STATUTORY INSTRUMENTS

1981 No. 728

NATIONAL HEALTH SERVICE, ENGLAND AND WALES

The Rampton Hospital Review Board (Functions and Membership) Regulations 1981

Made - - - -	13*th May* 1981
Laid before Parliament	21*st May* 1981
Coming into Operation	11*th June* 1981

The Secretary of State for Social Services in exercise of powers conferred upon him by sections 12, 13(1) and (2) and 18(1)(*a*) of, and paragraph 12 of Schedule 5 to, the National Health Service Act 1977(**a**) and of all other powers enabling him in that behalf, hereby makes the following regulations:—

Citation and commencement

1. These regulations may be cited as the Rampton Hospital Review Board (Functions and Membership) Regulations 1981 and shall come into operation on 11th June 1981.

Interpretation

2. In these regulations, unless the context otherwise requires—

"the Act of 1959" means the Mental Health Act 1959(**b**);

"the Act of 1977" means the National Health Service Act 1977;

"the Board" means the Rampton Hospital Review Board established by the Rampton Hospital Review Board (Establishment and Constitution) Order 1981(**c**);

"the hospital" means the special hospital known as Rampton Hospital;

"member" means the chairman or another member of the Board and "members" shall be construed accordingly.

Functions of the Rampton Hospital Review Board

3. Subject to the provisions of regulation 4 below and to such limitations as the Secretary of State may direct with respect to the exercise of any function, the Board shall exercise on behalf of the Secretary of State his functions in relation to the hospital as follows—

(*a*) functions as to the determination of priorities and the development of policies in relation to the use of manpower resources, revenue and capital funds allocated by the Secretary of State for the provision of services at the hospital;

(a) 1977 c. 49. (b) 1959 c. 72. (c) S.I. 1981/727.

(*b*) functions in relation to the provision of appropriate professional services at the hospital including giving advice and support to officers employed at the hospital to secure the implementation of such policies and programmes as may be required for the care and treatment of patients in the hospital having regard to any further directions given by the Secretary of State;

(*c*) functions in relation to the operation of an adequate procedure for the investigation of complaints made by or on behalf of any person who is a patient in the hospital in respect of any service provided at the hospital;

(*d*) the functions conferred upon the Secretary of State as the manager of the hospital by virtue of section 59(1) of the Act of 1959.

Restrictions on exercise of functions by the Board

4.—(1) The exercise of any functions by the Board in accordance with directions given in regulation 3 above shall be subject to the following provisions of this regulation.

(2) Nothing in these regulations shall enable the Board—

(*a*) to exercise, in relation to the admission of patients to the hospital, any function of the Secretary of State under the Act of 1977 or any function conferred on him by the Act of 1959 as the manager of the hospital;

(*b*) to appoint any person to the staff of the hospital.

(3) In exercising any function conferred upon the Board by these regulations the Board shall have regard to the terms of any agreements approved by the Secretary of State relating to the remuneration and conditions of employment of officers of the Department of Health and Social Security employed at the hospital.

Appointment of members

5. The chairman and the other members of the Board shall be appointed by the Secretary of State.

Tenure of office of members

6. Subject to the following provisions of these regulations, the term of office of members shall be for such period not exceeding 3 years expiring on or before 10th June 1984 as the Secretary of State shall specify on making the appointment.

Termination of tenure of office

7.—(1) A member may resign his office at any time during the period for which he was appointed by giving notice in writing to the Secretary of State.

(2) Where the Secretary of State is satisfied that it is not in the interests of the Board or of the hospital that a person whom he has appointed as a member should continue to hold that office, he may forthwith terminate his tenure of office.

Application of regulations relating to membership and procedure

8.—(1) The provisions of regulation 10 (election of vice-chairman), regulation 11 (appointment of committees and sub-committees), regulation 12 (arrangements for the exercise of functions), regulation 13 (meetings and proceedings), regulation 14 (disability of members in proceedings on account

of pecuniary interest) of, and the Schedule (rules as to meetings and proceedings) to, the National Health Service (Regional and Area Health Authorities: Membership and Procedure) Regulations 1973(a) shall apply in relation to the Board as if any reference therein to an Authority were a reference to the Board and as if there were omitted any reference therein to a joint committee.

(2) The provisions of regulation 5(5), (7) and (8) (termination of tenure of office), regulation 8 (disqualification for appointment) and regulation 9 (cessation of disqualification) (except the proviso to that regulation) of the National Health Service (Health Authorities: Membership) Regulations 1979(b) shall apply in relation to the Board as if any reference therein to an Authority were a reference to the Board.

Reports by the Board

9. The Board shall make reports to the Secretary of State in such manner and at such time, being at least once each year, as the Secretary of State may direct and shall furnish to the Secretary of State such information as he may from time to time require.

Patrick Jenkin,
Secretary of State for Social Services.

13th May 1981.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

Directions are given in these regulations by the Secretary of State to the Rampton Hospital Review Board to exercise on his behalf, certain of his functions under the National Health Service Act 1977 relating to Rampton Hospital and his functions as the manager of the hospital under the Mental Health Act 1959. These regulations also provide for the appointment and term of office of members of the Rampton Hospital Review Board and for the procedure of and report to the Secretary of State by, that special health authority.

(a) S.I. 1973/1286, to which there are amendments not relevant to these regulations.
(b) S.I. 1979/738, to which there are amendments not relevant to these regulations.

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