

EXECUTIVE NOTE

The National Health Service Central Register (Scotland) Regulations 2006 (SSI 2006/484)

The above instrument is made in exercise of the powers conferred by sections 57(2)(f), (3)(i), (4), (6) and (7) and 61(2) of the Local Electoral Administration and Registration Services (Scotland) Act 2006 (“the 2006 Act”). It is subject to negative resolution procedure.

Policy Objectives

The purpose of the instrument is to set out the regime under which information may be provided from the National Health Service Central Register for Scotland (“NHSCR”), including the detail of which additional bodies the information may be shared with. It also supplements the information which may be compiled on the NHSCR and adds to the list of bodies from which such information may be drawn. The instrument will come into effect on 11 November 2006.

The NHSCR, which dates from the early 1950s, contains basic details of everyone born in Scotland, plus anyone else who is (or has been) on the list of a GP in Scotland. The NHSCR effectively acts as an index to NHS patients, with the principal function of allowing the smooth transfer of patients who move between NHS Board areas (or across borders within the UK). By empowering the Registrar General to keep a central register of information about people, section 57 of the 2006 Act puts the NHSCR on a clear statutory footing. It operated previously partly under sections 1(3) and 51 of the Registration of Births, Deaths and Marriages (Scotland) Act 1965 as far as the Registrar General is concerned, but is not explicitly mentioned there. The 2006 Act also allows the NHSCR to act for the first time as an index to local authority customers, in a similar way to its traditional NHS function.

Section 57(3) specifies the information which may be held on the register. This covers basic personal data and with which health authority the patient has been registered. Both that information and the sources of the information may be extended to include other information by regulations made by the Registrar General. This instrument lists the information which is already held on the NHSCR but which requires to be described at a level of detail which is more appropriate to regulations than to primary legislation (Column 1 of Schedule 1, items 4, 5, 6, 7, 8 and 9) and some information which it is intended to add to the NHSCR for the first time, in order to increase the accuracy with which people can be associated with their NHSCR record (Column 1 of Schedule 1, items 1, 2, 3, 10 and 11).

Section 57(4) to (7) requires the Registrar General to set out in these Regulations the access to information held on the NHSCR that is allowed, for Health Boards, the Common Services Agency and local authorities (the principal users of the NHSCR) and enables the Registrar General to prescribe other persons, or persons of a certain description, that may be given access, and to what information they should be given access. This instrument implements section 57 to specify the information which may be provided both to the principal users and to the other users listed in Column 2 of Schedule 2, all of whom (except local authorities as noted above) are already provided with the specified information.

Consultation

The following bodies have been consulted during the preparation of the instrument:-

- Scottish local authorities
- National Health Service in Scotland
- National Health Service in England and Wales
- Northern Ireland Central Services Agency for the Health and Social Services
- Office for National Statistics
- Ministry of Defence
- Chief Constables in Scotland
- Scottish Drug Enforcement Agency
- Security Service
- Medical Research Council
- Law Society of Scotland
- Office of the Scottish Charities Regulator

Financial Effects

The instrument has no financial effects on the Scottish Executive, local government or on business.

General Register Office for Scotland
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