

SCHEDULE 1

Consequential Repeals and Amendments to Primary Legislation

Care Act 2014

13.—(1) The 2014 Act is amended as follows.

(2) In section 6 (co-operating generally), after subsection (1) insert—

“(1A) Subsection (1) does not apply in relation to the exercise by NHS England of its functions under Chapter 1 of Part 3.”.

(3) For the heading of Chapter 1 of Part 3, substitute “The Education and Training Functions of NHS England”.

(4) Omit section 96 (Health Education England).

(5) In section 97 (planning education and training for health care workers etc.)—

(a) in subsections (1), (2), (5), (6) and (8), in each place it occurs, for “HEE” substitute “NHS England”;

(b) omit subsection (4);

(c) in subsection (9), for “HEE’s” substitute “NHS England’s”.

(6) In section 98(1) (ensuring sufficient skilled health care workers for the health service)—

(a) for “HEE” substitute “NHS England”;

(b) after “its functions” insert “under this Chapter”.

(7) In section 99 (quality improvement in education and training, etc.)—

(a) in subsection (1)—

(i) for “HEE” substitute “NHS England”;

(ii) after “its functions” insert “under this Chapter”;

(iii) omit paragraph (b);

(b) omit subsections (2), (3) and (5);

(c) in subsection (4)—

(i) for “HEE” substitute “NHS England”;

(ii) after “its functions” insert “under this Chapter”.

(8) In section 100 (objectives, priorities and outcomes)(1)—

(a) omit subsection (1);

(b) for subsection (2) substitute—

“(2) The Secretary of State must publish a document (called the “Education Outcomes Framework”) setting outcomes for NHS England to achieve in relation to the education and training to be provided for health care workers.

(2A) In setting those outcomes, the Secretary of State must have regard to any objectives that are specified in the mandate published under section 13A of the National Health Service Act 2006(2) and that relate to the education and training of health care workers.”;

(c) in subsection (3), omit “(1) or”;

(1) Subsection (4) was amended by section 90(3) of the Health and Care Act 2022.

(2) Section 13A was inserted by section 23(1) of the Health and Social Care Act 2012 and amended by section 4(2) of, paragraphs 1(1) and 8 of Schedule 1 and paragraph 96 of Schedule 4 to the Health and Care Act 2022.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (d) for subsection (4), substitute—
 - “(4) NHS England must publish a document which—
 - (a) specifies—
 - (i) the objectives and priorities that NHS England has set, for the period specified in the document, for the planning and delivery of education and training for health care workers, and
 - (ii) how it proposes to achieve those objectives,
 - (b) specifies—
 - (i) the outcomes that NHS England expects to achieve in relation to the education and training of health care workers during that period having regard to those objectives and priorities, and
 - (ii) how it proposes to achieve those outcomes, and
 - (c) specifies how NHS England proposes to achieve the outcomes set by the Secretary of State in accordance with subsection (2).”;
- (e) in subsection (5), for “HEE” substitute “NHS England”;
- (f) in subsection (6)—
 - (i) for “HEE” substitute “NHS England”;
 - (ii) for “subsections (1) and (2)” substitute “subsection (2) and any objectives specified for it in the mandate published under section 13A of the National Health Service Act 2006 that relate to the education and training of health care workers”;
- (g) in subsection (8), in both places it occurs, for “HEE” substitute “NHS England”;
- (h) in subsection (9), for “HEE” substitute “NHS England”;
- (i) in subsection (10)—
 - (i) in both places it occurs, for “HEE” substitute “NHS England”;
 - (ii) in paragraph (a), omit “(1),”.
- (9) In section 101 (sections 98 and 100: matters to which HEE must have regard)(3)—
 - (a) in the heading, for “HEE” substitute “NHS England”;
 - (b) in subsection (1)—
 - (i) in the words before paragraph (a), for “HEE” substitute “NHS England”;
 - (ii) omit paragraphs (d) and (f);
 - (iii) in paragraph (g), for “section 100(1), (2) or (3)” substitute “section 100(2) or (3)”;
 - (c) for subsection (2) substitute—
 - “(2) In subsection (1)—
 - “health provision”, “health-related provision” and “care and support provision” each have the same meaning as in section 3;
 - “health services” means health services provided as part of the health service.”.
- (10) In section 102 (advice)—
 - (a) in subsection (1)—
 - (i) in both places it occurs, for “HEE” substitute “NHS England”;
 - (ii) after “its functions” insert “under this Chapter”;

(3) Paragraph (f) of subsection (1) was amended by paragraph 1(1) of Schedule 1 to the Health and Care Act 2022.

- (b) in subsections (2) and (3), for “HEE” substitute “NHS England”;
- (c) in subsection (4)—
 - (i) for “HEE” substitute “NHS England”;
 - (ii) after “its functions” insert “under this Chapter”.
- (11) In section 108 (tariffs)(4), in subsection (9), for “HEE” substitute “NHS England”.
- (12) In section 118 (transfer orders), in subsection (1) omit “section 96 (establishment of Health Education England) or”.
- (13) In section 119 (Chapters 1 and 2: interpretation and supplementary provision)(5), in the table in subsection (1)—
 - (a) in the second column of the entry relating to “health services”, for “Section 99” substitute “Section 101”;
 - (b) omit the entry relating to “HEE”.
- (14) In section 125 (regulations and orders), in subsection (6), omit paragraph (a).
- (15) In section 126 (general interpretation), in the definition of “financial year”, omit “, paragraph 19 of Schedule 5”.
- (16) In section 128 (extent and application), in subsection (3), omit paragraph (h).
- (17) Omit Schedule 5 (Health Education England).

(4) Subsection (9) was amended by section 90(5) of the Health and Care Act 2022.

(5) The table in subsection (1) was amended by section 90(6) of the Health and Care Act 2022.