



Local Government and Public Involvement in Health Act 2007

2007 CHAPTER 28

PART 14

PATIENT AND PUBLIC INVOLVEMENT IN HEALTH AND SOCIAL CARE

[^{F1}Local arrangements]

222 [^{F1}Local Healthwatch organisations]

(1) This section applies in relation to any particular arrangements made under section 221(1) by a local authority (“A”).

[^{F2}(2) The arrangements must be made with a body corporate which—

- (a) is a social enterprise, and
- (b) satisfies such criteria as may be prescribed by regulations made by the Secretary of State.

(2A) For so long as the arrangements are in force, the body with which they are made—

- (a) has the function of carrying on in A's area the activities specified in section 221(2), and
- (b) is to be known as the “Local Healthwatch organisation” for A's area.

(2B) But the arrangements may authorise the Local Healthwatch organisation to make, in pursuance of those arrangements, arrangements (“Local Healthwatch arrangements”) with a person (other than A) for that person—

- (a) to assist the organisation in carrying on in A's area some or all of the activities, or
- (b) (subject to provision made under section 223(2)(e)) to carry on in A's area some (but not all) of the activities on the organisation's behalf.]

(3) [^{F3}None of the following is capable of being a Local Healthwatch organisation]—

Changes to legislation: Local Government and Public Involvement in Health Act 2007, Section 222 is up to date with all changes known to be in force on or before 08 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (a) a local authority;
- (b) a National Health Service trust;
- (c) an NHS foundation trust; ^{F4}or
- ^{F5}(ca) an integrated care board;]]
- ^{F6}(d)
- ^{F7}(e)

^{F8}(3A) The arrangements must not be made with ^{F9}NHS England].]

^{F10}(4) The arrangements must secure the result that Local Healthwatch arrangements will not be made with a body of a description specified in subsection (3) or with ^{F9}NHS England].]

^{F11}(5) The arrangements may (in particular) make provision as respects co-operation between the Local Healthwatch organisation for the area and one or more other Local Healthwatch organisations.]

(6) The arrangements may provide for the making of payments by A.

(7) The arrangements must include the required provision about annual reports (see section 227).

^{F12}(7A) A must exercise its functions under this Part so as to secure that the arrangements—

- (a) operate effectively, and
- (b) represent value for money.

(7B) A must publish a report of its findings in seeking to secure the objective mentioned in subsection (7A).]

^{F13}(8) For the purposes of this section, a body is a social enterprise if—

- (a) a person might reasonably consider that it acts for the benefit of the community in England, and
- (b) it satisfies such criteria as may be prescribed by regulations made by the Secretary of State.

(9) Regulations made by the Secretary of State may provide that activities of a prescribed description are to be treated as being, or as not being, activities which a person might reasonably consider to be activities carried on for the benefit of the community in England.

(10) In subsections (8) and (9), “community” includes a section of the community; and regulations made by the Secretary of State may make provision about what does, does not or may constitute a section of the community.]

Textual Amendments

- F1** S. 222 title substituted (27.3.2012 for specified purposes, 1.4.2013 in so far as not already in force) by [Health and Social Care Act 2012 \(c. 7\)](#), **ss. 183(8)**, 306(1)(d)(4); S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F2** S. 222(2)-(2B) substituted for s. 222(2) (27.3.2012 for specified purposes, 1.4.2013 in so far as not already in force) by [Health and Social Care Act 2012 \(c. 7\)](#), **ss. 183(2)**, 306(1)(d)(4); S.I. 2013/160, art. 2(2) (with arts. 7-9)

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- F3** Words in s. 222(3) substituted (27.3.2012 for specified purposes, 1.4.2013 in so far as not already in force) by Health and Social Care Act 2012 (c. 7), **ss. 183(3)**, 306(1)(d)(4); S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F4** S. 222(3)(ca) and preceding word inserted (1.4.2013) by Health and Social Care Act 2012 (c. 7), s. 306(4), **Sch. 5 para. 149(2)(a)**; S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F5** S. 222(3)(ca) substituted (1.7.2022) by Health and Care Act 2022 (c. 31), s. 186(6), **Sch. 4 para. 153**; S.I. 2022/734, reg. 2(a), **Sch.** (with regs. 13, 29, 30)
- F6** S. 222(3)(d) omitted (1.4.2013) by virtue of Health and Social Care Act 2012 (c. 7), s. 306(4), **Sch. 5 para. 149(2)(b)**; S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F7** S. 222(3)(e) and preceding word omitted (1.4.2013) by virtue of Health and Social Care Act 2012 (c. 7), s. 306(4), **Sch. 5 para. 149(2)(c)**; S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F8** S. 222(3A) inserted (1.4.2013) by Health and Social Care Act 2012 (c. 7), s. 306(4), **Sch. 5 para. 149(3)**; S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F9** Words in s. 222 substituted (1.7.2022) by Health and Care Act 2022 (c. 31), s. 186(6), **Sch. 1 para. 1(1)(2)**; S.I. 2022/734, reg. 2(a), **Sch.** (with regs. 13, 29, 30)
- F10** S. 222(4) substituted (27.3.2012 for specified purposes, 1.4.2013 in so far as not already in force) by Health and Social Care Act 2012 (c. 7), **ss. 183(4)**, 306(1)(d)(4); S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F11** S. 222(5) substituted (27.3.2012 for specified purposes, 1.4.2013 in so far as not already in force) by Health and Social Care Act 2012 (c. 7), **ss. 183(5)**, 306(1)(d)(4); S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F12** S. 222(7A)(7B) inserted (27.3.2012 for specified purposes, 1.4.2013 in so far as not already in force) by Health and Social Care Act 2012 (c. 7), **ss. 183(6)**, 306(1)(d)(4); S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F13** S. 222(8)-(10) substituted for s. 222(8) (27.3.2012 for specified purposes, 1.4.2013 in so far as not already in force) by Health and Social Care Act 2012 (c. 7), **ss. 183(7)**, 306(1)(d)(4); S.I. 2013/160, art. 2(2) (with arts. 7-9)

Commencement Information

- I1** S. 222 in force at 1.4.2008 by S.I. 2008/461, art. 2(3), **Sch.**

Changes to legislation:

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Changes and effects yet to be applied to :

- s. 222(3)(b) omitted by [2012 c. 7 Sch. 14 para. 104\(a\)](#)
- s. 222(4)(d) omitted by [2012 c. 7 Sch. 14 para. 104\(b\)](#)