



# Health and Social Care Act 2001

## CHAPTER 15

### HEALTH AND SOCIAL CARE ACT 2001

#### PART 1

##### NATIONAL HEALTH SERVICE

###### *Health service funding*

- 1 Determination of allotments to and resource limits for Health Authorities and Primary Care Trusts
- 2 Payments relating to past performance
- 3 Supplementary payments to NHS trusts and Primary Care Trusts
- 4 Public-private partnerships
- 5 Income generation

###### *Terms of employment of health service employees*

- 6 Terms and conditions of employment by health service bodies

###### *Local authority scrutiny of health service provision*

- 7 Functions of overview and scrutiny committees
- 8 Joint overview and scrutiny committees etc.
- 9 Overview and scrutiny committees: exempt information
- 10 Application to the City of London

###### *Public involvement and consultation*

- 11 Public involvement and consultation

###### *Independent advocacy services*

- 12 Independent advocacy services

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### *Intervention powers*

#### 13 Intervention orders

#### *Abolition of Medical Practices Committee and National Health Service Tribunal*

- 14 Abolition of Medical Practices Committee
- 15 Vacancies for medical practitioners
- 16 Abolition of NHS Tribunal

#### *General and personal medical services, general dental services, general ophthalmic services and pharmaceutical services*

- 17 Remuneration of general medical practitioners
- 18 Out of hours medical services
- 19 Enhanced criminal record certificates
- 20 Medical, dental, ophthalmic and pharmaceutical etc. lists
- 21 Conditional inclusion in medical, dental, ophthalmic and pharmaceutical lists
- 22 Dental corporations
- 23 Declaration of financial interests, gifts, etc.
- 24 Supplementary lists
- 25 Suspension and disqualification of practitioners

#### *Personal medical services and personal dental services*

- 26 PMS and PDS lists

#### *The Family Health Services Appeal Authority*

- 27 The Family Health Services Appeal Authority

## **PART 2**

### **PHARMACEUTICAL SERVICES**

#### **CHAPTER 1**

#### **LOCAL PHARMACEUTICAL SERVICES**

#### *Preparation and making of pilot schemes*

- 28 Pilot schemes
- 29 Making pilot schemes
- 30 Designation of priority neighbourhoods or premises

#### *Reviews, variation and termination of pilot schemes*

- 31 Reviews of pilot schemes
- 32 Variation and termination of pilot schemes

#### *NHS contracts and financial provisions*

- 33 NHS contracts
- 34 Funding of preparatory work
- 35 Charges, recovery of payments and penalties

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### *General*

- 36 Effect of the 1977 Act
- 37 Premises from which piloted services may be provided
- 38 Control of entry regulations

### *Assessing the result of pilot schemes*

- 39 Assessing pilot schemes

### *Provision for local pharmaceutical schemes*

- 40 Provision for LPS schemes

### *Corresponding provision, etc.*

- 41 Corresponding provision and application of enactments

## **CHAPTER 2**

### CHANGES TO EXISTING ARRANGEMENTS

#### *England and Wales*

- 42 Dispensing of NHS prescriptions and provision of pharmaceutical services
- 43 Remote provision of pharmaceutical, etc. services

#### *Scotland*

- 44 Dispensing of NHS prescriptions

## **PART 3**

### CARE TRUSTS AND PARTNERSHIP ARRANGEMENTS

- 45 Care Trusts
- 46 Directed partnership arrangements
- 47 Further provisions about directions in connection with directed partnership arrangements and Care Trusts
- 48 Transfer of staff in connection with partnership arrangements

## **PART 4**

### SOCIAL CARE

#### *Nursing care*

- 49 Exclusion of nursing care from community care services

#### *Preserved rights*

- 50 Preserved rights: transfer to local authorities of responsibilities as to accommodation
- 51 Preserved rights: disclosure of information
- 52 Preserved rights: alignment of social security benefits

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*Measures to increase availability of Part 3 accommodation*

- 53 Disregarding of resources when determining need for residential accommodation
- 54 Funding by resident etc. of more expensive accommodation
- 55 Power for local authorities to take charges on land instead of contributions
- 56 Cross-border placements

*Direct payments*

- 57 Direct payments
- 58 Direct payments in respect of children

*Supplementary*

- 59 Interpretation of Part 4

**PART 5**

MISCELLANEOUS AND SUPPLEMENTARY

*Patient information*

- 60 Control of patient information
- 61 Patient Information Advisory Group

*Services for disabled people*

- 62 Reports to Parliament on services for disabled people

*Prescribing rights*

- 63 Extension of prescribing rights

*Supplementary*

- 64 Regulations and orders
- 65 Supplementary and consequential provision etc
- 66 Interpretation
- 67 Minor and consequential amendments and repeals
- 68 Powers of National Assembly for Wales under amended Acts
- 69 Financial provisions
- 70 Short title, commencement and extent

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**SCHEDULES**

SCHEDULE 1 — Exempt information relating to health services

Part 1 — DESCRIPTIONS OF EXEMPT INFORMATION

- 1 Information relating to a particular employee, former employee or applicant...
- 2 Information relating to any particular occupier or former occupier of,...
- 3 Information relating to any particular applicant for, or recipient or...
- 4 Information relating to any particular applicant for, or recipient or...
- 5 The amount of any expenditure proposed to be incurred by...
- 6 Any terms proposed or to be proposed by or to...

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- 7 The identity of a relevant body (as well as of...
- 8 Information relating to any consultations or negotiations, or contemplated consultations...
- 9 Any instructions to counsel and any opinion of counsel (whether...
- 10 Information relating to a particular person who is or was...
- 11 Information relating to a particular person who is or was...
- 12 Information relating to a particular person who is or was...
- 13 Information relating to any particular employee, former employee, or applicant...
- 14 Information relating to the physical or mental health of a...  
Part 2 — QUALIFICATIONS
- 15 Information relating to a person of a description specified in...
- 16 Information falling within paragraph 5 of Part 1 is exempt...
- 17 Information falling within paragraph 6 of Part 1 is exempt...
- 18 Information falling within paragraph 8 of Part 1 is exempt...  
Part 3 — INTERPRETATION
- 19 In this Schedule— “disposal”, in relation to property, includes the...

#### SCHEDULE 2 — Pilot Schemes

- 1 *How pilot schemes may be initiated*
- 2 *Preliminary steps to be taken*
- 3 *Approval*
- 4 *Preliminary approval*
- 5 *Effect of proposals on existing services*
- 6 *Guidance*
- 7 *Making a scheme*

#### SCHEDULE 3 — LPS Schemes

#### SCHEDULE 4 — Partnership Arrangements: Transfer of Staff

#### SCHEDULE 5 — Minor and consequential amendments

##### Part 1 — NATIONAL HEALTH SERVICE

- 1 *Health Services and Public Health Act 1968 (c. 46)*
- 2 *House of Commons Disqualification Act 1975 (c. 24)*
- 3 *In Part 3 of Schedule 1 to that Act (which...*
- 4 *Patents Act 1977 (c. 37)*
- 5 *National Health Service Act 1977 (c. 49)*
- 6 *Mental Health Act 1983 (c. 20)*
- 7 *Copyright, Designs and Patents Act 1988 (c. 19)*
- 8 *National Health Service and Community Care Act 1990 (c. 48)*
- 9 *Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52)*
- 10 *Tribunals and Inquiries Act 1992 (c. 53)*
- 11 *National Health Service (Primary Care) Act 1997 (c. 46)*
- 12 *Health Act 1999 (c. 8)*
- 13 *Local Government Act 2000 (c. 22)*
- 14 *Freedom of Information Act 2000 (c. 36)*  
Part 2 — SOCIAL CARE
- 15 *Local Authority Social Services Act 1970 (c. 42)*
- 16 *Carers and Disabled Children Act 2000 (c. 16)*  
PART 3 — PATIENT INFORMATION
- 17 *House of Commons Disqualification Act 1975 (c. 24)*
- 18 *Freedom of Information Act 2000 (c. 36)*

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## SCHEDULE 6 — Repeals

Part 1 — NATIONAL HEALTH SERVICE

Part 2 — PHARMACEUTICAL SERVICES

Part 3 — SOCIAL CARE

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