



# Patient Rights (Scotland) Act 2011

## 2011 asp 5

### *Charter of Patient Rights and Responsibilities*

#### **1 Charter of Patient Rights and Responsibilities**

- (1) The Scottish Ministers must, within 6 months of the coming into force of this section, publish a document to be known as the Charter of Patient Rights and Responsibilities (“the Charter”).
- (2) The Charter must set out a summary of the rights and responsibilities (as existing at the date of publication) of patients and relevant persons.
- (3) The Charter may also include—
  - (a) a summary of the duties of relevant NHS bodies,
  - (b) a summary of the behaviour expected from patients and relevant persons,
  - (c) such other information as the Scottish Ministers consider relevant in relation to health care or the health service (for example, information relating to targets for the periods of time within which patients are to be treated).
- (4) Nothing in the Charter is to—
  - (a) give rise to any new rights,
  - (b) impose any new responsibilities, or
  - (c) alter (in any way) an existing right or responsibility.
- (5) For the purposes of this section and section 2, a “relevant person” is—
  - (a) a person who has a personal interest in the health care of a patient (for example a member of the patient's family or a carer),
  - (b) such other categories of person as the Scottish Ministers consider appropriate.
- (6) The Charter is to be published in such form and manner as the Scottish Ministers consider appropriate.
- (7) Before publishing the Charter under subsection (1), the Scottish Ministers must—
  - (a) consult such persons as they consider appropriate,
  - (b) lay a copy of the Charter before Parliament.

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*Changes to legislation: There are currently no known outstanding effects for the Patient Rights (Scotland) Act 2011, Section 1. (See end of Document for details)*

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- (8) The Scottish Ministers must, as soon as reasonably practicable after publication of the Charter under subsection (1), notify each relevant NHS body of the publication of the Charter.
- (9) Each relevant NHS body must make available without charge copies of the Charter to patients, staff and members of the public.
- (10) In carrying out the duty under subsection (9), a relevant NHS body must take account of the particular needs of the persons to whom the Charter is to be made available as to the form of the Charter (for example by making it available in different languages or in Braille or by having regard to the particular needs of adults with incapacity within the meaning of section 1(6) of the Adults with Incapacity (Scotland) Act 2000 (asp 4)).

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**Commencement Information**

**II** [S. 1](#) in force at 1.4.2012 by [S.S.I. 2012/35](#), [art. 2\(a\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Patient Rights (Scotland) Act 2011, Section 1.