

**EXPLANATORY MEMORANDUM TO THE
HEALTH AND SOCIAL CARE INFORMATION CENTRE
(ESTABLISHMENT AND CONSTITUTION) ORDER 2005**

2005 No. 499

**HEALTH AND SOCIAL CARE INFORMATION CENTRE
REGULATIONS 2005**

2005 No. 500

1. This explanatory memorandum has been prepared by the Department of Health and is laid before Parliament by Command of Her Majesty.
2. **Description**
 - 2.1 The Establishment and Constitution Order establishes a new Special Health Authority named the Health and Social Care Information Centre. The Establishment Order also provides for its constitution and functions, and the transfer of rights and liabilities and staff involved in those functions at West Yorkshire Strategic Health Authority that will move to the Information Centre on 1st April 2005.
 - 2.2 The Regulations contain provisions relating to the membership and procedural rules of the new body.
3. **Matters of special interest to the Joint Committee on Statutory Instruments**
 - 3.1 None
4. **Legislative background**
 - 4.1 The Secretary of State for Health is exercising powers under section 11(1), (2) and (4) and paragraph 9(7)(b) of Schedule 5 of the NHS Act 1977 to establish a new Special Health Authority.
 - 4.2 The Regulations as to membership and procedure of the new Authority are made under powers conferred to the Secretary of State for Health by sections 16(4) and 126(4), and paragraphs 10, 12 and 16 of Schedule 5, of the NHS Act 1977.
 - 4.3 The creation of the Health and Social Care Information Centre was announced by the Secretary of State for Health in a written statement to the House of Commons on 22 July 2004 (*Official Report*: Column 76WS).

4.4 These instruments relate to the Special Health Authorities Abolition Order 2005 (S.I. 2005/ZZZ) and specifically to the abolition of the NHS Information Authority in that Order.

5. Extent

5.1 This instrument applies to England.

6. European Convention on Human Rights

6.1 Not applicable.

7. Policy background

7.1 The Secretary of State for Health has undertaken a review of the number of NHS bodies (including Special Health Authorities) that work at “arm’s length” from the Department of Health. The results of the review were announced on 22 July 2004 (*Official Report*: Column 73WS).

7.2 The Arm’s Length Bodies Review implementation programme will run from 2005 to 2008 and will see a reduction in the overall number of ALBs sponsored by the Department (from 38 to 20), together with greater efficiency in the provision of their services and a reduction in the bureaucratic overhead on front line services. To bring about the new pattern of ALBs described in the report, a number of existing bodies will be abolished and a smaller number of new organisations set up. The Health and Social Care Information Centre Special Health Authority will be one of these new organisations.

7.3 The Health and Social Care Information Centre will co-ordinate information requirements across a wide range of bodies. It will become the focus for those needing information, thereby reducing the number of information requests on the frontline.

7.4 The new Health and Social Care Information Centre will retain some of the information-related functions of the NHS Information Authority Special Health Authority (which is one of the bodies that will be abolished) and will take on the statistics and information management functions of the Department of Health. The work of the Prescribing Support Unit, currently hosted by West Yorkshire Strategic Health Authority, will also transfer to the Information Centre as part of its establishment.

8. Impact

8.1 A Regulatory Impact Assessment has not been prepared for this instrument as it has no impact on business, charities or voluntary bodies.

9. Contact

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