

NATIONAL HEALTH SERVICE, ENGLAND

THE HEALTH AND SOCIAL CARE INFORMATION CENTRE (SYSTEMS DELIVERY FUNCTIONS FOR NHS CHOICES AND ADDITIONAL SYSTEMS DELIVERY FUNCTIONS FOR NHS CHOICES) DIRECTIONS 2013

The Secretary of State for Health gives the following Directions in exercise of the powers conferred by section 274(2) and 304(9) and (10) of the Health and Social Care Act 2012^(a) and regulation 32 of the National Institute for Health and Social Care Excellence (Constitution and Functions) and the Health and Social Care Information Centre (Functions) Regulations 2013^(b).

Citation, commencement and interpretation

1.—(1) These Directions may be cited as the Health and Social Care Information Centre (Systems Delivery Functions for NHS Choices and Additional Systems Delivery Functions for NHS Choices) Directions 2013 and come into force on 1st August 2013.

(2) In these Directions—

“additional systems delivery functions for NHS Choices” means the systems delivery functions of the Secretary of State described in paragraph 3(2);

“Capita” means Capita Business Services Limited whose registered office is at 71 Victoria Street, London, SW1A 0XA and whose company registration number is 02299747;

“carer” means an adult who provides or intends to provide care for another person;

“the contract” means the contract between the Secretary of State for Health and Capita dated 11th November 2008 which is to expire on the termination date;

“HSCIC” means the Health and Social Care Information Centre^(c);

“NHS Choices” means an information and communication system that provides online and other health and adult social care information and services intended to benefit patients, persons receiving adult social care, carers, health professionals, citizens and others and that includes the NHS Choices website;

“NHS Choices website” means the website at <http://www.nhs.uk>;

“NHS E” means the National Health Service Commissioning Board, known as “NHS England” and established by section 1H of the National Health Service Act 2006^(d);

“patient” means any person who is receiving treatment as part of the health service in England;

“quarter” means:—

(a) a period of 3 months beginning with the day these Directions come into force, and

(b) each subsequent period of 3 months;

“the Road Map” means a document that records, in broad terms, the priorities, policies, advice or guidance of the Secretary of State about the exercise of systems delivery functions for NHS Choices for the current and forthcoming quarters;

“systems delivery functions for NHS Choices” means the provision and operation of NHS Choices as it was provided and operated immediately prior to the termination date, and in particular:—

(a) 2012 c. 7 (“the Act”).

(b) S.I. 2013/259.

(c) The Health and Social Care Information Centre was established by section 252 of the Act.

(d) 2006 c. 41.

- (a) systems delivery functions of the Secretary of State that comprise Services identified as requirements in sections 3 (Universal Requirements), 4 (Functional Requirements) and 6 (Technical Requirements) of Schedule 23 to the contract (Scope of Work NHS CHOICES), but
- (b) subject to any changes to the Services that:—
 - (i) were agreed between the Secretary of State and Capita under the contract; and
 - (ii) were effective immediately before the termination date; and
- (c) excluding the Services identified in sections 3.2.5, 3.2.7, 4.7.47, 4.8, 4.13.2, 4.13.5, 4.15.1, 4.15.4, 4.15.6, 6.1, 6.3.15, 6.3.22 and 6.4 to 6.7 of Schedule 23 to the contract; and

“the termination date” means 31st July 2013.

Systems delivery functions for NHS Choices

2.—(1) The Secretary of State directs HSCIC to exercise systems delivery functions for NHS Choices.

(2) HSCIC must carry out systems delivery functions for NHS Choices in accordance with the Road Map.

(3) HSCIC must have regard to such priorities, policies, advice or guidance of the Secretary of State, in addition to those recorded in the Road Map, as the Secretary of State may notify in writing to HSCIC.

Additional systems delivery functions

3.—(1) The Secretary of State directs HSCIC to exercise additional systems delivery functions for NHS Choices.

(2) Additional systems delivery functions for NHS Choices referred to in sub-paragraph (1) are:—

- (a) the development of systems delivery functions for NHS Choices;
- (b) the giving of advice and management of projects in relation to the procurement by the Secretary of State of future services in connection with NHS Choices; and
- (c) the transfer of NHS Choices, or any part of NHS Choices, to any person or body nominated by the Secretary of State.

(3) In exercising additional systems delivery functions for NHS Choices, HSCIC must have regard to such priorities, policies, advice or guidance of the Secretary of State as the Secretary of State may notify in writing to HSCIC.

Payments for systems delivery functions

4. The Secretary of State may make payments to HSCIC for things done in exercise of:—

- (a) systems delivery functions for NHS Choices; or
- (b) additional systems delivery functions for NHS Choices.

Reports and accounts

5.—(1) HSCIC must provide the Secretary of State, or any person or body nominated by the Secretary of State, with such reports and information as the Secretary of State may require in connection with the exercise by HSCIC of:—

- (a) systems delivery functions for NHS Choices; or
- (b) additional systems delivery functions for NHS Choices.

(2) NHS E is a body that may be nominated by the Secretary of State pursuant to sub-paragraph (1).

(3) HSCIC must provide the Secretary of State within one month of the end of each review period with an assurance report that includes such information relating to:—

- (a) the operation, delivery, management or maintenance of systems delivery functions for NHS Choices;
- (b) the financing of, or budgets for, systems delivery functions for NHS Choices or additional systems delivery functions for NHS Choices; or
- (c) risks or other matters relating to the exercise by HSCIC of systems delivery functions for NHS Choices or additional systems delivery functions for NHS Choices,

as HSCIC considers should be notified to the Secretary of State.

(4) For the purposes of sub-paragraph (3), a review period is:—

- (a) the period of one month beginning with the day on which these Directions come into force; and
- (b) each subsequent period of one month.

(5) HSCIC must keep proper accounts, and proper records in relation to the accounts, in relation to its exercise of:—

- (a) systems delivery functions for NHS Choices; and
- (b) additional systems delivery functions for NHS Choices.

Signed by authority of the Secretary of State for Health

Date

Name
Member of the Senior Civil Service
Department of Health