

Consultation Response Questionnaire

Draft Regulations and Statutory Guidance for a mandatory licensing scheme for special procedures in Wales

Organisation (if applicable):	Royal College of Midwives (RCM)
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Responses to consultations are likely to be made public, on the internet or in a report. If you would prefer your response to remain anonymous, please tick here:

Please return this form to reach the Welsh Government no later than **8 April 2024**.
The email address for responses or queries is:

SpecialProceduresMailbox@gov.wales

This form can be downloaded or the online response questionnaire accessed from the Welsh Government website here:

<https://www.gov.wales/mandatory-licensing-special-procedures-wales>

We welcome responses in Welsh or English.

Please note: this mandatory licensing scheme will be introduced on the terms set out in this document and the Regulations. We cannot therefore revisit the subject of the scheme itself or the proposals put forward in the first consultation document.

	Please give reasons for your answers when responding.
1 - The Special Procedure Licences (Wales) Regulations 202X	
1a	Do you think these draft Regulations adequately set out how individuals are to be licensed?
	<ul style="list-style-type: none"> Answer: Yes. The RCM recognises the value of national regulation for special procedure licensing/practice and sphere of practice should be recognised as a specialist post qualification area of practice.
1b	Is there anything unclear, missing that should be included, or included that should not be?
	<ul style="list-style-type: none"> Answer: To practice safely, it should be clear that there is a need to have comprehensive knowledge, skills, regular updating and reflection.
2 - The Special Procedures Approved Premises and Vehicles (Wales) Regulations 202X	
2a	Do you think these draft Regulations adequately set out how premises and vehicles are to be approved?
	Answer: Yes
2b	Is there anything unclear, missing that should be included, or included that should not be?
	Answer: Nil to add
3 - The Special Procedures Exempted Individuals (Wales) Regulations 202X	
3a	Do you think these draft Regulations adequately set out how the specified individuals are to be exempt?
	Answer: Yes
3b	Is there anything unclear, missing that should be included, or included that should not be?
	Answer: Nil to add
4 - The Special Procedure Licensing Committees (Wales) Regulations 202X	
4a	Do you think these draft Regulations adequately set out how licensing committees are to operate for the purposes of this mandatory licensing scheme?
	Answer: <ul style="list-style-type: none"> As per 1a, the RCM recognises the value of national regulation for special procedure licensing/practice and sphere of practice should be

	recognised as a specialist post qualification area of practice
4b	Is there anything unclear, missing that should be included, or included that should not be?
	1. As stated in the RCM guidance on complementary therapies (RCM 2023), there should be a clear recommendation to have regular audit of complementary therapies to ensure safe, effective and cost-effective clinical intervention. RCM guidance can be found at complementary_therapies.pdf (rcm.org.uk)
5 - The Prescribed Objects for Body Piercing (Wales) Regulations 202X	
5a	Do you think these draft Regulations provide an adequate definition of 'object' for the purposes of non-intimate body piercing within this licensing scheme?
	Answer: Yes
5b	Is there anything unclear, missing that should be included, or included that should not be?
	Nil to add
6 - Statutory Guidance	
6a	Do you think the draft Statutory Guidance adequately explains how a local authority should determine a 'person's fitness to perform a special procedure' for licensing purposes under the mandatory licensing scheme, where this has been called into question?
	Answer: We advocate that an all-Wales national approach should be in place to guide local authorities on standards to determine a person's fitness to practice to perform a special procedure.
6b	Is there anything unclear in the draft Statutory Guidance that should be explained further?
	Answer: We advocate that professional regulation standards are used to guide the level of expected standards.
6c	Is there anything in relation to determining a 'person's fitness to perform a special procedure' that is unclear or missing from the draft Statutory Guidance?
	Answer: reference to professional regulation standards.
Statutory Questions	
7	We would like to know your views on the effects that the mandatory licensing scheme for Special Procedures in Wales would have on the Welsh language, specifically on opportunities for people to use Welsh and on treating the Welsh language no less favourably than English. What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?
	Answer: The mandatory licensing scheme for special procedures in Wales could improve the uptake of learning the Welsh language and improve communication/advertising in Welsh. The main barrier would be the lack of

	Welsh-speaking individuals. This can be mitigated by sharing of Welsh learning courses, templates in Welsh and English, production of how to guides and link in with the Active Offer with webinar on what that involves.
8	<p>Please also explain how you believe the proposed mandatory licensing scheme for Special Procedures in Wales could be formulated or changed so as to have</p> <ul style="list-style-type: none"> • positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language, and • no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.
	Answer: Consideration of webinar on Active Offer, what it involves and what is required from the individual/company. Linking in with Welsh language course providers to share and hopefully increase the learning of Welsh language.
9	<p>We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them.</p>
	<p>Answer:</p> <ul style="list-style-type: none"> • In line with the RCM Guidance on Complementary therapies (RCM 2023) it is important to include that practitioners should advise pregnant women wishing to consult with an independent therapist to have maternity-specific indemnity insurances • RCM Wales expects midwives with additional specialist procedures to be working within their professional regulatory scope of practice as per Nursing and Midwifery Council standards.