

**2023 No. 711**

**NATIONAL HEALTH SERVICE, ENGLAND**

**The St. Helens and Knowsley Hospital Services National Health Service Trust (Establishment) (Amendment) Order 2023**

*Made* - - - - *26th June 2023*

*Coming into force* *1st July 2023*

The Secretary of State for Health and Social Care makes the following Order in exercise of the powers conferred by sections 25(1), 272(7) and (8) and 273(1) of the National Health Service Act 2006<sup>(a)</sup>.

In accordance with section 25(3) of that Act, the Secretary of State has completed the consultation prescribed by regulations<sup>(b)</sup> made under that section.

**Citation, commencement, interpretation and extent**

**1.**—(1) This Order may be cited as the St. Helens and Knowsley Hospital Services National Health Service Trust (Establishment) (Amendment) Order 2023 and comes into force on 1st July 2023.

(2) In this Order, “the Establishment Order” means the St. Helens and Knowsley Hospital Services National Health Service Trust (Establishment) Order 1990<sup>(c)</sup>.

(3) This Order extends to England and Wales.

**Change of name and savings**

**2.**—(1) For article 1(2) of the Establishment Order (citation, commencement and interpretation) substitute—

“(2) In this Order, “the trust” means the Mersey and West Lancashire Teaching Hospitals NHS Trust established by article 2 of this Order.”.

(2) In article 2 of the Establishment Order (establishment of the trust), for “St. Helens and Knowsley Hospital Services National Health Service Trust” substitute “Mersey and West Lancashire Teaching Hospitals NHS Trust”.

(3) The change of name effected by paragraphs (1) and (2) does not—

(a) affect any right or obligation of any person; or

(b) invalidate any instrument (whether made before, on or after the day on which this Order comes into force) which refers to the St. Helens and Knowsley Hospital Services National

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(a) 2006 c. 41.

(b) S.I. 2010/743, to which there are amendments not relevant to this Order. The prescribed consultation under regulation 2(2) of S.I. 2010/743 is, before making an order under section 25(1) of the National Health Service Act 2006 in relation to an NHS trust, consultation by the Secretary of State with that NHS trust.

(c) S.I. 1990/2446; as amended by S.I. 1999/632 and 2013/593.

Health Service Trust, and all instruments or other documents which refer to that name must be construed as referring to the Mersey and West Lancashire Teaching Hospitals NHS Trust.

### **Change to nature and functions of the trust**

3. For article 3 of the Establishment Order (nature and functions of the trust) (including the heading), substitute—

#### **“Functions of the trust**

3. The trust’s functions are to provide goods and services for the purposes of the health service.”.

### **Change of requirements relating to directors**

4. For article 4 of the Establishment Order (directors of the trust) substitute—

“4.—(1) The trust must have, in addition to the chairman, 6 non-executive directors and 5 executive directors.

(2) Since the trust is to be regarded as having a significant teaching commitment within the meaning of paragraph 5(1)(d) of Schedule 4 to the National Health Service Act 2006, one of the non-executive directors must be appointed from the University of Liverpool.”.

### **Removal of specification of “operational date”**

5. For article 5 of the Establishment Order (operational date and accounting date of the trust) (including the heading), substitute—

#### **“Accounting date of the trust**

5. The accounting date of the trust is 31st March.”.

### **Revocation of provisions**

6. Article 6 (limited functions before operational date) and article 7 (assistance by health authorities before operational date) of the Establishment Order are revoked.

Signed by authority of the Secretary of State for Health and Social Care.

26th June 2023

*Will Quince*  
Minister of State,  
Department of Health and Social Care

### **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order amends the St. Helens and Knowsley Hospital Services National Health Service Trust (Establishment) Order 1990, which established the St. Helens and Knowsley Hospital Services National Health Service Trust.

Article 2 changes the name of the trust to the Mersey and West Lancashire Teaching Hospitals NHS Trust.

Article 3 sets out the functions of the trust as being to provide goods and services for the purposes of the health service.

Article 4 increases the number of non-executive directors, in addition to the chairman, from 5 to 6 and requires that one of these non-executive directors is appointed from the University of Liverpool.

Article 5 omits the specification of the trust’s “operational date” as it is of no on-going relevance.

Article 6 revokes articles 6 and 7 of the Establishment Order as they relate to the period before the operational date and are of no on-going relevance.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

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