

---

STATUTORY INSTRUMENTS

---

**2013 No. 351**

**The Local Authorities (Public Health Functions and Entry to Premises by Local Healthwatch Representatives) Regulations 2013**

**PART 2**

**PUBLIC HEALTH FUNCTIONS**

**Health check assessment**

4.—(1) In the exercise of its functions under section 2B of the Act<sup>(1)</sup> (functions of local authorities and Secretary of State as to improvement of public health), each local authority shall provide, or shall make arrangements to secure the provision of, health checks to be offered to eligible persons in its area.

(2) Subject to paragraph (5), in this regulation, an eligible person is a person in the local authority's area who is aged from 40 to 74 years.

(3) Each eligible person shall be offered a health check once in every relevant period.

(4) For the purposes of this regulation, the relevant period is—

- (a) in the case of a person who is an eligible person on the date that this Part comes into force,
  - (i) the period of five years starting with that date, and
  - (ii) each subsequent period of five years starting on the date on which the previous health check was offered;
- (b) in the case of a person who becomes an eligible person (whether or not that person has ever previously been an eligible person) on a date after the date that this Part comes into force,
  - (i) the period of five years starting with the date on which the person becomes an eligible person, and
  - (ii) each subsequent period of five years starting on the date on which the previous health check was offered.

(5) Any person of a description specified in this paragraph shall not be an eligible person for the purposes of this regulation—

- (a) a person who has been diagnosed with any of the following—
  - (i) coronary heart disease,
  - (ii) chronic kidney disease (CKD), being CKD which has been classified as stage 3, 4 or 5 CKD within the meaning of the National Institute for Health and Clinical Excellence clinical guideline 73 on Chronic Kidney Disease, published September 2008<sup>(2)</sup>,

---

<sup>(1)</sup> Section 2B of the 2006 Act is inserted by section 12 of the 2012 Act.

<sup>(2)</sup> Published by the National Institute for Health and Clinical Excellence, a Special Health Authority established under section 28 of the 2006 Act, at London, England. Copies are available from <http://www.nice.org.uk>.

- (iii) diabetes,
  - (iv) hypertension,
  - (v) atrial fibrillation,
  - (vi) transient ischaemic attack,
  - (vii) hypercholesterolaemia,
  - (viii) heart failure,
  - (ix) peripheral arterial disease,
  - (x) stroke;
- (b) a person who is being prescribed statins for the purpose of lowering cholesterol;
  - (c) a person who has been assessed, either through a previous NHS health check or through any other check undertaken through the health service in England, as having a twenty per cent or higher risk of having a cardiovascular event during the ten years following the check.
- (6) In discharging the requirement under paragraph (1), the local authority shall act with a view to securing continuous improvement in the percentage of eligible persons in its area participating in the health checks.