



Health and Social Care Act 2012

2012 CHAPTER 7

PART 9

HEALTH AND ADULT SOCIAL CARE SERVICES: INFORMATION

CHAPTER 2

[^{F1}NHS ENGLAND: HEALTH AND SOCIAL CARE INFORMATION ETC.]

Functions: other

268 Database of quality indicators

- (1) Regulations may make provision conferring functions on [^{F1}NHS England] in connection with the establishment, maintenance and publication of a database of quality indicators in relation to the provision of health services and of adult social care in England.
- (2) The regulations may, in particular, make provision about—
 - (a) the persons who may propose a quality indicator for inclusion in the database,
 - (b) the giving of advice and guidance by [^{F1}NHS England] to such persons in relation to such a proposal,
 - (c) the assessment and approval of quality indicators proposed for inclusion in the database by such person as the Secretary of State or [^{F2}NHS England] may direct, and
 - (d) the inclusion in the database of guidance about how providers may demonstrate performance measured against the quality indicators.
- (3) In this section a “quality indicator” means a factor by reference to which performance in the provision of services or care can be measured.

Status: Point in time view as at 01/02/2023.

Changes to legislation: Health and Social Care Act 2012, Cross Heading: Functions: other is up to date with all changes known to be in force on or before 30 August 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)

Textual Amendments

- F1** Words in s. 268 substituted (1.2.2023) by [The Health and Social Care Information Centre \(Transfer of Functions, Abolition and Transitional Provisions\) Regulations 2023 \(S.I. 2023/98\)](#), reg. 1(2), [Sch. para. 17\(21\)](#) (with [reg. 3](#))
- F2** Words in s. 268 substituted (1.7.2022) by [Health and Care Act 2022 \(c. 31\)](#), s. 186(6), [Sch. 1 para. 1\(1\)\(2\)](#); [S.I. 2022/734](#), [reg. 2\(a\)](#), [Sch.](#) (with [regs. 13, 29, 30](#))

Commencement Information

- I1** [S. 268](#) partly in force; [s. 268](#) in force for specified purposes at Royal Assent, see [s. 306\(1\)\(d\)](#)
- I2** [S. 268](#) in force at 1.4.2013 in so far as not already in force by [S.I. 2013/160](#), [art. 2\(2\)](#) (with [arts. 7-9](#))

269 Power to confer functions in relation to identification of GPs

- (1) Regulations may make provision conferring functions on [F³NHS England] in connection with the verification of the identity of general medical practitioners for purposes connected with the health service in England.
- (2) In subsection (1) “general medical practitioners” means persons registered in the General Practitioner Register kept by the General Medical Council.

Textual Amendments

- F3** Words in [s. 269\(1\)](#) substituted (1.2.2023) by [The Health and Social Care Information Centre \(Transfer of Functions, Abolition and Transitional Provisions\) Regulations 2023 \(S.I. 2023/98\)](#), reg. 1(2), [Sch. para. 17\(22\)](#) (with [reg. 3](#))

Commencement Information

- I3** [S. 269](#) partly in force; [s. 269](#) in force for specified purposes at Royal Assent, see [s. 306\(1\)\(d\)](#)
- I4** [S. 269](#) in force at 1.4.2013 in so far as not already in force by [S.I. 2013/160](#), [art. 2\(2\)](#) (with [arts. 7-9](#))

270 Additional functions

- (1) [F⁴NHS England] may do any of the following—
- (a) acquire, produce, manufacture and supply goods,
 - (b) acquire land by agreement and manage and deal with land,
 - (c) supply accommodation to any person,
 - (d) supply services to any person and provide new services,
 - (e) provide instruction for any person, and
 - (f) develop and exploit ideas and exploit intellectual property.
- (2) But [F⁴NHS England] may exercise a power under subsection (1) only—
- (a) if doing so involves, or is connected with, the collection, analysis, publication or other dissemination of information, and
 - (b) to the extent that its exercise does not to any significant extent interfere with the performance by [F⁴NHS England] of any function under or by virtue of any other provision of this or any other Act.
- (3) [F⁴NHS England] may—
- (a) charge for anything it does in the exercise of a power under subsection (1), and

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- (b) calculate any such charge on the basis that it considers to be the appropriate commercial basis.

[^{F5}(4) Nothing in this section is to be read as limiting any power that NHS England has apart from this section to do the things listed in subsection (1).]

Textual Amendments

- F4** Words in s. 270 substituted (1.2.2023) by [The Health and Social Care Information Centre \(Transfer of Functions, Abolition and Transitional Provisions\) Regulations 2023 \(S.I. 2023/98\)](#), reg. 1(2), **Sch. para. 17(23)(a)** (with reg. 3)
- F5** S. 270(4) inserted (1.2.2023) by [The Health and Social Care Information Centre \(Transfer of Functions, Abolition and Transitional Provisions\) Regulations 2023 \(S.I. 2023/98\)](#), reg. 1(2), **Sch. para. 17(23)(b)** (with reg. 3)

Commencement Information

- I5** S. 270 in force at 1.4.2013 by [S.I. 2013/160](#), **art. 2(2)** (with arts. 7-9)

^{F6}271 Arrangements with other bodies

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Textual Amendments

- F6** Ss. 271-273 omitted (1.2.2023) by virtue of [The Health and Social Care Information Centre \(Transfer of Functions, Abolition and Transitional Provisions\) Regulations 2023 \(S.I. 2023/98\)](#), reg. 1(2), **Sch. para. 17(24)** (with reg. 3)

^{F6}272 Failure by Information Centre to discharge any of its functions

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Textual Amendments

- F6** Ss. 271-273 omitted (1.2.2023) by virtue of [The Health and Social Care Information Centre \(Transfer of Functions, Abolition and Transitional Provisions\) Regulations 2023 \(S.I. 2023/98\)](#), reg. 1(2), **Sch. para. 17(24)** (with reg. 3)

^{F6}273 Protection from personal liability

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Textual Amendments

- F6** Ss. 271-273 omitted (1.2.2023) by virtue of [The Health and Social Care Information Centre \(Transfer of Functions, Abolition and Transitional Provisions\) Regulations 2023 \(S.I. 2023/98\)](#), reg. 1(2), **Sch. para. 17(24)** (with reg. 3)

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