

# NATIONAL HEALTH SERVICE, ENGLAND

## The National Patient Safety Agency (Amendment) (No.3) Directions 2011

The Secretary of State, in exercise of the powers conferred by sections 7(1), 8(1), 272(7) and 273(1) of the National Health Service Act 2006(a) gives the following Directions.

### Citation, commencement, application and interpretation

1.—(1) These Directions may be cited as the National Patient Safety Agency (Amendment) (No.3) Directions 2011.

(2) These Directions come into force on 1st December 2011.

(3) These Directions apply to the National Patient Safety Agency established by the National Patient Safety Agency (Establishment and Constitution) Order 2001(b).

(4) In these Directions “the Principal Directions” means the Directions to the National Patient Safety Agency signed on 29<sup>th</sup> March 2005(c).

### Amendment to direction 1 of the Principal Directions

2. In direction 1 of the Principal Directions (application, commencement and interpretation), in paragraph (3), after the definition of “assessment” insert—

““the Authority” means the Health Research Authority established by the Health Research Authority (Establishment and Constitution) Order 2011(d);”.

### Amendment to direction 2 of the Principal Directions

3. In direction 2 of the Principal Directions (functions of the Agency)—

(a) in paragraph (1)—

(i) for sub-paragraph (da)(e) substitute—

“(da) to provide advice and guidance on clinical assessments and to monitor the effectiveness of such advice and guidance;”;

(ii) for sub-paragraph (e)(f) substitute—

“(e) to promote research which the Agency considers will contribute to improvements in patient safety and clinical assessment;”;

(iii) for sub-paragraph (f)(g) substitute—

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(a) 2006 c.41. By virtue of section 271 of the Act the powers conferred on the Secretary of State by those sections are exercisable only in relation to England.

(b) S.I. 2001/1743; relevant amending instrument is S.I. 2005/504.

(c) Amended by the National Patient Safety Agency (Extension of Functions to Pharmacists and Miscellaneous Amendments) Directions 2009 signed on 31st March 2009, the National Patient Safety Agency (Co-ordination of Patient Safety Activities Function) Directions 2009 signed on 1st June 2009 and the National Patient Safety Agency (Amendment) Directions 2011 signed on 1st June 2011. Copies of the directions can be obtained from the Department of Health, Patient Safety & Investigations, Wellington House, 133-135 Waterloo Road, London SE1 8UG.

(d) S.I. 2011/2323.

(e) Sub-paragraph (da) was inserted into the Principal Directions by direction 3(d) of the National Patient Safety Agency (Extension of Functions to Pharmacists and Miscellaneous Amendments) Directions 2009 signed on 31<sup>st</sup> March 2009.

(f) Sub-paragraph (e) was substituted in the Principal Directions by direction 2(1)(a)(ii) of the National Patient Safety Agency (Amendment) Directions 2011 signed on 1st June 2011.

(g) Sub-paragraph (f) was substituted in the Principal Directions by direction 2(1)(a)(iii) of the National Patient Safety Agency (Amendment) Directions 2011 signed on 1st June 2011.

“(f) to report to and advise Ministers on matters affecting patient safety and clinical assessment;” and

(iv) for sub-paragraph (z) substitute—

“(z) to provide the Authority with—

(i) such support services including payroll services, financial accounting and human resources support as agreed between the Authority and the Agency for the period from 1st December 2011 until 31st March 2012 (a);

(ii) support in order for the Authority to transition from a model of the Agency providing support services to the Authority, to a model of a third party providing support services to the Authority by 31st March 2012; and

(iii) assistance in order to enable the Authority to arrange for the closure of its annual accounts after 31st March 2012.”.

(b) in paragraph (2) for sub-paragraph (b)(b) substitute—

“(b) with the approval of the Secretary of State, set local or national goals for improvements in patient safety and clinical assessment;”.

#### **Amendment to the Annex to the Principal Directions**

4. In paragraph 3 (working in partnership) of the Annex to the Principal Directions, in the second paragraph beginning with “At national and international level...”, delete “, English NHS Research Ethics Committees”.

Signed by authority of the Secretary of State for Health



Giles Wilmore  
Director of Quality Framework Programme and QIPP Programme  
Department of Health

29 November 2011

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(a) A service level agreement between the Health Research Authority and the Agency will set out the detail of the services that the Agency agrees to provide.  
(b) Sub-paragraph (b) was substituted in the Principal Directions by direction 2(b) of the National Patient Safety Agency (Amendment) Directions 2011 signed on 1st June 2011.