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STATUTORY INSTRUMENTS

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**2010 No. 1000**

The National Health Service (Direct  
Payments) Regulations 2010

PART 2

Pilot Schemes

**Review of pilot schemes**

- 5.—(1) The Secretary of State must in relation to each pilot scheme—
- (a) arrange for a person independent of the Secretary of State to review the pilot scheme; or
  - (b) require a pilot PCT to arrange for a person not employed or otherwise engaged by the pilot PCT or the Secretary of State to review the pilot scheme of the pilot PCT.
- (2) Arrangements under paragraph (1) may provide for the person to conduct a review of a pilot scheme in conjunction with a review of one or more other pilot schemes.
- (3) A review may be commenced at any time but must be completed within a reasonable time following the expiry of the period for which the pilot scheme is to have effect.
- (4) The findings of a review must be published by the Secretary of State on completion of the review.
- (5) The Secretary of State or pilot PCT may require that the following matters are considered as part of a review of a pilot scheme—
- (a) the effect of direct payments on the health, well-being and satisfaction of—
    - (i) patients,
    - (ii) representatives,
    - (iii) nominees,
    - (iv) persons with parental responsibility for a child,
    - (v) persons who principally care for a child, and
    - (vi) carers who normally provide unpaid care for a member of the carer's family or a friend;
  - (b) substantial differences in relation to the use of direct payments for, by or in respect of patients, or the effect on the health, well-being or satisfaction of patients, who vary one from another in—
    - (i) socio-economic background,
    - (ii) age,
    - (iii) gender,
    - (iv) ethnicity,
    - (v) disability, or

- (vi) health needs;
  - (c) the effect of direct payments on the cost-effectiveness of care received by patients;
  - (d) the effect of direct payments on the provision of services to persons for whom no direct payment has been made with similar health needs to those of patients for whom direct payments have been made;
  - (e) the effect of direct payments on the satisfaction, development of skills and knowledge or on the workload of—
    - (i) care workers who are paid to support a person with health needs with everyday tasks,
    - (ii) persons providing a service secured by a direct payment,
    - (iii) any other persons involved in the administration of direct payments under these Regulations, or
    - (iv) persons involved in the administration of a service secured by means of a direct payment;
  - (f) the extent to which direct payments have led to innovation in the provision of health services within the meaning of section 14 of the Health Act 2009 (innovation prizes)<sup>(1)</sup>; and
  - (g) the administration, governance and management of direct payments within a pilot scheme.
- (6) Nothing in paragraph (5) shall prevent consideration in a review of matters not mentioned in that paragraph.
- (7) A pilot PCT must—
- (a) at the request of the person reviewing a pilot scheme, provide information which may reasonably be required for the purposes of the review; and
  - (b) co-operate with the person who is reviewing the pilot scheme.
- (8) Information provided by a pilot PCT under paragraph (7)(a) must be accurate, and provided within a reasonable time of receipt of the request by the pilot PCT.

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(1) 2009 c. 21.