

HEALTH ACT 1999

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part II - the National Health Service: Scotland

Section 51: Quality of Care

302. The White Paper *Designed to Care* announced the intention to amend the statutory duties of NHS trusts to make explicit their responsibility for quality of care. Under the terms of the 1978 Act, NHS Trusts have a duty to meet such financial objectives as are set by the Secretary of State. Section 51 adds a new duty relating to the quality of health care provided to patients.
303. Under section 51, NHS Trusts, the Island Health Boards (which have responsibility for directly managed units), the Common Services Agency and the State Hospital will be required to draw up arrangements which will enable them to monitor and improve the quality of health care for which they have responsibility. A fundamental component of those arrangements will be implementation of the clinical governance arrangements set out in the Scottish Office publication MEL(1998)75, issued in November 1998.