STATUTORY INSTRUMENTS

# 2024 No. 951

# NATIONAL HEALTH SERVICE, ENGLAND

## The United Lincolnshire Hospitals National Health Service Trust (Establishment) (Amendment) Order 2024

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| *Made - - - -* | *11th September 2024* |
| *Coming into force - -* | *16th September 2024* |

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 United Lincolnshire Hospitals National Health Service Trust (Establishment) (Amendment) Order 2024 and comes into force on 16th September 2024.

(2) In this Order, "the Establishment Order" means the United Lincolnshire Hospitals 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 United Lincolnshire Teaching Hospitals 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 "Lincolnshire" insert "Teaching".

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

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(**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 Section 25 of the National Health Service Act 2006 was repealed by section 179(2) of the Health and Social Care Act 2012 (c. 7) but that repeal was not brought into force and has subsequently been repealed by section 48 of the Health and Care Act 2022 (c. 31).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. 2000/410; relevant amending instrument is S.I. 2001/154.

(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 United Lincolnshire Hospitals National Health Service Trust, and all instruments or other documents which refer to that name must be construed as referring to the United Lincolnshire Teaching Hospitals 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) substitute—

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

**Change of requirement relating to directors of the trust**

**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 7 non-executive directors.

(2) Since the trust is to be regarded as having a 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 Lincoln.".

**Removal of specification of operational date**

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

"**Accounting date of the trust**

**5.** The accounting date of the trust is the 31 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

11th September 2024

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order amends the United Lincolnshire Hospitals National Health Service Trust (Establishment) Order 2000, which established the United Lincolnshire Hospitals National Health Service Trust ("the trust").

Article 2 amends article 1 of the Establishment Order to remove definitions which are no longer needed and to update the definition of the trust in consequence of the amendments made by this Order.

Article 3 changes the name of the trust to the United Lincolnshire Teaching Hospitals National Health Service Trust and provides savings in respect of the change of name.

Article 4 sets out the nature and functions of the trust as being to provide goods and services for the purposes of the health service. It removes the reference to hospital accommodation and services and community health services.

Article 5 requires one of the non-executive directors of the trust to be appointed from the University of Lincoln.

Article 6 omits the specification of the trust's "operational date" as it is no longer required because the trust is already operational.

Article 7 revokes articles 6 and 7 of the Establishment Order relating to the "operational date" as it is no longer required because the trust is already operational.

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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