

## 2026 No. 1

# The NHS Business Services Authority (Awdurdod Gwasanaethau Busnes y GIG) Adult Social Care Learning and Development Programme Directions 2026

19th March 2026

The Secretary of State for Health and Social Care, in exercise of the powers conferred by sections 153(2) and (5), and 161(3) and 161(4) of the Health and Social Care Act 2008(a), makes the following Directions.

### **Citation, application, commencement and interpretation**

1.—(1) These Directions may be cited as the NHS Business Services Authority (Awdurdod Gwasanaethau Busnes y GIG)(b) Adult Social Care Learning and Development Programme Directions 2026.

(2) These Directions apply to England only and come into force on the day after the day on which they were made.

(3) In these Directions -

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

“DHSC” means the Department of Health and Social Care;

“the Programme” means a series of schemes under the Adult Social Care Learning and Development Programme established by the Secretary of State to administer funds provided under section 149(1A) of the Health and Social Care Act 2008.

### **Functions of the Authority**

2.—(1) The Secretary of State directs the Authority to exercise the Secretary of State’s functions in relation to financial assistance provided under section 149(1A) of the Health and Social Care Act 2008 in relation to the Programme.

(2) The Secretary of State directs the Authority to exercise the Secretary of State’s functions in accordance with such instructions as the Secretary of State may issue from time to time.

(3) The Secretary of State directs the Authority to exercise the following functions of the Secretary of State in relation to the operation and the administration of the Programme—

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(a) 2008 c. 14; section 161(3) was amended by section 294(4) of the Health and Social Care Act 2012 (c. 7).

(b) Established by S.I 2005/2414, amended by S.I 2006/632 and S.I 2007/1201; there are other amending instruments but none is relevant.

- (a) designing, building, testing and establishing appropriate application services for the purpose of making payments under the Programme;
- (b) operating and maintaining systems for the purpose of administering the Programme;
- (c) administering the Programme, including but not limited to—
  - (i), developing, providing and operating information and communication systems to operate the Programme;
  - (ii) receiving claims and administering payments under the Programme;
  - (iii) verifying and determining claims for payment and/or reimbursement made by claimants in accordance with eligibility criteria set from time by the Secretary of State;
  - (iv) providing payments to claimants who are entitled to a payment under the Programme;
  - (v) establishing a procedure for the review of determined claims;
  - (vi) implementing quality assurance processes;
  - (vii) dealing with complaints about the Programme in accordance with the Authority's published complaints (c);
  - (viii) taking all reasonable steps in accordance with the Authority's standard procedures to recover payments made in error or by reason of fraud;
  - (ix) taking all reasonable action for the purpose of preventing or detecting fraudulent claims for payments by any persons; and
  - (x) investigating any suspected or fraudulent claims in accordance with the Authority's fraud management procedures.

### **Legal advice, policies and guidance**

3.—(1) In exercising the functions referred to in paragraph 2, the Authority must act in accordance with this paragraph.

(2) The Authority must have regard to such policies, legal advice or guidance of the Secretary of State as the Secretary of State may notify the Authority of in writing from time to time.

(3) The Authority must seek timely legal advice in connection with—

- (a) the administration or operation of the Programme, including the interpretation of the legislation and procedures relating to the operation and administration of the Programme; and
- (b) the conduct of litigation relating to the administration or operation of the Programme whether actual or threatened.

(4) The Authority must notify the Secretary of State as soon as is reasonably practicable of any matters (including actual or threatened litigation) in relation to the Programme which may—

- (a) challenge or cast doubt on the existing legislation, its application, interpretation or powers under which the Programme is operating; or
- (b) raise issues of financial or public policy in relation to the Programme.

(5) Where the Authority notifies the Secretary of State of a matter in accordance with sub-paragraph (4) it must—

- (a) consult with the Secretary of State about the conduct of the matter; and

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(c) <https://www.nhsbsa.nhs.uk/contact-us/complaints>. Hard copies may be obtained from NHS Business Services Authority, Stella House, Goldcrest Way, Newburn Riverside, Newcastle upon Tyne NE15 8NY.

- (b) ensure that the Secretary of State is kept informed of developments in, and the progress of, the matter.

### **Record-keeping**

4. The Authority must keep and maintain records relating to the exercise of the functions in paragraph 2, including—

- (a) all applications for payments under the Programme and decisions made on those applications;
- (b) all applications for reviews under the Programme and decisions made on those applications;
- (c) documents relating to any actual or threatened litigation;
- (d) complaints made by any person and decisions made on those complaints; and
- (e) any other information necessary to perform its functions as requested by DHSC.

### **Reports**

5. The Authority must provide to the Secretary of State monthly written reports of the operation of the Programme.

### **Review, revocation and suspension of Directions**

6.—(1) The Secretary of State may review these Directions as the Secretary of State considers appropriate.

(2) The Authority must operate the Programme and exercise the functions referred to in paragraph 2 unless and until—

- (a) these Directions are revoked or amended by a further direction; or
- (b) the Authority is instructed in writing by an officer of DHSC authorised by the Secretary of State, giving reasonable notice to suspend or permanently cease a function.

(3) The NHS Business Services Authority (Awdurdod Gwasanaethau Busnes y GIG) Adult Social Care Learning and Development Support Scheme Directions 2024 are revoked.

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



**STEPHEN KINNOCK**

**MINISTER OF STATE FOR CARE**

19/03/2026

