



2009 CHAPTER 1

The Regional Board

Functions of the Regional Board

- 8.**—(1) The Regional Board shall exercise on behalf of the Department—
- (a) such functions as are transferred to it by section 24; and
 - (b) such other functions of the Department (including functions imposed under an order of any court) with respect to the administration of health and social care as the Department may direct.
- (2) The Regional Board must exercise its functions with the aim of—
- (a) improving the performance of HSC trusts, by reference to such indicators of performance as the Department may direct; and
 - (b) establishing and maintaining effective systems—
 - (i) for managing the performance of HSC trusts;
 - (ii) for commissioning health and social care;
 - (iii) for ensuring that resources are used in the most economic, efficient and effective way in commissioning such care.
- (3) The Regional Board must in respect of each financial year prepare and publish a document (“the commissioning plan”) setting out such details as the Department may direct concerning—
- (a) the health and social care which the Board is to commission in that year; and
 - (b) the costs to be incurred in that regard.
- (4) The Regional Board—

- (a) must, in drawing up the commissioning plan, consult the Regional Agency and have due regard to any advice or information provided by it; and
- (b) must not publish a commissioning plan unless it has been approved by the Regional Agency.

(5) The functions mentioned in subsection (1)(a) and any function conferred on the Regional Board by any other statutory provision (whenever passed or made) are deemed to be functions which the Department has directed the Regional Board to exercise under subsection (1)(b).

(6) For the purposes of carrying out its functions the Regional Board may, on behalf of the Department, exercise the Department's general power under section 3.

(7) It is the duty of the Regional Board to carry out its functions in the manner which it considers is best calculated to discharge the Department's general duty under section 2(1).

(8) Subsections (6) and (7) apply subject to any directions given to the Regional Board by the Department under section 6.