

NATIONAL HEALTH SERVICE ACT 2006

The NHS Commissioning Board Authority (Functions of the Authority) Directions 2011

The Secretary of State for Health gives the following Directions in exercise of the powers conferred by sections 7(1), 8, 272(7) and 273(4) of the National Health Service Act 2006(a).

Citation, commencement, application and interpretation

1.—(1) These Directions may be cited as the NHS Commissioning Board Authority (Functions of the Authority) Directions 2011 and come into force immediately after they are made.

2. These Directions are given to the NHS Commissioning Board Authority(b).

3. In these Directions—

“the Act” means the National Health Service Act 2006;

“the Order” means the NHS Commissioning Board Authority (Establishment and Constitution) Order 2011(c);

“the Authority” means the NHS Commissioning Board Authority established by article 2 of the Order;

“the Board” means the National Health Service Commissioning Board that will be responsible for exercising the functions referred to in article 3 of the Order;

“clinical commissioning group” means a body consisting of persons who are providers of primary medical services(d) and which has the function of arranging for the provision of services for the purposes of the health service;

“commissioning outcomes framework” means guidance in relation to outcomes that are to be achieved from the provision of services commissioned by clinical commissioning groups.

Functions of the Authority

4.—(1) The Secretary of State, in connection with the making of arrangements preparatory to the establishment and operation of the Board, directs the Authority to take any such steps as it considers necessary and appropriate for the purpose of enabling the Board to operate satisfactorily from the date on which it is established including liaising and working with the Department of Health—

- (a) to design methods to be used by the Board for establishing, authorising and otherwise exercising its functions in relation to clinical commissioning groups;
- (b) in the development and preparation of guidance to be published by the Board for clinical commissioning groups on the discharge of their functions of arranging for the provision of services as part of the health service; and

(a) 2006 (c.41); the powers exercised in making these Directions are exercisable by the Secretary of State only in relation to England, by virtue of section 271(1) of the National Health Service Act 2006.

(b) The NHS Commissioning Board Authority was established by article 2 of the NHS Commissioning Board Authority (Establishment and Constitution) Order 2011 (S.I. 2011/2237).

(c) S.I. 2011/2237.

(d) For the meaning of “primary medical services” see sections 83 and 276 of the Act.

- (c) in the development and preparation of a commissioning outcomes framework to be published by the Board for clinical commissioning groups.

Exercise of functions

5. In its exercise of the functions referred to in paragraph 4, the Authority is to have regard to any guidance issued by the Secretary of State from time to time relating to the exercise of functions by the Authority.

Signed by authority of the Secretary of State for Health



Member of the Senior Civil Service
Department of Health

Date: 31/10/11