



National Health Service Reform and Health Care Professions Act 2002

2002 CHAPTER 17

PART 1

NATIONAL HEALTH SERVICE, ETC

Patient and public involvement

15 Establishment of Patients' Forums

- (1) The Secretary of State shall establish a body to be known as a Patients' Forum—
 - (a) for each NHS trust all or most of whose hospitals, establishments and facilities are situated in England, and
 - (b) for each Primary Care Trust.
- (2) The members of each Patients' Forum are to be appointed by the Commission for Patient and Public Involvement in Health.
- (3) A Patients' Forum must—
 - (a) monitor and review the range and operation of services provided by, or under arrangements made by, the trust for which it is established,
 - (b) obtain the views of patients and their carers about those matters and report on those views to the trust,
 - (c) provide advice, and make reports and recommendations, about matters relating to the range and operation of those services to the trust,
 - (d) make available to patients and their carers advice and information about those services,
 - (e) in prescribed circumstances, perform any prescribed function of the trust with respect to the provision of a service affording assistance to patients and their families and carers,
 - (f) carry out such other functions as may be prescribed.

Status: This is the original version (as it was originally enacted).

- (4) In providing advice or making recommendations under subsection (3)(c), a Patients' Forum must have regard to the views of patients and their carers.
- (5) If, in the course of exercising its functions, a Patients' Forum becomes aware of any matter which in its view—
- (a) should be considered by a relevant overview and scrutiny committee, the Forum may refer that matter to the committee,
 - (b) should be brought to the attention of the Commission for Patient and Public Involvement in Health, it may refer that matter to the Commission.
- (6) Subsection (5) does not prejudice the power of a Patients' Forum to make such other representations or referrals as it thinks fit, to such persons or bodies as it thinks fit, about matters arising in the course of its exercising its functions.
- (7) Patients' Forums must in prescribed circumstances—
- (a) co-operate with each other in the exercise of their functions,
 - (b) exercise functions jointly with one or more other Forums.
- (8) References in subsection (3) to services are references to—
- (a) services provided as part of the health service in England,
 - (b) services provided in England in pursuance of section 31 arrangements in relation to the exercise of health-related functions of a local authority, and
 - (c) services provided elsewhere (and not as part of the health service in England) in pursuance of section 31 arrangements with a local authority in England.

- (9) In this section—

“carer”, in relation to a patient, means a person who provides care for the patient, but who is not employed to do so by any body in the exercise of its functions under any enactment,

“the health service” has the same meaning as in the 1977 Act,

“patient” includes (as well as a patient within the meaning of that Act) a person who receives services provided in pursuance of section 31 arrangements in relation to the exercise of health-related functions of a local authority,

“prescribed” means prescribed by regulations made by the Secretary of State,

“relevant overview and scrutiny committee”, in relation to a Patients' Forum, means any overview and scrutiny committee in relation to which the Primary Care Trust or NHS trust for which the Forum is established is a local NHS body by virtue of regulations made under section 7(4) of the Health and Social Care Act 2001 (c. 15) (including that provision as read with section 8(5) and as applied by section 10(2) of that Act),

“section 31 arrangements” means arrangements under regulations under section 31 of the 1999 Act (arrangements between NHS bodies and local authorities).