



# Health and Social Care (Community Health and Standards) Act 2003

## 2003 CHAPTER 43

### PART 2

#### STANDARDS

#### CHAPTER 3

##### NHS HEALTH CARE: FUNCTIONS OF CHAI

##### *Healthcare provided by and for NHS bodies*

#### <sup>F1</sup>48 **Introductory**

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#### **Textual Amendments**

- F1** Ss. 48-69A repealed (1.4.2009 except in relation to ss. 66-69A, 6.4.2010 in so far as not already in force) by [Health and Social Care Act 2008 \(c. 14\)](#), s. 170(3)(4), Sch. 5 para. 40, [Sch. 15 Pt. 1](#); [S.I. 2009/462](#), art. 2(1), Sch. 1 paras. 35(p), 36; [S.I. 2010/807](#), art. 2(1), Sch. 1 paras. 17, 18 (with Pt. 3)

#### <sup>F1</sup>49 **National performance data**

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*Changes to legislation: There are currently no known outstanding effects for the Health and Social Care (Community Health and Standards) Act 2003, Chapter 3. (See end of Document for details)*

**Textual Amendments**

**F1** Ss. 48-69A repealed (1.4.2009 except in relation to ss. 66-69A, 6.4.2010 in so far as not already in force) by [Health and Social Care Act 2008 \(c. 14\), s. 170\(3\)\(4\), Sch. 5 para. 40, Sch. 15 Pt. 1; S.I. 2009/462, art. 2\(1\), Sch. 1 paras. 35\(p\), 36; S.I. 2010/807, art. 2\(1\), Sch. 1 paras. 17, 18 \(with Pt. 3\)](#)

**<sup>F1</sup>50 Annual reviews**

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**Textual Amendments**

**F1** Ss. 48-69A repealed (1.4.2009 except in relation to ss. 66-69A, 6.4.2010 in so far as not already in force) by [Health and Social Care Act 2008 \(c. 14\), s. 170\(3\)\(4\), Sch. 5 para. 40, Sch. 15 Pt. 1; S.I. 2009/462, art. 2\(1\), Sch. 1 paras. 35\(p\), 36; S.I. 2010/807, art. 2\(1\), Sch. 1 paras. 17, 18 \(with Pt. 3\)](#)

**<sup>F1</sup>51 Reviews: England and Wales**

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**Textual Amendments**

**F1** Ss. 48-69A repealed (1.4.2009 except in relation to ss. 66-69A, 6.4.2010 in so far as not already in force) by [Health and Social Care Act 2008 \(c. 14\), s. 170\(3\)\(4\), Sch. 5 para. 40, Sch. 15 Pt. 1; S.I. 2009/462, art. 2\(1\), Sch. 1 paras. 35\(p\), 36; S.I. 2010/807, art. 2\(1\), Sch. 1 paras. 17, 18 \(with Pt. 3\)](#)

**<sup>F1</sup>52 Reviews and investigations: England**

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**Textual Amendments**

**F1** Ss. 48-69A repealed (1.4.2009 except in relation to ss. 66-69A, 6.4.2010 in so far as not already in force) by [Health and Social Care Act 2008 \(c. 14\), s. 170\(3\)\(4\), Sch. 5 para. 40, Sch. 15 Pt. 1; S.I. 2009/462, art. 2\(1\), Sch. 1 paras. 35\(p\), 36; S.I. 2010/807, art. 2\(1\), Sch. 1 paras. 17, 18 \(with Pt. 3\)](#)

**<sup>F1</sup>53 Failings**

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**Textual Amendments**

**F1** Ss. 48-69A repealed (1.4.2009 except in relation to ss. 66-69A, 6.4.2010 in so far as not already in force) by [Health and Social Care Act 2008 \(c. 14\), s. 170\(3\)\(4\), Sch. 5 para. 40, Sch. 15 Pt. 1; S.I. 2009/462, art. 2\(1\), Sch. 1 paras. 35\(p\), 36; S.I. 2010/807, art. 2\(1\), Sch. 1 paras. 17, 18 \(with Pt. 3\)](#)

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**Changes to legislation:** There are currently no known outstanding effects for the Health and Social Care (Community Health and Standards) Act 2003, Chapter 3. (See end of Document for details)

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**F1 53A Failings in connection with code under section 47A: improvement notices**

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**Textual Amendments**

- F1** Ss. 48-69A repealed (1.4.2009 except in relation to ss. 66-69A, 6.4.2010 in so far as not already in force) by [Health and Social Care Act 2008 \(c. 14\)](#), s. 170(3)(4), [Sch. 5 para. 40](#), [Sch. 15 Pt. 1](#); [S.I. 2009/462](#), art. 2(1), [Sch. 1 paras. 35\(p\), 36](#); [S.I. 2010/807](#), art. 2(1), [Sch. 1 paras. 17, 18 \(with Pt. 3\)](#)

**F1 53B Code of practice: action by CHAI following service of improvement notice**

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**Textual Amendments**

- F1** Ss. 48-69A repealed (1.4.2009 except in relation to ss. 66-69A, 6.4.2010 in so far as not already in force) by [Health and Social Care Act 2008 \(c. 14\)](#), s. 170(3)(4), [Sch. 5 para. 40](#), [Sch. 15 Pt. 1](#); [S.I. 2009/462](#), art. 2(1), [Sch. 1 paras. 35\(p\), 36](#); [S.I. 2010/807](#), art. 2(1), [Sch. 1 paras. 17, 18 \(with Pt. 3\)](#)

**F1 54 Functions relating to Secretary of State and Assembly**

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**Textual Amendments**

- F1** Ss. 48-69A repealed (1.4.2009 except in relation to ss. 66-69A, 6.4.2010 in so far as not already in force) by [Health and Social Care Act 2008 \(c. 14\)](#), s. 170(3)(4), [Sch. 5 para. 40](#), [Sch. 15 Pt. 1](#); [S.I. 2009/462](#), art. 2(1), [Sch. 1 paras. 35\(p\), 36](#); [S.I. 2010/807](#), art. 2(1), [Sch. 1 paras. 17, 18 \(with Pt. 3\)](#)

**F1 55 Reviews of data**

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**Textual Amendments**

- F1** Ss. 48-69A repealed (1.4.2009 except in relation to ss. 66-69A, 6.4.2010 in so far as not already in force) by [Health and Social Care Act 2008 \(c. 14\)](#), s. 170(3)(4), [Sch. 5 para. 40](#), [Sch. 15 Pt. 1](#); [S.I. 2009/462](#), art. 2(1), [Sch. 1 paras. 35\(p\), 36](#); [S.I. 2010/807](#), art. 2(1), [Sch. 1 paras. 17, 18 \(with Pt. 3\)](#)

**F1 56 Co-ordination of reviews**

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*Changes to legislation:* There are currently no known outstanding effects for the Health and Social Care (Community Health and Standards) Act 2003, Chapter 3. (See end of Document for details)

**Textual Amendments**

**F1** Ss. 48-69A repealed (1.4.2009 except in relation to ss. 66-69A, 6.4.2010 in so far as not already in force) by [Health and Social Care Act 2008 \(c. 14\), s. 170\(3\)\(4\), Sch. 5 para. 40, Sch. 15 Pt. 1; S.I. 2009/462, art. 2\(1\), Sch. 1 paras. 35\(p\), 36; S.I. 2010/807, art. 2\(1\), Sch. 1 paras. 17, 18 \(with Pt. 3\)](#)

*Other functions*

**F1 57 Studies as to economy, efficiency etc**

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**Textual Amendments**

**F1** Ss. 48-69A repealed (1.4.2009 except in relation to ss. 66-69A, 6.4.2010 in so far as not already in force) by [Health and Social Care Act 2008 \(c. 14\), s. 170\(3\)\(4\), Sch. 5 para. 40, Sch. 15 Pt. 1; S.I. 2009/462, art. 2\(1\), Sch. 1 paras. 35\(p\), 36; S.I. 2010/807, art. 2\(1\), Sch. 1 paras. 17, 18 \(with Pt. 3\)](#)

**F1 58 Additional functions**

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**Textual Amendments**

**F1** Ss. 48-69A repealed (1.4.2009 except in relation to ss. 66-69A, 6.4.2010 in so far as not already in force) by [Health and Social Care Act 2008 \(c. 14\), s. 170\(3\)\(4\), Sch. 5 para. 40, Sch. 15 Pt. 1; S.I. 2009/462, art. 2\(1\), Sch. 1 paras. 35\(p\), 36; S.I. 2010/807, art. 2\(1\), Sch. 1 paras. 17, 18 \(with Pt. 3\)](#)

*Supplementary*

**F1 59 Criteria**

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**Textual Amendments**

**F1** Ss. 48-69A repealed (1.4.2009 except in relation to ss. 66-69A, 6.4.2010 in so far as not already in force) by [Health and Social Care Act 2008 \(c. 14\), s. 170\(3\)\(4\), Sch. 5 para. 40, Sch. 15 Pt. 1; S.I. 2009/462, art. 2\(1\), Sch. 1 paras. 35\(p\), 36; S.I. 2010/807, art. 2\(1\), Sch. 1 paras. 17, 18 \(with Pt. 3\)](#)

**F1 60 Provision of material**

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**Changes to legislation:** There are currently no known outstanding effects for the Health and Social Care (Community Health and Standards) Act 2003, Chapter 3. (See end of Document for details)

**Textual Amendments**

**F1** Ss. 48-69A repealed (1.4.2009 except in relation to ss. 66-69A, 6.4.2010 in so far as not already in force) by [Health and Social Care Act 2008 \(c. 14\), s. 170\(3\)\(4\), Sch. 5 para. 40, Sch. 15 Pt. 1; S.I. 2009/462, art. 2\(1\), Sch. 1 paras. 35\(p\), 36; S.I. 2010/807, art. 2\(1\), Sch. 1 paras. 17, 18 \(with Pt. 3\)](#)

**F1 61 Co-operation between CHAI and the regulator**

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**Textual Amendments**

**F1** Ss. 48-69A repealed (1.4.2009 except in relation to ss. 66-69A, 6.4.2010 in so far as not already in force) by [Health and Social Care Act 2008 \(c. 14\), s. 170\(3\)\(4\), Sch. 5 para. 40, Sch. 15 Pt. 1; S.I. 2009/462, art. 2\(1\), Sch. 1 paras. 35\(p\), 36; S.I. 2010/807, art. 2\(1\), Sch. 1 paras. 17, 18 \(with Pt. 3\)](#)

**F1 62 Fees**

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**Textual Amendments**

**F1** Ss. 48-69A repealed (1.4.2009 except in relation to ss. 66-69A, 6.4.2010 in so far as not already in force) by [Health and Social Care Act 2008 \(c. 14\), s. 170\(3\)\(4\), Sch. 5 para. 40, Sch. 15 Pt. 1; S.I. 2009/462, art. 2\(1\), Sch. 1 paras. 35\(p\), 36; S.I. 2010/807, art. 2\(1\), Sch. 1 paras. 17, 18 \(with Pt. 3\)](#)

**F1 63 Fees: Wales**

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**Textual Amendments**

**F1** Ss. 48-69A repealed (1.4.2009 except in relation to ss. 66-69A, 6.4.2010 in so far as not already in force) by [Health and Social Care Act 2008 \(c. 14\), s. 170\(3\)\(4\), Sch. 5 para. 40, Sch. 15 Pt. 1; S.I. 2009/462, art. 2\(1\), Sch. 1 paras. 35\(p\), 36; S.I. 2010/807, art. 2\(1\), Sch. 1 paras. 17, 18 \(with Pt. 3\)](#)

**F1 64 Reports and information**

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**Textual Amendments**

**F1** Ss. 48-69A repealed (1.4.2009 except in relation to ss. 66-69A, 6.4.2010 in so far as not already in force) by [Health and Social Care Act 2008 \(c. 14\), s. 170\(3\)\(4\), Sch. 5 para. 40, Sch. 15 Pt. 1; S.I. 2009/462, art. 2\(1\), Sch. 1 paras. 35\(p\), 36; S.I. 2010/807, art. 2\(1\), Sch. 1 paras. 17, 18 \(with Pt. 3\)](#)

*Changes to legislation: There are currently no known outstanding effects for the Health and Social Care (Community Health and Standards) Act 2003, Chapter 3. (See end of Document for details)*

**F1 65 Co-operation between CHAI and the Audit Commission**

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**Textual Amendments**

**F1** Ss. 48-69A repealed (1.4.2009 except in relation to ss. 66-69A, 6.4.2010 in so far as not already in force) by [Health and Social Care Act 2008 \(c. 14\)](#), s. 170(3)(4), Sch. 5 para. 40, [Sch. 15 Pt. 1](#); S.I. 2009/462, art. 2(1), Sch. 1 paras. 35(p), 36; S.I. 2010/807, art. 2(1), Sch. 1 paras. 17, 18 (with Pt. 3)

**F2 66 Right of entry**

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**Textual Amendments**

**F2** Ss. 48-69A repealed (1.4.2009 except in relation to ss. 66-69A, 6.4.2010 in so far as not already in force) by [Health and Social Care Act 2008 \(c. 14\)](#), s. 170(3)(4), Sch. 5 para. 40, [Sch. 15 Pt. 1](#); S.I. 2009/462, art. 2(1), Sch. 1 paras. 35(p), 36; S.I. 2010/807, art. 2(1), Sch. 1 paras. 17, 18 (with Pt. 3)

**F3 67 Right of entry: supplementary**

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**Textual Amendments**

**F3** Ss. 48-69A repealed (1.4.2009 except in relation to ss. 66-69A, 6.4.2010 in so far as not already in force) by [Health and Social Care Act 2008 \(c. 14\)](#), s. 170(3)(4), Sch. 5 para. 40, [Sch. 15 Pt. 1](#); S.I. 2009/462, art. 2(1), Sch. 1 paras. 35(p), 36; S.I. 2010/807, art. 2(1), Sch. 1 paras. 17, 18 (with Pt. 3)

**F4 68 Power to require documents and information etc**

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**Textual Amendments**

**F4** Ss. 48-69A repealed (1.4.2009 except in relation to ss. 66-69A, 6.4.2010 in so far as not already in force) by [Health and Social Care Act 2008 \(c. 14\)](#), s. 170(3)(4), Sch. 5 para. 40, [Sch. 15 Pt. 1](#); S.I. 2009/462, art. 2(1), Sch. 1 paras. 35(p), 36; S.I. 2010/807, art. 2(1), Sch. 1 paras. 17, 18 (with Pt. 3)

**F5 69 Power to require explanation**

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**Changes to legislation:** There are currently no known outstanding effects for the Health and Social Care (Community Health and Standards) Act 2003, Chapter 3. (See end of Document for details)

**Textual Amendments**

**F5** Ss. 48-69A repealed (1.4.2009 except in relation to ss. 66-69A, 6.4.2010 in so far as not already in force) by [Health and Social Care Act 2008 \(c. 14\)](#), s. 170(3)(4), Sch. 5 para. 40, **Sch. 15 Pt. 1**; [S.I. 2009/462](#), art. 2(1), Sch. 1 paras. 35(p), 36; [S.I. 2010/807](#), art. 2(1), Sch. 1 paras. 17, 18 (with Pt. 3)

**<sup>F6</sup>69A Provision of information by Auditor General for Wales**

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**Textual Amendments**

**F6** Ss. 48-69A repealed (1.4.2009 except in relation to ss. 66-69A, 6.4.2010 in so far as not already in force) by [Health and Social Care Act 2008 \(c. 14\)](#), s. 170(3)(4), Sch. 5 para. 40, Sch. 15 Pt. 1; [S.I. 2009/462](#), art. 2(1), Sch. 1 paras. 35(p), 36; [S.I. 2010/807](#), art. 2(1), Sch. 1 paras. 17, 18 (with Pt. 3)

**Changes to legislation:**

There are currently no known outstanding effects for the Health and Social Care (Community Health and Standards) Act 2003, Chapter 3.