

HEALTH AND SOCIAL CARE ACT 2008 RECEIVES ROYAL ASSENT

The Health and Social Care Act 2008, which will enhance the safety and quality of care and improve public health, has received Royal Assent.

The Health and Social Care Act 2008:

- **Establishes the Care Quality Commission**, a new health and adult social care regulator with tough powers to inspect, investigate and intervene where care providers are failing to meet safety and quality requirements, including hygiene standards. In performing its functions, the main objective of the Care Quality Commission will be to protect and promote the health, safety and welfare of people who use health and social care services;
- **Reforms professional regulation** to give patients and the public more confidence in the care they receive from health professionals. This includes creating a new adjudicator to make independent decisions about whether individual health professionals should remain in practice so the public can have full confidence in the transparency and independence of medical regulation. In addition, Responsible Officers will be appointed to oversee the conduct and performance of doctors at a local level;
- **Updates existing public health protection legislation** to provide a comprehensive set of public health measures to help prevent and control the spread of serious diseases caused by infection and contamination;
- **Allows for cash grants to be made to pregnant women** in the final stage of pregnancy, recognising the importance of a healthy diet and the additional costs expectant mothers face at this time;
- **Strengthens the protection of vulnerable people** using residential care by ensuring that any independent sector care home that provides accommodation together with nursing or personal care on behalf of a local authority is subject to the Human Rights Act.

The Care Quality Commission will bring together the expertise of the Healthcare Commission, Commission for Social Care Inspection and the Mental Health Act Commission, meaning a more consistent approach to regulation at a time when services are increasingly crossing traditional health and social care boundaries. The interests of these three areas must be represented on the board.

The Commission will have a responsibility to set out how it will engage with and promote awareness among service users, and to report on this annually. The Commission will reduce the burden of inspection on the frontline reducing the level of duplication and bureaucracy faced by hospitals and care homes as well as creating a level playing field across the public and private sectors.

Health Minister Ben Bradshaw said:

“This Act will help to protect the health, safety and welfare of those who use health and social care services. The independent regulator, the Care Quality Commission, will have tough new powers to inspect and take action to protect patients and service users. In addition, professional regulation will be reformed, meaning patients can have confidence that the care they receive will be safe.”

ENDS

Notes to Editors

1. The Health and Social Care Bill was introduced to Parliament on 15 November 2007 and was granted Royal Assent on Monday 21 July 2008.
2. It is expected that the changes will start coming into operation from September 2008.