Patient Rights (Scotland) Act 2011

2011 asp 5

Patient advice and support service

17 Patient advice and support service: establishment and funding

F1(1) . . . . . .

(2) After section 10 of **[**F2the 1978 Act**]**insert—

"**10ZA Provision of patient advice and support service**

(1) The Agency must secure the adequate provision of the patient advice and support service described in section 18 of the Patient Rights (Scotland) Act 2011 (asp 5) in relation to each relevant body.

(2) In exercising its function under subsection (1), the Agency must have regard to the desirability of the service being provided—

(a) in the most efficient and effective manner possible, and

(b) in a manner which co-ordinates with the services of other providers of advice and support.

(3) There may be more than one provider of the patient advice and support service.

(4) The patient advice and support service is not to be provided by—

(a) a Health Board,

(b) a Special Health Board,

(c) Healthcare Improvement Scotland,

(d) the Agency.

(5) Each relevant body must make to its provider of the patient advice and support service, in respect of the provider's expenses (as respects its activities relating to the service), payments of such amounts, and at such times, as the Scottish Ministers may direct.

(6) For the purposes of this section, a "relevant body" is—

(a) a Health Board, and

(b) any other body that the Scottish Ministers may by order specify.".

Status: *Point in time view as at 22/09/2014.*
Changes to legislation: *There are currently no known outstanding effects for the Patient Rights (Scotland) Act 2011, Cross Heading: Patient advice and support service. (See end of Document for details)*

Textual Amendments

F1 S. 17(1) repealed (22.9.2014) by Public Bodies (Joint Working) (Scotland) Act 2014 (asp 9), **ss. 71(5)**, 72(2); S.S.I. 2014/231, art. 2

F2 Words in s. 17(2) substituted (22.9.2014) by Public Bodies (Joint Working) (Scotland) Act 2014 (asp 9), **ss. 63(4)**, 72(2); S.S.I. 2014/231, art. 2

Commencement Information

I1 S. 17 in force at 1.4.2012 by S.S.I. 2012/35, **art. 2(a)**

18 Patient advice and support service

(1) The patient advice and support service to be secured by the Agency under section 10ZA of the 1978 Act is to provide advice and support services to patients and other members of the public in relation to the health service.

(2) In particular, the patient advice and support service is to—

(a) promote an awareness and understanding of the rights and responsibilities of patients (and in particular, promote awareness of the Charter),

(b) advise and support persons who wish to give feedback or comments, or raise concerns or complaints about health care,

(c) provide information and advice on such matters as it considers likely to be of interest to persons using the health service,

(d) make persons aware of and, where appropriate, direct them to—

(i) other sources of advice and support (including persons who provide advice and support in relation to matters other than the health service),

(ii) persons providing representation and advocacy services,

(e) provide such—

(i) other advice or support,

(ii) reports on its activities,

as the Agency may specify.

(3) Nothing in this Act prevents a provider of the patient advice and support service from providing advice and support in relation to matters other than the health service.

(4) But the provision of such other advice and support by such a provider must not prejudice its provision of advice and support services under subsection (1).

(5) For the purposes of subsection (2), the responsibilities of a patient include the responsibility of the patient—

(a) for the patient's own health and wellbeing, and

(b) to behave appropriately in the receipt of health care.

(6) The Scottish Ministers may by regulations make further provision about the patient advice and support service and in particular about the services it is to provide.

Commencement Information

I2 S. 18 in force at 1.4.2012 by S.S.I. 2012/35, **art. 2(a)**

19 Duties to share information

(1) A relevant body must (where reasonably practicable and otherwise appropriate) give providers of the patient advice and support service information about—

(a) the relevant body (and the health service generally) including its organisation, procedures and specific services that it provides,

(b) any changes to the information mentioned in paragraph (a), and

(c) such other relevant matters as providers of the patient advice and support service may reasonably request.

(2) The Agency must secure that providers of the patient advice and support service give relevant bodies information about—

(a) the services that providers of the patient advice and support service provide,

(b) such other relevant matters as relevant bodies may reasonably request.

(3) No information is to be given under subsection (1) or (2) which would infringe patient confidentiality.

(4) For the purposes of this section "relevant body" has the same meaning as in section 10ZA(6) of the 1978 Act (provision of patient advice and support service).

Commencement Information

I3 S. 19 in force at 1.4.2012 by S.S.I. 2012/35, **art. 2(a)**

Status:
Point in time view as at 22/09/2014.

Changes to legislation:
There are currently no known outstanding effects for the Patient Rights (Scotland) Act 2011, Cross Heading: Patient advice and support service.