

*These notes refer to the Health and Social Care Act 2008
(c.14) which received Royal Assent on 21 July 2008*

HEALTH AND SOCIAL CARE ACT 2008

EXPLANATORY NOTES

TERRITORIAL EXTENT

Interpretation

Part 2 – Regulation of Health Professions and Health and Social Care Workforce

The Office of the Health Professions Adjudicator

Section 101: Lists of persons eligible for membership of fitness to practise panels

317. **Section 101** requires the OHPA to keep three lists:
- one of persons eligible to serve as chairs;
 - one of persons eligible to serve as lay members; and
 - one of persons eligible to serve as professionally qualified members.
318. **Subsection (2)** provides that the list of chairs is to consist of persons who are legally qualified and persons who are also included on the lists of lay and professionally qualified members.
319. Rules made by the OHPA under this section may set out further details of how the lists will be kept and the information relating to each individual appointed which will appear on the lists. Rules may also set out the requirements for appointment to any list. Rules made by the OHPA under this section must set out the qualifications a person must have in order to be considered ‘legally qualified’ and therefore eligible for appointment to the chairs list. They must also provide for the experience and training that any lay or professionally qualified member must have in order for them to be appointed to the chairs list.
320. This section provides that no member of the OHPA may be appointed to a list.