



# Health Boards (Membership and Elections) (Scotland) Act 2009

## 2009 asp 5

### *Pilot scheme and action following pilot*

#### **5 Report on pilot scheme**

- (1) At least 2 but no later than 5 years after the earliest Health Board election to be held in a Health Board area specified in the pilot order, Ministers must publish a report containing—
  - (a) a description of the changes made to the 1978 Act by sections 1 to 3 and how the constitution of Health Boards was changed by those sections coming into force in the Health Board areas specified in the pilot order,
  - (b) a description of the Health Board elections held in the specified Health Board areas, and
  - (c) an evaluation (carried out by an independent person) of—
    - (i) the level of public participation in the Health Board elections,
    - (ii) whether having elected members on Health Boards led to increased engagement with patients and other members of the public or improved local accountability of the Health Board in the specified Health Board areas, and
    - (iii) the cost of holding the Health Board elections and the estimated cost of holding future Health Board elections in all Health Board areas.
- (2) The report may contain—
  - (a) such other information, and
  - (b) an evaluation of such other matters,as Ministers consider appropriate.
- (3) Ministers must appoint a person to carry out the evaluation referred to in subsection (1) (c) at least 3 months before the first Health Board election is held.
- (4) Ministers must lay a copy of the published report before the Scottish Parliament.
- (5) For the purposes of paragraph (c) of subsection (1), and without prejudice to the generality of that paragraph, a person is not independent if he or she is—

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*Status: This is the original version (as it was originally enacted).*

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- (a) an employee of any Health Board mentioned in the pilot order,
- (b) a member of any Health Board mentioned in the pilot order, or
- (c) a member of staff of the Scottish Administration.