

EXPLANATORY MEMORANDUM TO THE

National Clinical Assessment Authority (Establishment and Constitution) Amendment Order 2004 No.2147

1. This explanatory memorandum has been prepared by the Department of Health and is laid before Parliament by Command of Her Majesty.
2. **Description**
 - 2.1 This Order changes the constitution of the National Clinical Assessment Authority so that, in addition to the Medical Director and Chief Executive, the Authority may have up to 3 officer members rather than up to 2 officer members.
3. **Matters of special interest to the Joint Committee on Statutory Instruments.**
 - 3.1 None
4. **Legislative Background**
 - 4.1 The National Clinical Assessment Authority is a Special Health Authority established under section 11 of the National Health Services Act 1977. The constitution of the Authority is set out in article 4 of the National Clinical Assessment Authority (Establishment and Constitution) Order 2000 (SI 2000/2961). Paragraph (d) allows the Authority to have up to two officer members of the board, in addition to the Medical Director/Chief Executive. This Amendment Order allows for up to three officer members, in addition to the Chief Executive/Medical Director.
5. **Extent**
 - 5.1 This instrument applies to all parts of England.
6. **European Convention on Human Rights**

Not applicable
7. **Policy background**
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 - 7.1 The National Clinical Assessment Authority is a Special Health Authority established on 27 November 2000 and which became

operational on 1 April 2001. Its role is to help the NHS manage concerns about the performance of individual doctors and dentists. The board was originally constituted to include the medical director/chief executive and no more than two other persons. A review of structure and function carried out by the authority identified the need for an additional board member post to oversee service delivery. This Order increases the potential size of the board by one, so that it includes the medical director/chief executive and no more than three other persons.

8. Impact

8.1 A Regulatory Impact Assessment has not been prepared for this instrument as it has no impact on business, charities or voluntary bodies

9. Contact

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