



Health and Social Care Act 2008

2008 CHAPTER 14

PART 1

THE CARE QUALITY COMMISSION

CHAPTER 2

REGISTRATION IN RESPECT OF PROVISION OF HEALTH OR SOCIAL CARE

Registration procedure

[^{F1}29A Warning notice: quality of health care

- (1) If it appears to the Commission that the quality of health care provided by an NHS trust established under section 25 of the National Health Service Act 2006 or by an NHS foundation trust requires significant improvement, the Commission may give the trust a warning notice.
- (2) A warning notice under this section is a notice in writing—
 - (a) stating that the Commission has formed the view that the quality of health care provided by the trust requires significant improvement,
 - (b) specifying the health care concerned,
 - (c) giving the Commission's reasons for its view, and
 - (d) requiring the trust to make a significant improvement to the quality of the health care concerned within a specified time.
- (3) Where a warning notice under this section imposes more than one requirement under subsection (2)(d), it may specify different times for different requirements.
- (4) The Commission must—
 - (a) where the notice specifies only one time under subsection (2)(d), determine at the end of that time whether the requirement has been complied with;

Changes to legislation: There are currently no known outstanding effects for the Health and Social Care Act 2008, Section 29A. (See end of Document for details)

- (b) where the notice specifies more than one time under subsection (2)(d), determine at the end of the latest of those times, whether the requirements have been complied with.
- (5) Where, having carried out the duty under subsection (4), the Commission is satisfied that a requirement to which the notice relates has not been complied with, it—
- (a) must decide what action to take in relation to the trust, and
 - ^{F2}(b) must consider in particular whether to require NHS England to make an order under section 65B(1) or 65D(2) of the National Health Service Act 2006 (appointment of trust special administrator).]]

Textual Amendments

- F1** S. 29A inserted (1.4.2015) by Care Act 2014 (c. 23), ss. 82(3), 127(1); S.I. 2015/993, art. 2(v) (with transitional provisions in S.I. 2015/995)
- F2** S. 29A(5)(b) substituted (1.7.2022) by Health and Care Act 2022 (c. 31), s. 186(6), Sch. 8 para. 25; S.I. 2022/734, reg. 2(a), Sch. (with regs. 13, 29, 30)

Changes to legislation:

There are currently no known outstanding effects for the Health and Social Care Act 2008, Section 29A.