

*These notes refer to the Health and Social Care Act 2008  
(c.14) which received Royal Assent on 21 July 2008*

# HEALTH AND SOCIAL CARE ACT 2008

---

## EXPLANATORY NOTES

### TERRITORIAL EXTENT

*Territorial application: Wales*

#### **Part 1 – the Care Quality Commission**

##### *Chapter 1 – Introductory*

##### *Section 4: Matters to which the Commission must have regard*

112. **Section 4** sets out the matters to which the Commission should have regard in performing its functions. These include requirements for the Commission to have regard to:
- the experiences of people who use health and social care services and their families and friends;
  - views expressed by members of the public about health and social care services, or on their behalf by representative bodies, such as charities, and views expressed by Local Involvement Networks about the provision of health and social care services in their areas;
  - the need to protect and promote the rights of people who use health and social care services including, in particular, the rights of children and the rights of people detained under the Mental Health Act or deprived of their liberty under the Mental Capacity Act 2005;
  - the Government’s five principles of good regulation (as set out in the Legislative and Regulatory Reform Act 2006), under which regulatory activity should be proportionate, accountable, consistent, transparent and targeted where it is needed;
  - such aspects of Government policy as may be directed.