



Health and Social Care Act 2008

2008 CHAPTER 14

PART 1

THE CARE QUALITY COMMISSION

CHAPTER 3

QUALITY OF HEALTH AND SOCIAL CARE

Reviews and investigations

46 Periodic reviews

- (1) In respect of each Primary Care Trust the Commission must—
 - (a) conduct reviews of the provision of health care provided or commissioned by the Trust,
 - (b) assess the Trust's performance following each such review, and
 - (c) publish a report of its assessment.
- (2) In respect of each English NHS provider the Commission must—
 - (a) conduct reviews of the provision of health care by the provider,
 - (b) assess the provider's performance following each such review, and
 - (c) publish a report of its assessment.
- (3) In respect of each English local authority the Commission must—
 - (a) conduct reviews of the provision of adult social services provided or commissioned by the authority,
 - (b) assess the authority's performance following each such review, and
 - (c) publish a report of its assessment.
- (4) The assessment of a body's performance is to be by reference to such indicators of quality as the Secretary of State may devise or approve.

Status: Point in time view as at 01/10/2008. This version of this provision has been superseded.

Changes to legislation: Health and Social Care Act 2008, Section 46 is up to date with all changes known to be in force on or before 03 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (5) The Secretary of State may direct the Commission to devise indicators for the purposes of subsection (4) and submit them to the Secretary of State for approval.
- (6) The Commission must—
 - (a) prepare a statement describing the method that it proposes to use in assessing and evaluating a body's performance under this section, and
 - (b) submit the statement to the Secretary of State for approval.
- (7) Different indicators may be devised or approved, and different methods may be described, for different cases.
- (8) The Commission must publish—
 - (a) the indicators devised or approved from time to time by the Secretary of State, and
 - (b) the method statement approved from time to time by the Secretary of State.
- (9) The Secretary of State may, after consulting the Commission, by regulations make provision as to the procedure to be followed in respect of the making of representations to the Commission before the publication of a report under this section.

Commencement Information

II S. 46(4)-(8) in force at 1.10.2008 by [S.I. 2008/2497](#), [art. 2\(f\)](#)

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