EXPLANATORY MEMORANDUM TO

Health and Social Care Bodies (Membership) (Amendment) Regulations (Northern Ireland) 2014

SR 2014 No. 318

1. Introduction

1.1. This Explanatory Memorandum has been prepared by the Department of Health, Social Services and Public Safety to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.

1.2. The Statutory Rule is made under sections 7(2), 12(2) and 14(2) of, and paragraph 3 of Schedule 1, paragraph 3 of Schedule 2 and paragraphs 3 and 5 of Schedule 3 to the Health and Social Care (Reform) Act (Northern Ireland) 2009 and is subject to the negative resolution procedure.

2. Purpose

2.1. The Statutory Rule seeks to amend the Regional Health and Social Care Board (Membership) Regulations (Northern Ireland) 2009, the Regional Agency for Public Health and Social Well-being (Membership) Regulations (Northern Ireland) 2009 and the Regional Business Services Organisation (Membership and Procedure) Regulations (Northern Ireland) 2009.

3. Background

3.1. The proposed amendment will provide that the Chairs of the Regional Health and Social Care Board, the Regional Agency for Public Health and Social Well-being and the Regional Business Services Organisation are disqualified for appointment on the same basis as other members appointed to these bodies by the Department.

4. Consultation

4.1. The proposed amendments are made in exercise of the regulation making powers in the Health and Social Care (Reform) Act (Northern Ireland) 2009, as amended by the Health and Social Care (Amendment) Act (Northern Ireland) 2014. A targeted consultation on the draft Health and Social Care (Amendment) Bill took place between 1st February 2013 and 29th March 2013.

4.2. Between 10thJuly 2014 and 30th September 2014, the Department also consulted on the draft regulations with the Chairs and Chief Executives of the Regional Board, Public Health Agency and the Business Support Organisation. Only one response was received from the Regional Board which supported the regulations.

5. Equality Impact

5.1. The Department considers that a full Equality Impact Assessment is not necessary as the proposed changes will not have a significant impact on equality of opportunity for any group referred to in section 75 of the Northern Ireland Act 1998.

6. Regulatory Impact

6.1. It is not anticipated that there will be any additional costs on businesses, charities or the voluntary sector.

7. Financial Implications

7.1. There are no financial implications.

8. Section 24 of the Northern Ireland Act 1998

8.1. The regulations do not breach section 24 of the Northern Ireland Act 1998. They are not incompatible with any of the convention rights or Community law and do not discriminate against a person on the ground of religious belief or political opinion.

9. EU Implications

9.1. There are no EU implications.

10. Parity or Replicatory Measure

10.1. The proposed regulations are in line with similar regulations across the UK.

11. Additional Information

11.1. Not applicable