



# Health and Social Care Act 2008

## 2008 CHAPTER 14

### PART 2

#### REGULATION OF HEALTH PROFESSIONS AND HEALTH AND SOCIAL CARE WORKFORCE

##### *The Council for Healthcare Regulatory Excellence*

#### **114 Constitution etc. of Council**

(1) Schedule 7 to the 2002 Act (which contains provisions relating to the Council) is amended as follows.

(2) For paragraph 4 substitute—

“4

The Council is to consist of—

- (a) a chair appointed by the Privy Council,
- (b) one non-executive member appointed by the Scottish Ministers,
- (c) one non-executive member appointed by the Welsh Ministers,
- (d) one non-executive member appointed by the Department of Health, Social Services and Public Safety in Northern Ireland,
- (e) three non-executive members appointed by the Secretary of State, and
- (f) two executive members appointed in accordance with paragraph 11.”

(3) In paragraph 6—

(a) for paragraph (a) substitute—

“(a) the conditions to be fulfilled for appointment as chair or other member of the Council,”

(b) in paragraph (b), for “chairman and other members” substitute “ chair and non-executive members ”, and

(c) before the “and” at the end of paragraph (b) insert—

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*Changes to legislation: There are currently no known outstanding effects for the Health and Social Care Act 2008, Section 114. (See end of Document for details)*

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“(ba) the appointment of a member as deputy chair and the circumstances in which that member ceases to hold, or may be removed from, office as deputy chair.”.

(4) In paragraph 10, for “chairman” (wherever occurring) substitute “ chair ”.

(5) For paragraph 11 substitute—

- “11
- (1) The Council may appoint the executive members referred to in paragraph 4(f) on such terms and conditions as the Council may determine.
  - (2) The executive members must be employees of the Council.
  - (3) Any decision of the Council under sub-paragraph (1) must be taken by the members appointed under paragraph 4(a) to (e).
  - (4) The Council may appoint such other employees as it considers appropriate on such terms and conditions as it may determine.”

(6) In paragraph 16 after sub-paragraph (1) insert—

- “(1A) The report must state—
- (a) how the Council, in exercising its functions, has promoted the health, safety and well-being of patients and other members of the public, and
  - (b) how far, in the opinion of the Council, each regulatory body has complied with any duty imposed on it to promote the health, safety and well-being of such persons.”

**Commencement Information**

**II** [S. 114](#) in force at 1.1.2009 in so far as not already in force by [S.I. 2008/3244](#), [art. 2\(b\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Health and Social Care Act 2008, Section 114.