



National Health Service Reform and Health Care Professions Act 2002

2002 CHAPTER 17

PART 1

NATIONAL HEALTH SERVICE, ETC

Patient and public involvement

19 **Supplementary**

- (1) The Secretary of State may by regulations make further provision in relation to Patients' Forums.
- (2) The regulations may in particular make provision as to—
 - (a) the appointment of members,
 - (b) any qualification or disqualification for membership,
 - (c) terms of appointment,
 - (d) circumstances in which a person is to cease to be a member or may be suspended,
 - (e) the proceedings of Patients' Forums,
 - (f) the discharge of any function of a Patients' Forum by a committee of the Forum or by a joint committee appointed with another Forum,
 - (g) the appointment, as members of a committee or joint committee, of persons who are not members of the Forum or Forums concerned,
 - (h) the funding of Patients' Forums and the provision of premises, other facilities and staff,
 - (i) the payment of travelling and other allowances to members of a Patients' Forum or of a committee of a Forum or a joint committee of two or more Forums (including attendance allowances or compensation for loss of remunerative time),

Status: This is the original version (as it was originally enacted).

- (j) the preparation by a Patients' Forum of annual accounts, and their inclusion in accounts of the Commission for Patient and Public Involvement in Health,
 - (k) the provision of information (including descriptions of information which are or are not to be provided) to a Patients' Forum by an NHS trust, a Primary Care Trust, a Strategic Health Authority, the Commission for Patient and Public Involvement in Health or a person providing independent advocacy services (within the meaning given by section 19A of the 1977 Act),
 - (l) the provision of information by a Patients' Forum to another person (including another Forum),
 - (m) the referral of matters by a Patients' Forum to a relevant overview and scrutiny committee (within the meaning given by section 15),
 - (n) the preparation and publication of reports by Patients' Forums (including the publication of reports under section 18),
 - (o) matters to be included in any such report,
 - (p) the furnishing and publication by NHS trusts, Primary Care Trusts and Strategic Health Authorities of comments on reports or recommendations of Patients' Forums.
- (3) The regulations must secure that the members of a Patients' Forum include—
- (a) at least one person who is a member or representative of a voluntary organisation whose purpose, or one of whose purposes, is to represent the interests of—
 - (i) persons for whom services are being provided under the 1977 Act, or
 - (ii) persons who provide care for such persons, but who are not employed to do so by any body in the exercise of its functions under any enactment, and
 - (b) at least one person for whom services are being or have been provided by the trust for which the Patients' Forum is established.
- (4) The regulations must also secure that the members of a Patients' Forum established for a Primary Care Trust also include—
- (a) at least one member of the Patients' Forum established for each NHS trust all or most of whose hospitals, establishments and facilities are situated in the area of the Primary Care Trust, and
 - (b) if it appears to the Commission for Patient and Public Involvement in Health that there is a body which represents members of the public in the Primary Care Trust's area in matters relating to their health, at least one person who is a member or representative of that body (or, if there is more than one such body, of any of those bodies).
- (5) The regulations may include provision applying, or corresponding to, any provision of Part 5A of the Local Government Act 1972 (c. 70) (access to meetings and documents), with or without modifications.
- (6) In section 134 of the Mental Health Act 1983 (c. 20) (correspondence of patients), in subsection (3)(e), after “Community Health Council” there is inserted “, a Patients' Forum”.
- (7) In Schedule 1 to the Freedom of Information Act 2000 (c. 36) (public authorities for the purposes of the Act), in Part 3 (National Health Service), after paragraph 41 there is inserted—

“41A A Patients' Forum established under section 15 of the National Health Service Reform and Health Care Professions Act 2002.”