

Health, Social Care and Sport Committee
10 June 2025
18th Meeting, 2025 (Session 6)

Note by the Clerk on Health Boards (Membership and Procedure) (Scotland) Amendment Regulations 2025

Overview

1. At this meeting, the Committee will consider the following Scottish Statutory Instrument (SSI), which is subject to the negative procedure. The Committee is invited to consider the instrument and decide what, if any, recommendations to make.
2. More information about the instrument is summarised below:

Title of instrument: [Health Boards \(Membership and Procedure\) \(Scotland\) Amendment Regulations 2025](#) (2025/147)

Laid under: [National Health Service \(Scotland\) Act 1978](#)

Laid on: 15 May 2025

Procedure: Negative

Deadline for committee consideration: 23 June 2025 (Advisory deadline for any committee report to be published)

Deadline for Chamber consideration: 23 June 2025 (Statutory 40-day deadline for any decision whether to annul the instrument)

Commencement: 1 July 2025

Procedure

3. Under the negative procedure, an instrument is laid after it is made, and is subject to annulment by resolution of the Parliament for a period of 40 days beginning on the day it is laid.
4. Once laid, the instrument is referred to:
 - the Delegated Powers and Law Reform (DPLR) Committee, for scrutiny on various technical grounds, and
 - a lead committee, whose remit includes the subject-matter of the instrument, for scrutiny on policy grounds.
5. Any MSP may propose, by motion, that the lead committee recommend annulment of the instrument. If such a motion is lodged, it must be debated at a

meeting of the Committee, and the Committee must then report to the Parliament (by the advisory deadline referred to above).

6. If there is no motion recommending annulment, the lead committee is not required to report on the instrument.

Delegated Powers and Law Reform Committee consideration

7. The DPLR Committee considered the instrument on [27 May 2025](#). The DPLR Committee made no recommendations in relation to the instrument.

Purpose of the instrument

8. Regulation 3 of the Health Boards (Membership and Procedure) (Scotland) Regulations 2001 provides that at least one of the persons appointed to be a chairperson or a member of the Boards in Grampian, Greater Glasgow, Lothian and Tayside must hold a post at a university with a medical or dental school. The purpose of this instrument is to add Fife Health Board to that list. The amendment follows from the University of St Andrews (Degrees in Medicine and Dentistry) Act 2001 (asp 13) which restored to that university, situated within the Fife Health Board area, the power to award degrees in Medicine and Dentistry.
9. The Policy Note accompanying the instrument is included in Annexe A.

Committee consideration

10. So far, no motion recommending annulment has been lodged.
11. Members are invited to consider the instrument and decide whether there are any points they wish to raise. If there are, options include:
 - seeking further information from the Scottish Government (and/or other stakeholders) through correspondence, and/or
 - inviting the Minister (and/or other stakeholders) to attend the next meeting to give evidence on the instrument.

It would then be for the Committee, at the next meeting, to consider the additional information gathered and decide whether to make recommendations in relation to the instrument.

12. If members have no further points to raise, the Committee should note the instrument (that is, agree that it has no recommendations to make).
13. However, should a motion recommending annulment be lodged later in the 40-day period, it may be necessary for the Committee to consider the instrument again.

Clerks to the Committee
June 2025

Annexe A: Scottish Government Policy Note

POLICY NOTE

THE HEALTH BOARDS (MEMBERSHIP AND PROCEDURE) (SCOTLAND) AMENDMENT REGULATIONS 2025

SSI 2025/147

The above instrument was made in exercise of the powers conferred by sections 2(10) and paragraph 2A of Schedule 1 to the National Health Service (Scotland) Act 1978 (“the 1978 Act”). Appointments are made by the Scottish Ministers. The instrument is subject to negative procedure.

Summary Box

Regulation 3 of the Health Boards (Membership and Procedure) (Scotland) Regulations 2001 (“the Principal Regulations”) provides that, for the purposes of paragraph 2A of Schedule 1 of the 1978 Act, at least one of the persons appointed to be a chairperson or a member of the Boards in Grampian, Greater Glasgow, Lothian and Tayside must hold a post at a university with a medical or dental school.

The purpose of this instrument is to add Fife Health Board to that list. This ensures that, from the date the instrument comes into force, either the chairperson or one of the members of Fife Health Board must hold a post at a university with a medical or dental school. The amendment follows from the University of St Andrews (Degrees in Medicine and Dentistry) Act 2021 (asp 13) which restored to that university, situated within the Fife Health Board area, the power to award degrees in Medicine and Dentistry.

Policy Objectives

The amendment of Regulation 3 of the Principal Regulations will align NHS Fife with other Health Boards that are required to have a university member on their Board, demonstrating NHS Fife’s partnership with a university which has a Medical School within their geographic Board area.

This aligns with the Scottish Government’s commitment to promoting collaboration between academic institutions and the NHS, enhancing decision-making on health education, workforce planning and service delivery.

This change aims to:

- Strengthen academic representation within NHS Fife’s governance structure
- Support collaboration between NHS Fife and the University of St Andrews in medical education and research.
- Align NHS Fife’s governance model with other Boards that have similar University partnerships.

This policy will benefit NHS Fife, by recognising the partnership with the University of St Andrews, with several strategic benefits:

- **Enhanced Medical Education and Training** – with NHS Fife playing a key role in training medical students, providing clinical placements and real-world experience
- **Strengthened Workforce Pipeline** – by being directly involved in medical training it may help NHS Fife attract and retain doctors
- **Research and Innovation Opportunities** – the collaboration fosters joint research initiatives, improving patient care through evidence-based practice, clinical trials and medical advancements
- **Reputation and Prestige** – formal ties with a prestigious academic institution enhance NHS Fife's profile as a centre for medical excellence, making it an attractive destination for both students and healthcare professionals
- **Access to Additional Funding and Resources** – university partnerships often open doors to grants, research funding and other financial resources which will benefit the Health Board.

UN Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024 Compatibility

The Scottish Ministers have made the following statement regarding children's rights.

In accordance with section 23(2) of the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024 (the Act), the Scottish Ministers certify that, in their view, the Health Boards (Membership and Procedure) (Scotland) Amendment Regulations 2025 are compatible with the UNCRC requirements as defined by section 1(2) of the Act.

EU Alignment Consideration

This instrument is not relevant to the Scottish Government's policy to maintain alignment with the EU.

Consultation

The amendment follows from the University of St Andrews (Degrees in Medicine and Dentistry) Act 2021 (asp 13) which restored to that university, situated within the Fife Health Board area, the power to award degrees in Medicine and Dentistry.

The primary purpose of the amendment is to bring Fife Health Board into line with the other prescribed Boards (Grampian, Greater Glasgow, Lothian and Tayside). Therefore, no public consultation was carried out.

Impact Assessments

An Equality Impact Assessment and Children's Rights and Wellbeing Impact Assessment have been carried out on the Health Boards (Membership and Procedure) (Scotland) Amendment Regulations 2025 and are attached. There are no equality/children's/privacy, etc. impact issues.

Financial Effects

The Cabinet Secretary for Health and Social Care confirms that no BRIA is necessary as the instrument has no financial effects on the Scottish Government, local government or on business.

Scottish Government

Chief Operating Officer Directorate

May 2025