the recruitment, retention, education and training of nurses).
- (6) In this section, and in sections 25B to 25E, references to—
- (a) a nurse providing care for patients include the provision of care by a person other than a nurse acting under the supervision of, or discharging duties delegated to the person by, a nurse;
 - (b) a “nurse” mean a registered nurse;
 - (c) an “NHS Trust in Wales” mean an NHS trust all or most of whose hospitals, establishments and facilities are situated in Wales.

Nurse staffing levels

25B Duty to calculate and take steps to maintain nurse staffing levels

- (1) Where a Local Health Board or NHS Trust in Wales provides nursing services in a situation to which this section applies, it must—
- (a) designate a person or a description of person to calculate the number of nurses appropriate to provide care to patients that meets all reasonable requirements in that situation (the “nurse staffing level”),
 - (b) take all reasonable steps to maintain the nurse staffing level, and
 - (c) make arrangements for the purpose of informing patients of the nurse staffing level.
- (2) A person designated by virtue of subsection (1)(a) (“a designated person”) must calculate the nurse staffing level in accordance with section 25C.
- (3) This section applies to the following situations—
- (a) adult acute medical inpatient wards,
 - (b) adult acute surgical inpatient wards, and
 - (c) such other situations as the Welsh Ministers may by regulations specify.

25C Nurse staffing levels: method of calculation

- (1) When calculating a nurse staffing level, a designated person must—
- (a) exercise professional judgement, and
 - (b) take into account each of the following—
 - (i) the average ratio of nurses to patients appropriate to provide care to patients that meets all reasonable requirements, estimated for a specified period using evidence-based workforce planning tools;