



Local Government and Public Involvement in Health Act 2007

2007 CHAPTER 28

PART 14

PATIENT AND PUBLIC INVOLVEMENT IN HEALTH AND SOCIAL CARE

[^{F1}Local arrangements]

226 [^{F1}Referrals of social care matters]

- (1) Subsections (2) to (5) apply where [^{F2}a Local Healthwatch organisation or a Local Healthwatch contractor] refers a matter relating to social care services to an overview and scrutiny committee of a local authority.
- (2) The committee must—
 - (a) acknowledge receipt of the referral; and
 - (b) keep the referrer informed of the committee's actions in relation to the matter.
- (3) The committee must decide whether or not any of its powers is exercisable in relation to the matter referred.
- (4) If the committee concludes that any of those powers is exercisable in relation to the matter, the committee must decide whether or not to exercise that power in relation to the matter.
- (5) The committee, in exercising any of those powers in relation to the matter, must take into account any relevant information provided by [^{F3}a Local Healthwatch organisation or a Local Healthwatch contractor].
- (6) The Secretary of State may by regulations make provision as respects determining the time by which a duty under subsection (2)(a) is to be performed.

Changes to legislation: There are currently no known outstanding effects for the Local Government and Public Involvement in Health Act 2007, Section 226. (See end of Document for details)

[^{F4}(7) For the purposes of this section, something is done by a Local Healthwatch organisation if it is done by that organisation in the carrying-on, under arrangements made under section 221(1), of activities specified in section 221(2).

(7A) For the purposes of this section, something is done by a Local Healthwatch contractor if it is done by that contractor in the carrying-on, under Local Healthwatch arrangements, of activities specified in section 221(2).]

(8) In this section—

[^{F5}“Local Healthwatch arrangements” has the meaning given by section 222;

“Local Healthwatch contractor” has the meaning given by section 223;]

“overview and scrutiny committee”—

(a) in relation to a local authority which under Part 2 of the Local Government Act 2000 (c. 22) operates executive arrangements, means an overview and scrutiny committee of the authority within the meaning given by section 21(1) of that Act;

(b) in relation to a local authority which under Part 2 of that Act operates alternative arrangements, means a committee or sub-committee appointed under section 32(1)(b) of that Act;

(c) in relation to the Common Council of the City of London, means a committee established under section 10(1) of the Health and Social Care Act 2001 (c. 15); and

(d) in relation to the Council of the Isles of Scilly, means a committee which, by virtue of an order under section 265 of the Local Government Act 1972 (c. 70), is appointed by the Council under section 21(1) or 32(1) (b) of the Local Government Act 2000;

“social care services” means services provided as part of the social services functions of a local authority;

“social services functions”, in relation to a local authority, has the same meaning as in the Local Authority Social Services Act 1970 (c. 42).

Textual Amendments

F1 S. 226 title substituted (1.4.2013) by [Health and Social Care Act 2012 \(c. 7\)](#), **ss. 186(16)**, 306(4); [S.I. 2013/160](#), [art. 2\(2\)](#) (with [arts. 7-9](#))

F2 Words in s. 226(1) substituted (1.4.2013) by [Health and Social Care Act 2012 \(c. 7\)](#), **ss. 186(13)**, 306(4); [S.I. 2013/160](#), [art. 2\(2\)](#) (with [arts. 7-9](#))

F3 Words in s. 226(5) substituted (1.4.2013) by [Health and Social Care Act 2012 \(c. 7\)](#), **ss. 186(13)**, 306(4); [S.I. 2013/160](#), [art. 2\(2\)](#) (with [arts. 7-9](#))

F4 S. 226(7)(7A) substituted for s. 226(7) (1.4.2013) by [Health and Social Care Act 2012 \(c. 7\)](#), **ss. 186(14)**, 306(4); [S.I. 2013/160](#), [art. 2\(2\)](#) (with [arts. 7-9](#))

F5 Words in s. 226(8) inserted (1.4.2013) by [Health and Social Care Act 2012 \(c. 7\)](#), **ss. 186(15)**, 306(4); [S.I. 2013/160](#), [art. 2\(2\)](#) (with [arts. 7-9](#))

Commencement Information

I1 S. 226(1)-(5)(7)(8) in force at 1.4.2008 by [S.I. 2008/461](#), [art. 2\(3\)](#), **Sch.**

I2 S. 226(6) in force at 21.2.2008 by [S.I. 2008/461](#), [art. 2\(1\)\(c\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Local Government and Public Involvement in Health Act 2007, Section 226.