



Health and Social Care Act 2008

2008 CHAPTER 14

PART 2

REGULATION OF HEALTH PROFESSIONS AND HEALTH AND SOCIAL CARE WORKFORCE

Conduct and performance of medical practitioners and other health care workers

121 Co-operation between prescribed bodies

- (1) The appropriate Minister may by regulations make provision for or in connection with requiring a designated body to co-operate with any other designated body in connection with—
 - (a) the sharing of information which relates to the conduct or performance of any health care worker and which may show that that worker is likely to constitute a threat to the health and safety of patients,
 - (b) the provision of information in response to requests for information from any other designated body about the conduct or performance of any health care worker,
 - (c) the consideration of any issues which arise as a result of the acts mentioned in paragraphs (a) and (b), and
 - (d) the taking of any prescribed steps following such consideration.
- (2) Regulations under this section may make provision requiring a designated body to disclose the information referred to in subsection (1)(a) and any information disclosed under subsection (1)(b) to any other designated body in prescribed circumstances, or in circumstances where it appears to that body that the prescribed conditions are satisfied, whether or not the disclosure of information has been requested.
- (3) Regulations under this section may—
 - (a) create offences punishable on summary conviction by a fine not exceeding level 5 on the standard scale, and
 - (b) create other procedures for enforcing any provisions of the regulations.

Changes to legislation: There are currently no known outstanding effects for the Health and Social Care Act 2008, Section 121. (See end of Document for details)

- (4) Regulations under this section may require a designated body to have regard to any guidance given from time to time by the appropriate Minister or any other prescribed person.
- (5) In making regulations under this section the appropriate Minister must have regard to the importance of avoiding unfair prejudice to health care workers against whom unsubstantiated allegations are made.
- (6) In this section—
- “the appropriate Minister” means the Secretary of State except that, in relation to co-operation by a Welsh health body or a Welsh social services body, it means the Welsh Ministers;
- “designated body” means—
- (a) any body which is a designated body for the purposes of Part 5A of the Medical Act 1983 (c. 54), and
- (b) any other body prescribed for the purposes of this section;
- “health care” has the meaning given by section 45A(8) of the Medical Act 1983;
- “health care worker” means—
- (a) any person who is a member of a prescribed profession concerned with the physical or mental health of individuals, or
- (b) any person who—
- (i) is employed by a designated body,
- (ii) provides services to a designated body, or
- (iii) is employed by a person who provides services to a designated body,
- for purposes connected with the provision of health care;
- “prescribed” means prescribed by regulations under this section;
- “Welsh health body” means—
- (a) a Welsh NHS body, as defined by section 148 of the Health and Social Care (Community Health and Standards) Act 2003 (c. 43), or
- (b) any other person providing or arranging for the provision of health care in Wales;
- “Welsh social services body” means—
- (a) the council of a county or county borough in Wales, or
- (b) a body engaged in the provision of Welsh local authority social services, as defined by section 148 of the Health and Social Care (Community Health and Standards) Act 2003.

Commencement Information

- I1** S. 121 partly in force; s. 121 in force for specified purposes at Royal Assent, see s. 170
- I2** S. 121 in force at 1.4.2010 by S.I. 2010/708, art. 3(c)

Changes to legislation:

There are currently no known outstanding effects for the Health and Social Care Act 2008, Section 121.