



Health and Social Care Act 2012

2012 CHAPTER 7

PART 9

HEALTH AND ADULT SOCIAL CARE SERVICES: INFORMATION

CHAPTER 1

INFORMATION STANDARDS

250 Powers to publish information standards

- (1) The Secretary of State or the National Health Service Commissioning Board (referred to in this Chapter as “the Board”) may prepare and publish an information standard.
- (2) For the purposes of this Part “an information standard” is a document containing standards in relation to the processing of information.
- (3) The Secretary of State may exercise the power under subsection (1) only in relation to information concerning, or connected with, the provision of health services or of adult social care in England.
- (4) The Board may exercise the power under subsection (1) only in relation to information concerning, or connected with, the provision of NHS services.
- (5) An information standard must include guidance about the implementation of the standard.
- (6) The following must have regard to an information standard published under this section—
 - (a) the Secretary of State;
 - (b) the Board;
 - (c) any public body which exercises functions in connection with the provision of health services or of adult social care in England;

Status: This is the original version (as it was originally enacted).

- (d) any person (other than a public body) who provides health services, or adult social care in England, pursuant to arrangements made with a public body exercising functions in connection with the provision of such services or care.

(7) In this section—

“adult social care”—

- (a) includes all forms of personal care and other practical assistance provided for individuals who, by reason of age, illness, disability, pregnancy, childbirth, dependence on alcohol or drugs, or any other similar circumstances, are in need of such care or other assistance, but
- (b) does not include anything provided by an establishment or agency for which Her Majesty’s Chief Inspector of Education, Children’s Services and Skills is the registration authority under section 5 of the Care Standards Act 2000;

“health services” means services which must or may be provided as part of the health service in England; and for that purpose “the health service” has the same meaning as in the National Health Service Act 2006 (see section 275(1) of that Act);

“NHS services” means services the provision of which is arranged by the Board or a clinical commissioning group under the National Health Service Act 2006 (including pursuant to arrangements made under section 7A of that Act) or section 117 of the Mental Health Act 1983 (after-care);

“processing” has the same meaning as in the Data Protection Act 1998 (see section 1 of that Act);

“public body” means a body or other person whose functions—

- (a) are of a public nature, or
- (b) include functions of that nature,

but in the latter case, the body or person is a public body to the extent only of those functions.

251 Information standards: supplementary

- (1) Before publishing an information standard, the Secretary of State or the Board must consult such persons as the Secretary of State or (as the case may be) the Board considers appropriate.
- (2) For the purposes of section 250 the Secretary of State or the Board may adopt an information standard prepared or published by another person.