
STATUTORY INSTRUMENTS

2010 No. 279

**The National Health Service
(Quality Accounts) Regulations 2010**

Document assurance by commissioning Primary Care Trust or Strategic Health Authority

8.—(1) The provider must provide a copy of the draft relevant document to the commissioning Primary Care Trust or Strategic Health Authority within 30 days beginning with 1st April following the end of the reporting period.

(2) The commissioning Primary Care Trust or Strategic Health Authority must—

(a) take reasonable steps to check the accuracy of the information contained in the draft relevant document in relation to NHS services provided or sub-contracted by the provider under contracts, agreements or arrangements with that Primary Care Trust or Strategic Health Authority;

(b) provide a written statement, which is no longer than 500 words in length—

(i) confirming whether or not they consider the draft relevant document contains accurate information in relation to NHS services provided or sub-contracted by the provider under contracts, agreements or arrangements with that Primary Care Trust or Strategic Health Authority; and

(ii) containing any other information they consider relevant to the quality of NHS services provided or sub-contracted by the provider during the reporting period,

within 30 days beginning with the date the draft relevant document is received by the commissioning Primary Care Trust or Strategic Health Authority.

(3) For the purpose of this Regulation “commissioning Primary Care Trust or Strategic Health Authority” means—

(a) where the provider is a Primary Care Trust, the Strategic Health Authority for the area in which the Trust is established;

(b) where all the NHS services that the provider provides or sub-contracts are provided under contracts, agreements or arrangements with one Strategic Health Authority, but no Primary Care Trusts that Strategic Health Authority;

(c) where the provider provides or sub-contracts NHS services under contracts, agreements or arrangements with more than one Strategic Health Authority but no Primary Care Trusts, the Strategic Health Authority which is responsible for the largest number of patients to which the provider has provided NHS services during the reporting period;

(d) where all the NHS services that the provider provides or sub-contracts are provided under contracts, agreements or arrangements with one Primary Care Trust, that Primary Care Trust;

(e) where the provider provides or sub-contracts NHS services under contracts, agreements or arrangements with more than one Primary Care Trust and one or more of those Primary Care Trusts co-ordinates the commissioning of services by some or all of those Trusts (“a co-ordinating commissioning PCT”)—

(i) the co-ordinating commissioning Primary Care Trust, or

- (ii) where there is more than one co-ordinating commissioning PCT—
 - (aa) the co-ordinating commissioning PCT in the Strategic Health Authority area in which the provider is located which is responsible for the largest number of patients to which the provider has provided or sub-contracted NHS services during the reporting period, or
 - (bb) if there is no co-ordinating commissioning PCT in the Strategic Health Authority area in which the provider is located the co-ordinating commissioning PCT which is responsible for the largest number of patients to which the provider has provided or sub-contracted NHS services during the reporting period; or
- (f) where the provider provides or sub-contracts NHS services under contracts, agreements or arrangements to more than one Primary Care Trust and there is no co-ordinating commissioning PCT, the Primary Care Trust which is responsible for the largest number of patients to which the provider has provided NHS services during the reporting period.
- (4) A Primary Care Trust is responsible for a patient if the Trust must secure the provision of services for the benefit of that patient by virtue of—
 - (a) directions given by the Secretary of State under section 7 of the 2006 Act; or
 - (b) arrangements by Primary Care Trusts for the exercise of functions under regulation 10 of the 2002 Regulations.
- (5) A Strategic Health Authority is responsible for a patient if the authority must secure the provision of services for the benefit of that patient, by virtue of—
 - (a) directions given by the Secretary of State under section 7 of the 2006 Act; or
 - (b) arrangements by Strategic Health Authorities for the exercise of functions under regulation 9 of the 2002 Regulations.
- (6) For the purpose of this Regulation “the 2002 Regulations” means the National Health Service (Functions of Strategic Health Authorities and Primary Care Trusts and Administration Arrangements) (England) Regulations 2002(1).

(1) S.I. 2002/2375. Regulation 9 was amended by S.I. 2003/1497 and S.I.2004/865. Regulation 10 was amended by S.I. 2003/1497, S.I. 2004/865, S.I.2008/3166 and S.I. 2009/462.