
EXPLANATORY NOTE

(This note is not part of the Order)

These Regulations make provision about quality accounts. Under section 8 of the Health Act 2009 individuals or bodies who provide, or make arrangements for others to provide, NHS services must publish a document each year which sets out information relation to the quality of those services (a “quality account”).

Regulation 2 makes exemptions from the requirement to produce quality accounts for community health services and primary care services. Regulation 3 also exempts providers with small numbers of staff and a relatively low level of income derived from the provision of NHS services. Regulations 4 to 7 and the Schedule set out the prescribed information, general content and form of quality accounts. This includes provision requiring the accounts to be in four parts with Part 1 containing a general statement about the quality of NHS services, Part 2 containing prescribed information, Part 3 containing other information about the quality of NHS services provided and the fourth part comprising an annex containing statements of assurance under regulation 8. The Schedule sets out the detail of the prescribed information and the form the information should take. Regulation 6 ensures that a senior employee verifies the accuracy of the account. Regulation 7 requires information to be included about the provider's priorities for improvement.

Regulation 8 makes provision for the draft accounts to be checked and commented on prior to publication by a Primary Care Trust (“PCT”) or Strategic Health Authority (“SHA”). Where the provider provides NHS services to a number of PCTs or SHAs provision is made to identify one body that the accounts must be sent to. Any statement provided by the PCT or SHA must be included in the published account (regulation 4(1)(d) and 5).

Regulations 9 and 10 require the accounts to be sent, prior to publication, to any Local Involvement Network (“LINK”) and Overview and Scrutiny Committee (“OSC”) in the local authority area where the provider is located. If any LINK or OSC provides a statement about the quality account which is less than 500 words provision is made to ensure that the statement is included in the published account (regulation 5).

Regulation 11 requires the quality account to be published by 30th June each year by making the document available on the NHS Choices website, or other website if this is not available. A copy of the account must also be sent to the Secretary of State.

A full impact assessment of the effect that this instrument will have on the costs of business, the voluntary sector and public sector is available from the Department of Health website (<http://www.dh.gov.uk>) and is annexed to the Explanatory Memorandum which is available alongside the instrument on the OPSI website.

Changes to legislation:

There are currently no known outstanding effects for the The National Health Service (Quality Accounts) Regulations 2010.