Draft Order laid before Parliament under section 77(2) of the Deregulation and Contracting Out Act 1994, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2012 No.

CONTRACTING OUT, ENGLAND

The Contracting Out (Local Authorities Social Services Functions) (England) (Amendment) Order 2012

Made - - - -	***
Coming into force - -	*13th December 2012*

The Secretary of State for Health makes the following Order in exercise of the powers conferred by sections 69(4), 70(2) and (4) and 77(1) of the Deregulation and Contracting Out Act 1994(**a**).

In accordance with section 70(3)(a) of the Deregulation and Contracting Out Act 1994, the Secretary of State for Health has consulted with such representatives of local government as he considers appropriate.

A draft of this Order was laid before Parliament in accordance with section 77(2) of the Deregulation and Contracting Out Act 1994 and approved by resolution of each House.

Citation and commencement

1. This Order may be cited as the Contracting Out (Local Authorities Social Services Functions) (England) (Amendment) Order 2012 and shall come into force on 13th December 2012.

Amendment to the Contracting Out (Local Authorities Social Services Functions) (England) Order 2011

2.—(1) The Contracting Out (Local Authorities Social Services Functions) (England) Order 2011(**b**) is amended as follows.

(2) In article 2 at the end of the definition of "adult social work practice pilot scheme" insert "and includes a scheme which is extended by a local authority pursuant to the letter of the Secretary of State for Health dated 12th October 2012"(**c**).

(3) In article 4(2) for "Community Care Services: Disabled People's Choice and Control (Pilot Scheme) (England) Directions 2010 ("the 2010 Directions")" substitute "Community Care

(**a**) 1994. c.40.
(**b**) S.I.2011/1568.
(**c**) A copy of this document can be obtained from the Department of Health, Social Care Policy and Legislation, Room 116 Wellington House, 133-155 Waterloo Road, London SE1 8UG

Services: Disabled People's Choice and Control (Pilot Scheme) (England) Directions 2012 ("the 2012 Directions")"(**a**).

(4) In article 4(3)(a) for "2010" substitute "2012".

Signed by authority of the Secretary of State for Health.

Name
Parliamentary Under-Secretary of State
Department of Health

Date

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Contracting Out (Local Authority Social Services Functions) (England) Order 2011 ("the Principal Order").

The Principal Order enables a local authority in England to authorise another person, or that person's employees, to exercise adult social services functions for the purposes of that person's participation in an adult social work practice pilot scheme (article 3 of the Principal Order) or a right to control pilot (article 4 of the Principal Order)).

Article 2(2) amends the definition of adult social work practice pilot scheme in the Principal Order to make clear that it applies to an adult social work practice pilot which is extended pursuant to the letter of the Secretary of State for Health dated 12th October 2012.

Article 2(3) substitutes the reference to the Community Care: Services Disabled People's Choice and Control (Pilot Scheme) (England) Directions 2010 which cease to be in force on 13th December 2012 with a reference to the Community Care: Services Disabled People's Choice and Control (Pilot Scheme) (England) Directions 2012 which replace them.

An impact assessment has not been prepared for this instrument as there is no significant impact on the private and voluntary sectors.

© Crown copyright 2012

Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Carol Tullo, Controller of Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.

(**a**) A copy of these Directions can be obtained from the Department of Health, Social Care Policy and Legislation, Room 116 Wellington House, 133-155 Waterloo Road, London SE1 8UG

ISBN 978-0-11-152933-1

£4.00

E4691 10/2012 124691 19585

9 780111 529331