

# HEALTH ACT 1999

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### Part I - the National Health Service

##### *Section 19 and Schedule 2: The Commission for Health Improvement*

175. The White Paper, *The new NHS*, set out the Government's intention to create a new Commission for Health Improvement. The Commission will be established as a body corporate to provide an independent check that local systems to monitor and improve the quality of health care are working. The Commission's functions are set out in sections 20 to 22. Proposals for the role and functions of the Commission were set out in more detail in the consultation documents *A First Class Service* and *Quality Care and Clinical Excellence*, published in July 1998.
176. The Commission will be administered as an executive non-departmental public body. It will be held accountable through Ministers to Parliament for the effective performance of its functions. The Commission will be required to produce an annual report and annual accounts (see paragraphs 11 and 12 of Schedule 2), and will be subject to the jurisdiction of the Parliamentary Commissioner for Administration (see paragraph 17 of Schedule 2). Members of the Commission could be required to appear before the House of Commons Health Select Committee, and the Accounting Officer for the Commission may be required to attend before the House of Commons Public Accounts Committee.
177. Subsection (3) of section 19 introduces Schedule 2 to the Act. This Schedule makes additional, more detailed provisions regarding the Commission for Health Improvement. In particular it includes provisions in respect of the membership and staffing of the Commission and their remuneration, funding arrangements and reporting and accounts procedures.