



# Health and Care Act 2022

## 2022 CHAPTER 31

### PART 1

#### HEALTH SERVICE IN ENGLAND: INTEGRATION, COLLABORATION AND OTHER CHANGES

##### *Integrated care partnerships*

#### **26 Integrated care partnerships and strategies**

- (1) The Local Government and Public Involvement in Health Act 2007 is amended in accordance with subsections (2) to (6).
- (2) In section 104 (interpretation: partner authorities), in subsection (2), for paragraph (ja) substitute—
  - “(ja) an integrated care board;”.
- (3) In section 116 (health and social care: joint strategic needs assessments)—
  - (a) in subsection (4), for paragraph (b) substitute—
    - “(b) each of its partner integrated care boards;”;
  - (b) after subsection (5) insert—
    - “(5A) The responsible local authority must give a copy of each assessment of relevant needs prepared under this section to any integrated care partnership established under section 116ZA whose area coincides with or includes the whole or part of the area of the responsible local authority.”;
  - (c) in subsections (6) and (7), for “clinical commissioning group”, in each place it occurs, substitute “integrated care board”;
  - (d) in subsection (8), for “clinical commissioning groups” substitute “integrated care boards”;
  - (e) in subsections (8A) and (9), for “clinical commissioning group”, in each place it occurs, substitute “integrated care board”.
- (4) After section 116 insert—

### **“116ZA Integrated care partnerships**

- (1) An integrated care board and each responsible local authority whose area coincides with or falls wholly or partly within the board’s area must establish a joint committee for the board’s area (an “integrated care partnership”).
- (2) The integrated care partnership for an area is to consist of—
  - (a) one member appointed by the integrated care board,
  - (b) one member appointed by each of the responsible local authorities, and
  - (c) any members appointed by the integrated care partnership.
- (3) An integrated care partnership may determine its own procedure (including quorum).

### **116ZB Integrated care strategies**

- (1) An integrated care partnership must prepare a strategy (an “integrated care strategy”) setting out how the assessed needs in relation to its area are to be met by the exercise of functions of—
  - (a) the integrated care board for its area,
  - (b) NHS England, or
  - (c) the responsible local authorities whose areas coincide with or fall wholly or partly within its area.
- (2) In preparing a strategy under this section, an integrated care partnership must, in particular, consider the extent to which the needs could be met more effectively by the making of arrangements under section 75 of the National Health Service Act 2006 (rather than in any other way).
- (3) In preparing a strategy under this section, an integrated care partnership must have regard to—
  - (a) the mandate published by the Secretary of State under section 13A of the National Health Service Act 2006, and
  - (b) any guidance issued by the Secretary of State.
- (4) In preparing a strategy under this section, an integrated care partnership must—
  - (a) involve the Local Healthwatch organisations whose areas coincide with or fall wholly or partly within its area, and
  - (b) involve the people who live or work in that area.
- (5) An integrated care partnership may include in a strategy under this section a statement of its views on how arrangements for the provision of health-related services in its area could be more closely integrated with arrangements for the provision of health services and social care services in that area.
- (6) Each time that an integrated care partnership receives an assessment of relevant needs under section 116(5A) it must—
  - (a) consider whether the current integrated care strategy should be revised, and
  - (b) if so, prepare a revised integrated care strategy under subsection (1).

- (7) An integrated care partnership must—
- (a) publish each integrated care strategy, and
  - (b) give a copy of each integrated care strategy to—
    - (i) each responsible local authority whose area coincides with or falls wholly or partly within its area, and
    - (ii) each partner integrated care board of those responsible local authorities.
- (8) In this section—
- (a) “assessed needs”, in relation to the area of an integrated care partnership, means the needs assessed under section 116 in relation to the areas of the responsible local authorities so far as those needs relate to the integrated care partnership’s area;
  - (b) “partner integrated care board”, in relation to a responsible local authority, has the same meaning as in section 116;
  - (c) “health services”, “health-related services” and “social care services” have the same meaning as in section 195 of the Health and Social Care Act 2012.”
- (5) In section 116A (health and social care: joint health and wellbeing strategies)—
- (a) in the heading, after “joint” insert “local”;
  - (b) for subsections (1) and (2) substitute—
    - “(1) This section applies where a responsible local authority and each of its partner integrated care boards receive an integrated care strategy under section 116ZB(7)(b).
    - (2) The responsible local authority and each of its partner integrated care boards must prepare a strategy (“a joint local health and wellbeing strategy”) setting out how the assessed needs in relation to the responsible local authority’s area are to be met by the exercise of functions of—
      - (a) the responsible local authority,
      - (b) its partner integrated care boards, or
      - (c) NHS England.
    - (2A) But the responsible local authority and its partner integrated care boards need not prepare a new joint local health and wellbeing strategy if, having considered the integrated care strategy, they consider that the existing joint local health and wellbeing strategy is sufficient.”;
  - (c) in subsection (3)—
    - (i) for “clinical commissioning groups” substitute “integrated care boards”;
    - (ii) after “the extent to which the” insert “assessed”;
  - (d) in subsection (4)—
    - (i) for “clinical commissioning groups” substitute “integrated care boards”;
    - (ii) before paragraph (a) insert—
      - “(za) the integrated care strategy prepared under section 116ZB,”;

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

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- (e) in subsections (5) and (7), for “clinical commissioning groups” substitute “integrated care boards”;
- (f) in subsection (8), for paragraph (a) (including the “and” at the end) substitute—
  - “(a) “partner integrated care board”, in relation to a responsible local authority, has the same meaning as in section 116,
  - (aa) “assessed needs”, in relation to the area of a local authority, means the needs assessed in relation to its area under section 116, and”.

(6) For section 116B substitute—

**“116B Duty to have regard to assessments and strategies**

- (1) A responsible local authority and each of its partner integrated care boards must, in exercising any functions, have regard to the following so far as relevant—
  - (a) any assessment of relevant needs prepared under section 116 in relation to the responsible local authority’s area,
  - (b) any integrated care strategy prepared under section 116ZB in relation to an area that coincides with or includes the whole or part of the responsible local authority’s area, and
  - (c) any joint local health and wellbeing strategy prepared under section 116A by the responsible local authority and its partner integrated care boards.
- (2) NHS England must, in exercising any functions in arranging for the provision of health services in relation to the area of a responsible local authority, have regard to the following so far as relevant—
  - (a) any assessment of relevant needs prepared under section 116 in relation to that area,
  - (b) any integrated care strategy prepared under section 116ZB in relation to an area that coincides with or includes the whole or part of that area, and
  - (c) any joint local health and wellbeing strategy prepared under section 116A by the responsible local authority and its partner integrated care boards.”

(7) In the following provisions after “joint” insert “local”—

- (a) section 17(6)(g) and (h) of the National Health Service (Wales) Act 2006;
- (b) sections 26(7) and 27(4) of the Children and Families Act 2014.