
EXPLANATORY NOTE

(This note is not part of the Order)

This Order is the fourth commencement order under the [Local Government and Public Involvement in Health Act 2007](#) (“the Act”) (c.28).

Article 2(1) provides that 21st February 2008 is the appointed day for the coming into force of sections 223, 224, 226(6), 228(3) to (8) and 243 of the Act.

Section 223 requires the Secretary of State to make regulations as to the matters that local authority arrangements must require are included in the local involvement network arrangements made pursuant to the duty on the local authority under section 221(1) of the Act.

Section 224 allows the Secretary of State by regulations to impose duties on services-providers to respond to requests for information by local involvement networks and to deal with reports and recommendations made by local involvement networks.

Section 226(6) allows the Secretary of State to set out in regulations the time by which an overview and scrutiny committee of a local authority must acknowledge receipt of a referral relating to social care services made by a local involvement network.

Section 228(3) to (8) allows the Secretary of State to make regulations relating to the temporary duty imposed on local authorities under section 228(1) of the Act.

Section 243 allows the Secretary of State to make orders that amend or repeal certain enactments and amend or revoke certain subordinate legislation provided that the amendments, repeals or revocations are supplemental or consequential to the Act.

Article 2(2) provides that 10th March 2008 is the appointed day for the coming into force of section 227 of the Act relating to annual reports, but only in so far as it provides for the Secretary of State to give directions about the contents of such reports.

Article 2(3) provides that 1st April 2008 is the appointed day for the coming into force of sections 116, 221, 222, 226 (in so far as it is not already in force), 227 (in so far as it is not already in force), 228 (in so far as it is not already in force), 230, 231, 232(1) (partially) and 241 (partially) of, and Part 18 of Schedule 18 (partially) to, the Act.

Section 116 provides that local authorities with social services functions are required to prepare, in conjunction with Primary Care Trusts, joint strategic needs assessments of health and social care.

Sections 221 and 222 impose a duty on each local authority to make arrangements to ensure that local involvement network activities are carried on in their area and make provision regarding those arrangements. Section 227 makes provisions regarding the annual reports to be required by those arrangements. Section 226 imposes duties on an overview and scrutiny committee of a local authority where a local involvement network has referred a matter relating to social care services to that committee. Section 228 imposes a temporary duty on local authorities to ensure the carrying on of the activities set out in section 221(2) of the Act.

Sections 230 and 231 provide for the abolition of Patients’ Forums. Section 232 comes into force in so far as it omits certain functions of the Commission for Patient and Public Involvement in Health (“CPPIH”) relating to Patients’ Forums. Section 241 and Part 18 of Schedule 18 provide for repeals of provisions that relate to the abolition of Patients’ Forums and CPPIH’s functions in relation to Patients’ Forums.

Status: *This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

Article 2(4) provides that 30th June 2008 is the appointed day for the coming into force of sections 232 and 241 (partially) of, and Part 18 of Schedule 18 to, the Act in so far as these provisions are not already in force. These provisions provide for the abolition of CPPIH.