Health and Social Care Act 2008

2008 CHAPTER 14

PART 1

THE CARE QUALITY COMMISSION

CHAPTER 3

QUALITY OF HEALTH AND SOCIAL CARE

Reviews and investigations

48   Special reviews and investigations

(1) The Commission may conduct any special review or investigation, and must do so if the Secretary of State so requests.

(2) A special review or investigation is a review (other than a periodic review) of or an investigation into—

    (a)   the provision of NHS care,

    (b)   the provision of adult social services, or

    (c)   the exercise of functions by English Health Authorities.

(3) Such a review or investigation may relate—

    (a)   to the overall provision of NHS care or adult social services or to the provision of NHS care or adult social services of a particular description;

    (b)   to the overall exercise of functions or to the exercise of functions of a particular description;

    (c)   to the provision of care or services or the exercise of functions by bodies or persons generally or by particular bodies or persons.

(4) Where the Commission conducts a review or investigation under this section, it must publish a report.

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(5) The Commission must consider whether the report raises anything on which it ought to give advice to the Secretary of State under section 53(2).

(6) If the review or investigation gives rise to a duty to act under section 50(2) or (3) in respect of an English local authority, subsection (5) does not apply in relation to so much of the report as relates to that local authority.

(7) The Secretary of State may, after consulting the Commission, by regulations make provision as to the procedure to be followed in respect of the making of representations to the Commission before the publication of a report under subsection (4).

(8) In this section "English Health Authority" means—

    (a) a Strategic Health Authority, or

    (b) a Special Health Authority performing functions only or mainly in respect of England.