



# 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*

#### **51 Failings by Welsh NHS bodies**

- (1) Following a review under section 46 or 49, or a review or investigation under section 48, the Commission must inform the Welsh Ministers if it considers that—
  - (a) there are significant failings in relation to the provision of health care by or pursuant to arrangements made by a Welsh NHS body,
  - (b) there are significant failings in the running of a Welsh NHS body, or
  - (c) there are significant failings in the running of a body, or the practice of an individual, providing health care pursuant to arrangements made by a Welsh NHS body.
- (2) The Commission may also recommend to the Welsh Ministers that, with a view to remedying those failings, the Welsh Ministers take special measures—
  - (a) in a case falling within subsection (1)(a) or (b), in relation to the Welsh NHS body concerned;
  - (b) in a case falling within subsection (1)(c), in relation to the body or individual concerned (except an English NHS body or a cross-border Special Health Authority).
- (3) In this section “Welsh NHS body” has the same meaning as in Part 2 of the Health and Social Care (Community Health and Standards) Act 2003 (c. 43).