
STATUTORY INSTRUMENTS

2008 No. 528

The Local Involvement Networks Regulations 2008

PART 4

Miscellaneous

Local involvement networks: referrals of social care matters

17. For the purposes of section 226(2)(a) of the Act, the time by which the duty under that section is to be performed is 20 working days beginning with the date on which the referral to which the duty applies was made.

Amendment of regulation 2 of the Local Authority (Overview and Scrutiny Committees Health Scrutiny Functions) Regulations 2002

18.—(1) Regulation 2 of the Local Authority (Overview and Scrutiny Committees Health Scrutiny Functions) Regulations 2002(1) is amended as follows.

(2) In paragraph (2)(c) for the words “Patients’ Forum pursuant to a referral under section 15(5) (a) of the 2002 Act” substitute “local involvement network or relevant person when that person refers a matter falling within paragraph (1) to the committee”.

(3) After paragraph (2) insert—

“(2A) Where a matter falling within paragraph (1) is referred to the overview and scrutiny committee by a local involvement network or a relevant person, the overview and scrutiny committee must—

- (a) acknowledge receipt of the referral within 20 working days beginning with the date on which the referral to which the duty applies was made; and
- (b) keep the referrer informed of any action taken in relation to the matter.”.

(4) After paragraph (3) insert—

“(4) For the purposes of this regulation—

- (a) a matter is referred by a local involvement network if it is referred by a local involvement network in the carrying-on of activities specified under section 221(2) of the 2007 Act in pursuance of arrangements made under section 221(1) of that Act;
- (b) a matter is referred by a relevant person if it is referred by a relevant person in the carrying-on of activities specified under section 221(2) of the 2007 Act in pursuance of arrangements made by a local authority to comply with the duty imposed by section 228(2) of that Act.

(5) In relation to a report or recommendation referred to an overview and scrutiny committee by a relevant person, the reference in paragraph (2A) to the “referrer” is, from

the relevant time in relation to that committee’s local authority, a reference to the relevant local involvement network.

(6) In this regulation—

“the 2007 Act” means the Local Government and Public Involvement in Health Act 2007;

“local involvement network” means a person who is to carry on activities specified under section 221(2) of the 2007 Act in pursuance of arrangements made under section 221(1) of that Act;

“the relevant local involvement network” means a local involvement network who pursuant to arrangements made under section 221(1) of the 2007 Act is to carry on activities to which the matter referred in paragraph (1) relates;

“relevant person” means a person carrying-on section 221 activities in pursuance of arrangements made by a local authority to comply with the duty imposed by section 228(2) of that Act;

“the relevant time” shall be construed in accordance with regulation 7 of the Local Involvement Networks Regulations 2008;

“working day” means any day other than a Saturday, a Sunday, Christmas Day, Good Friday or a day which is a bank holiday (in England) under the Banking and Financial Dealings Act 1971.”.

Consequential amendments

19. The Schedule (consequential amendments) has effect.