

HEALTH AND SOCIAL CARE (SAFETY AND QUALITY) ACT 2015

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 5 – Objectives in relation to the regulation of health and social care professions

33. This section relates to the regulation of health and social care professionals.
34. *Subsection (1)* amends section 25 of the National Health Service Reform and Health Care Professions Act 2002 ('2002 Act'). It substitutes a new overarching objective for the existing objective of the PSA. The new objective applies only when the PSA is carrying out the functions set out in section 25(2)(b) to (d) of the 2002 Act, which are broadly:
- a) to promote best practice by regulators of health and care professionals in the performance of their functions;
 - b) to formulate principles of good professional self-regulation and encourage health and care professional regulators to conform to them;
 - c) to promote co-operation between health and care professional regulators and between them and other bodies that exercise corresponding functions.
35. This new objective, like the existing objective, does not apply to the functions of the PSA under section 25(2)(a) of the 2002 Act, to promote the interests of users of health care, social care in England, users of social work services in England and other members of the public in relation to the performance by the health and care professional regulators and any of their committees and officers of their functions.
36. The overarching objective is public protection, which involves the following:
- a) protecting, promoting and maintaining the health, safety and well-being of the public;
 - b) promoting and maintaining public confidence in the professions that the regulators regulate;
 - c) promoting and maintaining proper professional standards and conduct for members of those professions;
 - d) promoting and maintaining proper standards in relation to the carrying on of retail pharmacy businesses at a registered pharmacy, and corporate bodies registered with the General Optical Council.
37. This section also gives effect to the Schedule, which makes provision about the objectives of regulators of health and care professionals, and about when committees or panels of those regulators should have regard to those objectives.