



Department  
of Health &  
Social Care

Department of Health and Social Care  
39 Victoria Street  
London  
SW1H 0EU

Amanda Pritchard  
Chief Executive  
NHS England

2<sup>nd</sup> November 2023

Dear Amanda,

## 1. National Obesity Audit Directions 2023

- 1.1 I am writing on behalf of the Secretary of State for Health and Social Care (**the Secretary of State**) to give Directions to **NHS England**.
- 1.2 These Directions are given in exercise of the powers conferred by sections 254(1) and 304(9), (10) and (12) of the Health and Social Care Act 2012<sup>1</sup> (**the 2012 Act**) and sections 13ZC and 272(7) and (8) of the National Health Service Act 2006<sup>2</sup> (**the 2006 Act**).

These Directions are to be known as the **National Obesity Audit Directions 2023** and come into force on the day after the day on which they are signed.

## 2. Requirement for these Directions

- 2.1 In accordance with section 254(2)(b) of the 2012 Act, the Secretary of State considers that it is in the interests of the health service in England or of the

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<sup>1</sup> 2012 c.7 (the 2012 Act). Relevant amendments were made by the Health and Social Care Information Centre (Transfer of Functions, Abolition and Transitional Provisions) Regulations 2023 (S.I. 2023/98).

<sup>2</sup> 2006 c.41. Section 13ZC was inserted by section 45 of the Health and Care Act 2022 (c.31).

recipients or providers of adult social care in England for these Directions to be given.

2.2 In accordance with section 254(5) of the 2012 Act, the Secretary of State has consulted NHS England before giving these Directions.

2.3 In accordance with section 13ZC(5) of the 2006 Act, the Secretary of State considers these Directions to be in the public interest.

### 3. **Priorities, Policies and Non-Statutory Guidance**

In exercising functions under these Directions, NHS England must have regard to such priorities, policies and non-statutory guidance of the Secretary of State as the Secretary of State may notify in writing from time to time to NHS England<sup>3</sup>.

### 4. **Purpose**

4.1 The purpose of these Directions (**Purpose**) is to establish the National Obesity Audit (**NOA**), which will support the implementation of the NHS [Long Term Plan](#) which aims to provide better outcomes for the patient.

4.2 The NOA is part of the National Clinical Audit and Patient Outcomes Programme. The aim of the audit is to drive improvement in quality of care available to those living with overweight and obesity in England. The NOA will follow the patient journey across primary to secondary care, looking at all areas of adult and child weight management care, interventions and outcomes to support current and future services to deliver efficient, effective and equitable prevention and care. The NOA will be a patient-level data set which will cover all people living with overweight and obesity in England, all aspects of weight management services and interventions that are publicly funded and all short and long-term outcomes.

### 5. **Establishing and operating information systems for the National Obesity Audit data collection**

5.1 The Secretary of State directs NHS England to establish and operate a system for the analysis of the information (**Information System**) described in the National Obesity Audit Requirements Specification (version 1 as published with these Directions) as updated periodically by the Secretary of State in consultation with NHS England (**the Requirements Specification**).

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<sup>3</sup> NHS England has a duty to have regard to the [statutory guidance issued by the Secretary of State under section 274A of the 2012 Act: NHS England's protection of patient data, 23 May 2023](#), as the same may be updated from time to time, when exercising its functions under these Directions.

5.2 The Secretary of State directs NHS England to analyse the information which NHS England obtains by complying with these Directions (**the Information**), as may be required by the Secretary of State or as NHS England considers necessary to achieve the Purpose.

5.3 Such analysis includes:

5.3.1 analysis by reference or linkage to other information as described in the Requirements Specification;

5.3.2 analysis for data quality purposes, including undertaking comparison and consistency analysis of the same or similar information obtained by complying with other directions pursuant to section 254 of the 2012 Act;

5.3.3 any other analysis of data as NHS England considers appropriate to maintain data quality, accuracy and consistency of information in relation to the Information.

5.4 In exercising functions under these Directions, NHS England must act in accordance with the Requirements Specification and generally in such a way as to achieve the Purpose.

## 6. **Service Levels etc**

In exercising functions under these Directions, NHS England must act in accordance with the service levels, support and monitoring requirements, and the reporting and governance requirements notified by the Secretary of State in writing to NHS England as at the date these Directions come into force, or as those requirements are amended and notified by an authorised officer of the Department for Health and Social Care on behalf of the Secretary of State in writing to NHS England from time to time.

## 7. **Fees and Accounts**

7.1 NHS England must keep proper accounts, and proper records in relation to the accounts, in connection with these Directions.

## 8. **Duration**

NHS England must exercise functions under these Directions until they are revoked by a further direction in writing by an authorised officer of the Department of Health and Social Care on behalf of the Secretary of State.

## 9. **Review of these Directions**

These Directions will be reviewed from time to time. Any amendments to the Directions, the Requirements Specification or the Technical Specification will only be made after consultation with NHS England.

Yours sincerely

A handwritten signature in black ink, appearing to be 'M. G. ...' with a flourish at the end.

Signed by authority of the Secretary of State

Date signed: 2<sup>nd</sup> November 2023