

*Status: Point in time view as at 01/07/2022.*

*Changes to legislation: National Health Service Act 2006, Cross Heading: Accountable officer is up to date with all changes known to be in force on or before 26 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

## SCHEDULES

### [<sup>F1</sup>SCHEDULE 1A

#### CLINICAL COMMISSIONING GROUPS

##### Textual Amendments

- F1** Sch. 1A inserted (27.3.2012 for specified purposes, 1.10.2012 for specified purposes, 1.4.2013 in so far as not already in force) by [Health and Social Care Act 2012 \(c. 7\)](#), ss. 25(2), 306(1)(d)(4), [Sch. 2](#) (with [Sch. 6 paras. 7-13](#)); [S.I. 2012/1831](#), art. 2(2); [S.I. 2013/160](#), art. 2(2) (with arts. 7-9)

### PART 2

#### FURTHER PROVISION ABOUT CLINICAL COMMISSIONING GROUPS

##### *Accountable officer*

- 12 (1) A clinical commissioning group must have an accountable officer.
- (2) The accountable officer is to be appointed by [<sup>F2</sup>NHS England].
- (3) [<sup>F2</sup>NHS England] may appoint a person to be the accountable officer for more than one clinical commissioning group (and in the following provisions of this paragraph such an appointment is referred to as a “joint appointment”).
- (4) The accountable officer may be—
- (a) an individual who is a member of the clinical commissioning group or of any body that is a member of the group or, in the case of a joint appointment, an individual who is a member of any of the groups in question or of any body that is a member of any of those groups, or
  - (b) an employee of the group or of any member of the group or, in the case of a joint appointment, an employee of any of the groups in question or of any member of those groups.
- (5) If the accountable officer is not an employee of the clinical commissioning group or, in the case of a joint appointment, of any of the groups in question, the group or any of the groups may pay remuneration and travelling or other allowances to the accountable officer in accordance with determinations made by its governing body under section 14L(3)(a).
- (6) A clinical commissioning group may, for or in respect of its accountable officer, make arrangements for providing pensions, allowances or gratuities.
- (7) The arrangements that may be made under sub-paragraph (6) include arrangements for the provision of pensions, allowances or gratuities by way of compensation to or

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in respect of the accountable officer where the officer suffers loss of office or loss or diminution of emoluments.

- (8) Where a clinical commissioning group has, by virtue of paragraph 11(4), established a pension scheme, the arrangements that may be made under sub-paragraph (6) include arrangements for the accountable officer to be a member of the scheme.
- (9) The accountable officer is responsible for ensuring that the clinical commissioning group or, in the case of a joint appointment, each of the groups in question—
- (a) complies with its obligations under—
    - (i) sections 14Q and 14R,
    - (ii) sections 223H to 223J,
    - (iii) paragraphs 17 to 19 of this Schedule, and
    - (iv) any other provision of this Act specified in a document published by [<sup>F2</sup>NHS England] for the purposes of this sub-paragraph, and
  - (b) exercises its functions in a way which provides good value for money.]

#### Textual Amendments

- F2** Words in Act substituted (1.7.2022) by [Health and Care Act 2022 \(c. 31\)](#), s. 186(6), Sch. 1 para. 1(1)(2); [S.I. 2022/734](#), reg. 2(a), Sch. (with regs. 13, 29, 30)

#### Modifications etc. (not altering text)

- C1** Sch. 1A para. 12(9)(b) modified (1.10.2012) by [Health and Social Care Act 2012 \(c. 7\)](#), s. 306(4), [Sch. 6 para. 11\(2\)\(p\)](#); [S.I. 2012/1831](#), art. 2(2)

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