
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the NHS Bodies and Local Authorities Partnership Arrangements Regulations 2000 (“the 2000 Regulations”). The 2000 Regulations make provision for certain NHS bodies and local authorities to enter into partnership arrangements under section 75 of the National Health Service Act 2006 (“the 2006 Act”). Those arrangements include the establishment of funds made up of contributions by one or more NHS bodies and one or more local authorities (“pooled funds”).

Sections 223B and 223GA of the 2006 Act, as amended by section 121 of the Care Act 2014, make provision for a fund for the integration of care and support with health services (known as the Better Care Fund). As part of the Better Care Fund arrangements, the National Health Service Commissioning Board must require NHS bodies (in this case clinical commissioning groups) to make payments into a pooled fund as part of arrangements made with local authorities under section 75 of the 2006 Act.

Regulation 2(2) amends the 2000 Regulations so that, in the case of partnership arrangements entered into as part of the Better Care Fund, there is no longer a requirement for clinical commissioning groups and local authorities to consult persons who appear to be affected by such arrangements.

Regulation 2(3) amends the 2000 Regulations to include the function of arranging primary medical services under section 83 of the 2006 Act (a function of the National Health Service Commissioning Board) as a function in respect of which partnership arrangements can be entered into.

Regulation 2(4) amends regulation 7 of the 2000 Regulations to reflect the fact that the Audit Commission is abolished by section 1 of the Local Audit and Accountability Act 2014.

An impact assessment has not been produced for this instrument as no significant cost impact in the private or voluntary sector is foreseen.