

EXPLANATORY MEMORANDUM TO
THE NHS INSTITUTE FOR INNOVATION AND IMPROVEMENT REGULATIONS
2005

2005 No. 1447

1. This explanatory memorandum has been prepared by the Department of Health and is laid before Parliament by Command of Her Majesty.

This memorandum does not contain information for the Joint Committee on Statutory Instruments.

2. **Description**

These Regulations make provision concerning the membership and procedure of the NHS Institute for Innovation and Improvement, a Special Health Authority established under the National Health Service Act 1977 by the NHS Institute for Innovation and Improvement (Establishment and Constitution) Order 2005.

In particular, these Regulations provide for the appointment and tenure of office of the chairman and members of the Institute (regulation 2), for disqualification for appointment (regulations 3 and 4) and for the termination of office (regulation 5). Also included is provision relating to the appointment of a vice-chairman (regulation 6), the appointment of, and exercise of functions by, committees and sub-committees (regulations 7 and 8), the conduct of proceedings (regulation 9 and the Schedule) and disability on account of a conflict of interest (regulation 10).

Provision is also made for requiring the Institute to furnish reports and certain other information to the Secretary of State (regulation 11) and for requiring presentation of an annual report at a public meeting (regulation 12).

3. **Matters of special interest to the Joint Committee on Statutory Instruments**

None.

4. **Legislative Background**

These Regulations are made by the Secretary of State for Health in exercise of the powers conferred by sections 16(4) and 126(4) of, and paragraphs 10(1), 12 and 16 of Schedule 5 to, the National Health Service Act 1977, and of all other powers enabling her in that behalf.

5. **Extent**

This instrument applies to England.

6. European Convention on Human Rights

The Rt Hon Jane Kennedy MP has made the following statement regarding Human Rights:

In my view the provisions of the NHS Institute for Innovation and Improvement Regulations 2005 are compatible with the Convention rights.

7. Policy background

The decision to pursue the establishment of an NHS Institute was taken by Ministers following the review of the Department of Health's Arm's Length Bodies (ALBs) which aims to reduce the overall number of such bodies by almost half by 2007/8. The mission of the NHS Institute will be to support the NHS and its workforce in accelerating the delivery of world-class health and healthcare by encouraging innovation and developing capability at the frontline.

8. Impact

A Regulatory Impact Assessment has not been prepared for this instrument as it has no impact on business, charities or voluntary bodies.

The impact on the public sector is as follows. There will be a budget in 2005/6 of £80m for the NHS Institute and related activities, a headcount of up to 170. The NHS Institute will work closely with patients, clinicians, NHS organisations, the independent sector, the public, academia and industry in the UK and world-wide to identify best practice. It will support the rapid adoption and spread of new ideas by providing guidance on practical change ideas and ways to facilitate local, safe and swift implementation.

9. Contact

Paul Macnaught at the Department of Health Tel: 7210 5332 or e-mail: paul.macnaught@dh.gsi.gov.uk can answer any queries regarding the instrument.