



# Health and Social Care Act 2012

## 2012 CHAPTER 7

### PART 9

#### HEALTH AND ADULT SOCIAL CARE SERVICES: INFORMATION

### CHAPTER 2

#### THE HEALTH AND SOCIAL CARE INFORMATION CENTRE

#### *Functions: information systems*

#### **260 Publication of information**

- (1) The Information Centre must publish all information which it obtains by complying with a direction under section 254 or a request under section 255 unless the information falls within subsection (2); and, subject to subsection (3), if the information falls within that subsection, the Centre must not publish it.
- (2) Information falls within this subsection if—
  - (a) the information is in a form which identifies any relevant person to whom the information relates or enables the identity of such a relevant person to be ascertained and the Centre, after taking into account the public interest as well as the interests of the relevant person, considers that it is not appropriate for the information to be published,
  - (b) the information is in a form which identifies any individual to whom the information relates who is not a relevant person or enables the identity of such an individual to be ascertained,
  - (c) the Centre considers that—
    - (i) the information fails to meet the information standards published under section 250 (so far as they are applicable), and
    - (ii) it would not be in the public interest to publish the information, or

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*Status: This is the original version (as it was originally enacted).*

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- (d) the information is of a description specified in a direction given to the Centre by the Secretary of State or the Board.
- (3) A direction under section 254 may provide that the obligation to publish imposed by subsection (1) applies to information falling within subsection (2)(a) which is obtained by complying with the direction.
- (4) Where the Information Centre publishes information which it obtains by complying with a direction under section 254 or a mandatory request under section 255, the Centre—
  - (a) must comply with the requirements (if any) specified in the direction or mandatory request as to the form, manner and timing of publication of the information, and
  - (b) may publish the information in such other form and such other manner, and at such other times, as it considers appropriate.
- (5) Where the Information Centre publishes information which it obtains by complying with a request under section 255 other than a mandatory request, the Centre—
  - (a) may act in accordance with such provision (if any) as may be included in the request as to the form, manner and timing of publication of the information, and
  - (b) may publish the information in such other form and such other manner, and at such other times, as it considers appropriate.
- (6) In considering the appropriate form, manner and timing of publication of information under this section, the Information Centre must have regard to—
  - (a) the need for the information to be easily accessible,
  - (b) the persons who the Centre considers likely to use the information, and
  - (c) the uses to which the Centre considers the information is likely to be put.
- (7) In this Chapter “relevant person” means—
  - (a) any person who provides health care or adult social care, or
  - (b) any body corporate not falling within paragraph (a).