
Addendum to briefing notes on Government amendments to the Health and Social Care Bill: Lords Report Stage

February 2012

Addendum – amendment tabled February 8

Central support functions of the Secretary of State – Amendment 148A

1. Currently, section 2 of the NHS Act 2006 gives the Secretary of State a general power to ‘do anything else which is calculated to facilitate, or is conducive or incidental to, the discharge’ of his duties in the Act. This technical amendment simply replicates the current system by clarifying that the Department will continue to be able to support the NHS where it makes sense to coordinate activity centrally.
2. For example, this might include providing advice and assistance to NHS trusts and NHS foundation trusts when they procure medicines or other goods to help them get best value for money, and managing central contracts with section 223 companies which provide services to the NHS (e.g. NHS Professionals, which provides recruitment and temporary staff agency services to NHS trusts and NHS foundation trusts).
3. The power does not allow the Secretary of State to commission or provide health services. Nor does it allow him to give funding to the private sector.