



Health and Care Act 2022

2022 CHAPTER 31

PART 1

HEALTH SERVICE IN ENGLAND: INTEGRATION, COLLABORATION AND OTHER CHANGES

NHS England

8 NHS England: wider effect of decisions

After section 13N of the National Health Service Act 2006 insert—

“13NA Duty to have regard to wider effect of decisions

- (1) In making a decision about the exercise of its functions, NHS England must have regard to all likely effects of the decision in relation to—
- (a) the health and well-being of the people of England;
 - (b) the quality of services provided to individuals—
 - (i) by relevant bodies, or
 - (ii) in pursuance of arrangements made by relevant bodies,for or in connection with the prevention, diagnosis or treatment of illness, as part of the health service in England;
 - (c) efficiency and sustainability in relation to the use of resources by relevant bodies for the purposes of the health service in England.
- (2) In subsection (1)—
- (a) the reference to a decision does not include a reference to a decision about the services to be provided to a particular individual for or in connection with the prevention, diagnosis or treatment of illness;
 - (b) the reference to effects of a decision in relation to the health and well-being of the people of England includes a reference to its effects in relation to inequalities between the people of England with respect to their health and well-being;

Changes to legislation: There are currently no known outstanding effects for the Health and Care Act 2022, Section 8. (See end of Document for details)

- (c) the reference to effects of a decision in relation to the quality of services provided to individuals includes a reference to its effects in relation to inequalities between individuals with respect to the benefits that they can obtain from those services.
- (3) In discharging the duty under this section, NHS England must have regard to guidance published by it under section [13NB](#).
- (4) In this section “relevant bodies” means—
- (a) NHS England,
 - (b) integrated care boards,
 - (c) NHS trusts established under section 25, and
 - (d) NHS foundation trusts.

13NB Guidance about discharge of duty

- (1) NHS England may publish guidance about the discharge of—
- (a) the duty imposed on it by section [13NA](#);
 - (b) the duty imposed on integrated care boards by section [14Z43](#);
 - (c) the duty imposed on NHS trusts by section [26A](#);
 - (d) the duty imposed on NHS foundation trusts by section [63A](#).
- (2) NHS England must consult any persons NHS England considers it appropriate to consult—
- (a) before first publishing guidance under this section, and
 - (b) before publishing any revised guidance containing changes that are, in the opinion of NHS England, significant.”

Commencement Information

- I1** S. 8 not in force at Royal Assent, see [s. 186\(6\)](#)
- I2** S. 8 in force at 1.7.2022 by [S.I. 2022/734](#), reg. 2(a), [Sch.](#) (with regs. 13, 29, 30)

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