


NHS England – Assuring and supporting complex change

NHS England has issued an updated (publication 11 October 2022) suite of Complex Change guidance about how it will assure and support proposals for complex change that are reportable to it. New and (where it is still in force) existing Complex Change guidance are as follows.

 25 October 2022

NHS England has issued an updated (publication 11 October 2022) suite of Complex Change guidance about how it will assure and support proposals for complex change that are reportable to it. New and (where it is still in force) existing Complex Change guidance are as follows:

- Statutory transactions - [click here](#) for new guidance and [here](#) for appendices which apply to intra-NHS mergers, acquisitions, dissolutions, separations and transfers
- Certain significant service contracts - click [here](#) for new guidance which applies to material contracts that could expose the NHS to significant risk
- Commercial transfers - click [here](#) for new guidance which applies to material sale, purchase and novation agreements
- Financing arrangements that are novel, contentious or repercussive - click [here](#) for new guidance which applies to financing arrangements that are novel, contentious or repercussive
- Forming or changing a subsidiary – click [here](#) for existing guidance which applies to all NHS trusts and foundation trusts considering transactions involving the creation of subsidiaries or material changes to existing subsidiaries
- Planning, assuring and delivering service change for patients - click [here](#) for existing guidance which applies to substantial service change.

If proposals for complex change are reportable, NHSE will assess the level of risk to determine the extent of any assurance work required.

Some transactions and projects fall outside Complex Change guidance but are instead subject to other NHS England guidance. For example:

- Provider collaboration and place-based partnerships - click [here](#) for statutory guidance about arrangements for delegation and joint exercise of statutory functions
- Capital investments or property transactions – click [here](#) for guidance
- Trust special administration – click [here](#) for NHS trusts guidance and click [here](#) for foundation trusts guidance
- Independent sector providers of NHS services – click [here](#) for guidance.

Clients and legal directories rate Browne Jacobson as a top law firm for support in handling complex change. So please don't hesitate to contact one of our leading lawyers for expert help whatever your transaction or project is.

Contact



Christian Dingwall

Partner

christian.dingwall@brownejacobson.com

+44 (0)330 045 2751

Related expertise

Health and safety