

SCHEDULE 1

Consequential Repeals and Amendments to Primary Legislation

National Health Service Act 2006

9.—(1) The 2006 Act is amended as follows.

(2) In section 1F(2) (duty as to education and training)(1), for “Health Education England” substitute “NHS England”.

(3) In section 1GA(2) (Secretary of State’s duty to report on workforce systems)(2), omit “and Health Education England”.

(4) In section 9(4) (NHS contracts)(3), omit paragraph (kc).

(5) In section 13J (duty to obtain appropriate advice)(4)—

(a) the existing text becomes subsection (1);

(b) after subsection (1), insert—

“(2) Subsection (1) does not apply in relation to NHS England’s education and training functions (see section 102 of the Care Act 2014 for the obtaining of advice in relation to those functions).”.

(6) In section 13M (duty as to promoting education and training)(5)—

(a) after “functions” insert “other than its education and training functions”;

(b) omit “the Secretary of State and Health Education England”.

(7) In section 13N (duty as to promoting integration)(6), after subsection (2) insert—

“(2A) Subsections (1) and (2) do not apply in relation to the exercise of NHS England’s education and training functions.”.

(8) After section 13P (duty as respects variation in provision of health services), insert—

“Duty to cooperate for education and training functions and specified functions

13PA.—(1) NHS England must, in exercising its education and training functions, co-operate with the Secretary of State in the exercise of the public health functions of the Secretary of State.

(2) Regulations may require NHS England and a person specified in those regulations to co-operate with each other in the exercise of—

(a) NHS England’s education and training functions;

(b) the functions of the specified person;

(c) such of the functions in paragraphs (a) or (b) as may be specified.”.

(9) In section 13U(2) (annual report)(7)—

(1) Section 1F was inserted by section 7 of the Health and Social Care Act 2012 (c. 7). Subsection (2) was amended by section 97(4)(a) of the Care Act 2014.

(2) Section 1GA was inserted by section 41 of the Health and Care Act 2022.

(3) Paragraph (kc) of subsection (4) was inserted by paragraph 16 of Schedule 5 to the Care Act 2014. There are other amendments to subsection (4) but none is relevant.

(4) Section 13J was inserted by section 23(1) of the Health and Social Care Act 2012, and amended by paragraph 1(1) of Schedule 1 to the Health and Care Act 2022.

(5) Section 13M was inserted by section 23(1) of the Health and Social Care Act 2012, and amended by section 97(4)(b) of the Care Act 2014 and paragraph 1(1) of Schedule 1 to the Health and Care Act 2022.

(6) Section 13N was inserted by section 23(1) of the Health and Social Care Act 2012. There are amendments but none is relevant.

(7) Section 13U was inserted by section 23(1) of the Health and Social Care Act 2012. Subsection (2) was amended by sections 4(5) and 7(4) of the Health and Care Act 2022, and by [S.I. 2023/98](#).

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- (a) omit the “and” after paragraph (c);
 - (b) at the end of paragraph (d), insert—
 - “, and
 - (e) how effectively it has discharged its education and training functions including, in particular, the extent to which it has during the year achieved the outcomes set by the Secretary of State for the purpose of section 100(2) of the Care Act 2014.”.
- (10) In section 13YA (power of NHS England to provide assistance and support)(**8**)—
- (a) in subsection (1), after paragraph (b) insert—
 - “(c) any public authority, where the assistance or support is in relation to the education or training of health care workers.”;
 - (b) after subsection (1), insert—
 - “(1A) In subsection (1), “health care workers” means persons in relation to whom the Secretary of State’s duty under section 1F(1) is to be performed.”;
 - (c) in subsection (2), for “subsection (1)(a) or (b)” substitute “subsection (1)”;
 - (d) for subsection (3), substitute—
 - “(3) The assistance that may be provided under subsection (1)(a) or (c), or that may be provided under subsection (1)(b) to integrated care boards, also includes financial assistance.”;
 - (e) after subsection (4), insert—
 - “(5) In this section, a reference to a public authority—
 - (a) includes a public authority in the Channel Islands or the Isle of Man, but
 - (b) subject to that, does not include a reference to a public authority outside the United Kingdom.”.
- (11) In section 14Z41 (duty to promote education and training)(**9**), for “Health Education England” substitute “NHS England”.
- (12) In section 71(2) (schemes for meeting losses and liabilities etc of certain health service bodies)(**10**), omit paragraph (dc).
- (13) In section 72 (co-operation between NHS bodies)(**11**), omit subsection (4).
- (14) In section 247C (Secretary of State’s duty to keep health service functions under review)(**12**), in subsection (2), omit paragraph (ea).
- (15) In section 275 (interpretation), after the definition of “dental practitioner”, insert—
 - ““education and training functions”, in relation to NHS England, means the functions conferred on it—
 - (a) by section 296A of the Health and Social Care Act 2012(**13**) or under arrangements made under that section, or
 - (b) by or under Chapter 1 of Part 3 of the Care Act 2014.”.

(**8**) Section 13YA was inserted by section 12 of the Health and Care Act 2022.

(**9**) Section 14Z41 was inserted by section 25(2) of the Health and Care Act 2022.

(**10**) Subsection (2) was amended by paragraph 24(3) of Schedule 5 to the Care Act 2014. There are other amendments but none is relevant.

(**11**) Subsection (4) was inserted by paragraph 15(2) of Schedule 5 to the Care Act 2014. There are other amendments but none is relevant.

(**12**) Section 247C was inserted by section 52 of the Health and Social Care Act 2012. Paragraph (ea) of subsection (2) was inserted by paragraph 13(8) of Schedule 5 to the Care Act 2014. There are other amendments but none is relevant.

(**13**) [2012 c. 7](#). Section 296A is inserted by paragraph 12(3) of Schedule 1 to these Regulations.

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