



Health and Social Care Act 2001

2001 CHAPTER 15

PART 1

NATIONAL HEALTH SERVICE

Local authority scrutiny of health service provision

7 Functions of overview and scrutiny committees

- (1) In section 21 of the Local Government Act 2000 (c. 22) (overview and scrutiny committees), in subsection (2), after paragraph (e) there shall be inserted—
- “(f) in the case of the overview and scrutiny committee or committees of an authority to which section 7 of the Health and Social Care Act 2001 applies, to review and scrutinise, in accordance with regulations under that section, matters relating to the health service (within the meaning of that section) in the authority’s area, and to make reports and recommendations on such matters in accordance with the regulations.”
- (2) This section applies to—
- any county council,
 - any county borough council,
 - the council of any district comprised in an area for which there is no county council,
 - any London borough council.
- (3) Regulations may, in relation to an overview and scrutiny committee of an authority to which this section applies, make provision—
- as to matters relating to the health service in the authority’s area which the committee may review and scrutinise,
 - as to matters relating to the health service in the authority’s area on which the committee may make reports and recommendations to local NHS bodies [^{F1}or to the relevant authority],

Status: Point in time view as at 01/01/2003. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Health and Social Care Act 2001, Section 7. (See end of Document for details)

- (c) as to matters on which local NHS bodies must consult the committee in accordance with the regulations,
 - (d) as to information which local NHS bodies must provide to the committee,
 - (e) as to information which may not be disclosed by a local NHS body to the committee,
 - (f) requiring any officer of a local NHS body to attend before the committee to answer questions.
- (4) For the purposes of any provision of subsection (3) “local NHS body”, in relation to an overview and scrutiny committee, means a [^{F2}Strategic Health Authority,] Health Authority, Primary Care Trust [^{F3}, Local Health Board] or NHS trust specified for those purposes by regulations in relation to the committee.
- (5) In this section—
- “the health service” has the same meaning as in the 1977 Act, except that it includes services provided in pursuance of section 31 arrangements in relation to the exercise of health-related functions of a local authority;
 - “section 31 arrangements” means arrangements under regulations under section 31 of the Health Act 1999 (c. 8) (arrangements between NHS bodies and local authorities).

Textual Amendments

- F1** Words in s. 7(3)(b) inserted (1.1.2003 for E. and otherwise prosp.) by [National Health Service Reform and Health Care Professions Act 2002 \(c. 17\)](#), **ss. 21**, 42(3); S.I. 2002/3190, **art. 2**
- F2** Words in s. 7(4) inserted (1.10.2002) by [National Health Service Reform and Health Care Professions Act 2002 \(c. 17\)](#), **ss. 1(3)**, 42(3), **Sch. 1 Pt. 2 para. 55(2)**; S.I. 2002/2478, **art. 3(1)** (subject to art. 3(3))
- F3** Words in s. 7(4) inserted (10.10.2002 for W. and otherwise prosp.) by [National Health Service Reform and Health Care Professions Act 2002 \(c. 17\)](#), **ss. 6(2)**, 42(3), **Sch. 5 para. 50**; S.I. 2002/2532, **art. 2**, Sch.

Commencement Information

- I1** S. 7 partly in force; s. 7 in force for certain purposes at 11.5.2001, see s. 70(2)
- I2** S. 7 in force at 1.1.2003 for E. by [S.I. 2003/53](#), **art. 3(a)**

Status:

Point in time view as at 01/01/2003. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the Health and Social Care Act 2001, Section 7.