STATUTORY INSTRUMENTS

2025 No. 392

NATIONAL HEALTH SERVICE, ENGLAND

The East and North Hertfordshire National Health Service Trust (Establishment) (Amendment) Order 2025

Made - - - -	*25th March 2025*
Coming into force - -	*1st April 2025*

The Secretary of State makes the following Order in exercise of the powers conferred by sections 25(1), 272(7) and (8) and 273(1) of the National Health Service Act 2006(**a**).

In accordance with section 25(3) of that Act, the Secretary of State has completed the consultation prescribed by regulations(**b**) made under that section.

Citation, commencement, interpretation and extent

1.—(1) This Order may be cited as the East and North Hertfordshire National Health Service Trust (Establishment) (Amendment) Order 2025 and comes into force on 1st April 2025.

(2) In this Order, "Establishment Order" means the East and North Hertfordshire National Health Service Trust (Establishment) Order 2000(**c**).

(3) This Order extends to England and Wales.

Amendment of interpretation provision

2. For article 1(2) of the Establishment Order (citation, commencement and interpretation), substitute—

> "(2) In this Order, "the trust" means the East and North Hertfordshire Teaching National Health Service Trust established by article 2 of this Order.".

Change of name and savings

3.—(1) In article 2 of the Establishment Order (establishment and name of the trust), after "East and North Hertfordshire" insert "Teaching".

(2) The change of name effected by paragraph (1) does not—

(**a**) 2006 c. 41. Section 25 of the National Health Service Act 2006 was repealed by section 179(2) of the Health and Social Care Act 2012 (c. 7) but that repeal was not brought into force and has subsequently been repealed by section 48 of the Health and Care Act 2022 (c. 31).

(**b**) S.I. 2010/743, to which there are amendments not relevant to this Order. The prescribed consultation under regulation 2(2) of S.I. 2010/743 is that, before making an order under section 25(1) of the National Health Service Act 2006 in relation to an NHS trust, the Secretary of State must consult that NHS trust.

(**c**) S.I. 2000/535, as amended by S.I. 2013/593.

(a) affect any right or obligation of any person, or

(b) invalidate any instrument (whether made before, on or after the day on which this Order comes into force) which refers to the East and North Hertfordshire National Health Service Trust, and all instruments or other documents which refer to that name must be construed as referring to the East and North Hertfordshire Teaching National Health Service Trust.

Change to nature and functions of the trust

4. For article 3 of the Establishment Order (nature and functions of the trust) (including the heading), substitute—

> **"Functions of the trust**
>
> **3.** The trust's functions are to provide goods and services for the purposes of the health service.".

Change of requirements relating to directors

5. For article 4 of the Establishment Order (directors of the trust), substitute—

> **"4.**—(1) The trust must have, in addition to the chairman, 5 executive directors and 6 non-executive directors.
>
> (2) Since the trust is to be regarded as having significant teaching commitment, within the meaning of paragraph 5(1)(d) of Schedule 4 to the National Health Service Act 2006, one of the non-executive directors must be appointed from the University of Hertfordshire.".

Removal of specification of "operational date"

6. For article 5 of the Establishment Order (operational date and accounting date of the trust) (including the heading), substitute—

> **"Accounting date**
>
> **5.** The accounting date of the trust is 31st March.".

Revocation of expired provisions

7. Article 6 (limited functions before operational date) and article 7 (assistance by health authorities before operational date) of the Establishment Order are revoked.

Signed by authority of the Secretary of State for Health and Social Care

Karin Smyth
Minister of State
Department of Health and Social Care

25th March 2025

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the East and North Hertfordshire National Health Service Trust (Establishment) Order 2000 ("the Establishment Order"), which established the East and North Hertfordshire National Health Service Trust ("the trust").

Article 2 omits definitions that are no longer of any ongoing relevance and amends the definition of the trust.

Article 3 amends the name of the trust to East and North Hertfordshire Teaching National Health Service Trust.

Article 4 sets out the functions of the trust as being to provide goods and services for the purposes of the health service.

Article 5 increases the number of non-executive directors and specifies that one non-executive director must be appointed from the University of Hertfordshire.

Article 6 omits the trust's "operational date" as it is of no on-going relevance.

Article 7 revokes articles 6 and 7 of the Establishment Order as they relate to the period before the trust's operational date and are of no on-going relevance.

A full impact assessment has not been produced for this instrument as it has no effect on private sector or civil society organisations, and no significant effect on the public sector.

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