



Health and Social Care Act 2008

2008 CHAPTER 14

PART 1

THE CARE QUALITY COMMISSION

CHAPTER 3

QUALITY OF HEALTH AND SOCIAL CARE

Reviews and investigations

50 Failings by English local authorities

- (1) This section applies where the Commission conducts a review under section 46 [^{F1}, 46A]^{F2} or 46B^{F3} ..., or a review or investigation under section 48, in respect of an English local authority.
- (2) If the Commission considers that the local authority is failing to discharge any of its adult social services functions to an acceptable standard, then ^{F4}... the Commission must—
 - (a) inform the Secretary of State of that fact, and
 - (b) recommend any special measures which it considers the Secretary of State should take.

[^{F5}(3A) Nothing in subsection (2) prevents a report published under section 46(1)(c), 46A(1)(c), 46B(1)(c) or 48(4) from specifying respects in which the Commission considers a local authority to be failing and making recommendations to the local authority for addressing the failure.]

- (5) If the Commission recommends that the Secretary of State should take special measures in relation to the local authority, the Commission must, if the Secretary of State so requests—
 - (a) conduct a further review under section 48 in relation to the authority, and

Changes to legislation: There are currently no known outstanding effects for the Health and Social Care Act 2008, Section 50. (See end of Document for details)

- (b) include in its report under subsection (4) of that section a report on such matters as the Secretary of State may specify.

Textual Amendments

- F1** Word in s. 50(1) inserted (1.4.2023) by [Health and Care Act 2022 \(c. 31\)](#), **ss. 163(5)**, 186(6); S.I. 2023/371, [reg. 2\(e\)](#)
- F2** Words in s. 50(1) inserted (1.4.2023) by [Health and Care Act 2022 \(c. 31\)](#), **ss. 31(4)**, 186(6); S.I. 2023/371, [reg. 2\(b\)](#)
- F3** Words in s. 50(1) omitted (1.10.2014) by virtue of [Care Act 2014 \(c. 23\)](#), **ss. 91(9)(a)**, 127(1); S.I. 2014/1714, [art. 4](#)
- F4** Words in s. 50(2) omitted (1.4.2023) by virtue of [Health and Care Act 2022 \(c. 31\)](#), **ss. 165(3)(a)**, 186(6); S.I. 2023/371, [reg. 2\(g\)](#)
- F5** [S. 50\(3A\)](#) substituted for s. 50(3)(4) (1.4.2023) by [Health and Care Act 2022 \(c. 31\)](#), **ss. 165(3)(b)**, 186(6); S.I. 2023/371, [reg. 2\(g\)](#)

Commencement Information

- I1** S. 50 in force at 1.4.2009 by [S.I. 2009/462](#), [art. 2\(1\)](#), **Sch. 1 para. 18**

Changes to legislation:

There are currently no known outstanding effects for the Health and Social Care Act 2008, Section 50.