

# NATIONAL HEALTH SERVICE, ENGLAND

## The NHS Business Services Authority (Hosting and Shared Services) Directions 2013

The Secretary of State gives these directions in exercise of the powers conferred by sections 7, 8, 81(3), 272(7) and (8) and 273(1) of, and paragraph 3(12) of Schedule 6 to, the National Health Service Act 2006(a).

### Application, commencement and interpretation

1.—(1) These Directions are given to the NHS Business Services Authority (Awdurdod Gwasanaethau Busnes y GIG)(b) and come into force on 1st April 2013.

(2) These Directions apply in relation to England only.

(3) In these Directions—

“the Act” means the National Health Service Act 2006;

“the Authority” means the NHS Business Services Authority (Awdurdod Gwasanaethau Busnes y GIG).

### Functions of the Authority in relation to hosting and shared services

2. The Authority must—

- (a) exercise the functions in relation hosting and shared services specified in paragraphs 1 and 4 of the Schedule; and
- (b) act in accordance with the directions set out in paragraphs 2, 3, 5 and 6 of that Schedule.

### Revocation of provisions of the 2006 Directions

3. The following provisions of the NHS Business Services Authority (Awdurdod Gwasanaethau Busnes y GIG) Directions 2006(c) are revoked—

- (a) direction 13 (functions of the Authority in relation to hosting and shared services); and
- (b) Schedule 2 (functions of the Authority in relation to hosting and shared services).

Signed by authority of the Secretary of State for Health

March 2013

Member of the Senior Civil Service  
Department of Health

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- (a) 2006 c. 41. The powers exercised by the Secretary of State in giving these Directions are exercisable only in relation to England by virtue of section 271(1) of that Act. Section 7 was amended by section 12 of the Health and Social Care Act 2012 (c. 7) (“the 2012 Act”); section 8 was amended by paragraph 5 of Schedule 4 to the 2012 Act; section 81 was amended by paragraph 29 of Schedule 4 to the 2012 Act; paragraph 3(12) of Schedule 6 was amended by paragraph 23(3) of Schedule 4 to the 2012 Act.
  - (b) The NHS Business Services Authority (Awdurdod Gwasanaethau Busnes y GIG) was established by S.I. 2005/2414, as amended by S.I. 2006/232 and 2007/1201.
  - (c) The Directions were made in March 2006 and there are no relevant amending directions. The directions are available at [http://webarchive.nationalarchives.gov.uk/20120405095111/http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsLegislation/DH\\_084211](http://webarchive.nationalarchives.gov.uk/20120405095111/http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsLegislation/DH_084211)

## Functions of the Authority in relation to Hosting and Shared Services

## PART 1

## Assistance to the Secretary of State

1. The Authority must assist the Secretary of State in the exercise of any of the Secretary of State's functions under the Act which are discharged by the Secretary of State through the Directorates of the Department of Health.

2. The Authority must exercise functions under paragraph 1 in accordance with any protocol which may be agreed between the Department and the Authority in respect of the exercise of any particular function.

3. The Authority must make arrangements for the officers it employs in the exercise of functions under paragraph 1 to act in the performance of those functions, so far as reasonably practicable, as though their services had been placed at the disposal of the Secretary of State.

## PART 2

## Assistance to other bodies

4. The Authority must, in particular in exercise of the Secretary of State's powers under sections (a)

- (a) the National Health Service Commissioning Board;
- (b) the Health Research Authority(b).
- (c) the National Health Service Trust Development Authority(c); and
- (d) Health Education England(d).

5. The Authority must make arrangements for the officers it employs in the exercise of functions under paragraph 4 to act in the performance of those functions, so far as reasonably practicable, as though their services had been placed at the disposal of the body which the Authority is assisting.

6. Where the National Health Service Commissioning Board makes arrangements with a local authority pursuant to section 80 of the Act for the provision of commissioning support services to the local authority, the Authority must make the services of officers it employs in the exercise of functions under paragraph 4, in so far as they relate to assisting the Board in providing commissioning support, available to the local authority for that purpose.

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(a) Section 80 was amended by paragraph 28 of Schedule 4 to the 2012 Act.  
(b) Established by S.I. 2011/2323, as amended by S.I. 2012/1109.  
(c) Established by S.I. 2012/901, as amended by S.I. 2013/260.  
(d) Established by S.I. 2012/1273.