

CARE ACT 2014

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 3 - Health

Chapter 1 - Health Education England

Local functions

Section 107 – Commissioning education and training

652. This section requires each LETB to commission education and training activity that will support their plans for that year. HEE has a duty to allocate appropriate funding to each LETB in order to commission the necessary education and training activity.
653. There may be some circumstances where it is advantageous to have nationally co-ordinated provision of education and training, rather than leaving it to the discretion of LETBs. For example, some professions and medical specialties may require only very small numbers to be commissioned across England, so national level commissioning may be more appropriate. In such cases, *subsection (2)* gives HEE a power to make arrangements itself for the provision of education and training, or to direct a lead LETB to do so on behalf of itself (but the latter is subject to consultation with the LETB in question (*subsection (3)*)).
654. *Subsection (4)* requires HEE to allocate to the LETB the resources that are required to deliver its education and training plan for that year.
655. *Subsection (5)* requires HEE to take account of any requirements placed on the LETB by section 108 – which requires an LETB to make payments by reference to an approved tariff price or price varied under a specified procedure – when making such an allocation.
656. *Subsection (6)* allows the LETB to arrange for another person to assist in the exercise of its commissioning functions.
657. *Subsection (7)* places a duty on LETBs to keep under review the quality of the education and training provision that it commissions, and imposes a duty on them to report its findings to such bodies that the LETB considers may be interested. This could include, for example, the relevant professional regulatory body.
658. *Subsection (8)* requires the LETB to produce such reports on the commissioning of education and training as HEE may require.