

HEALTH AND SOCIAL CARE ACT 2012

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 9 – Health and adult social care services: information

Chapter 2 - The Health and Social Care Information Centre

Establishment and general duties

Schedule 18 – The Health and Social Care Information Centre

1408. This Schedule deals with the constitution of the Information Centre; in many respects it makes similar provision to that made by Schedule 1 for the NHS Commissioning Board, Schedule 8 for Monitor, and Schedule 16 for NICE.
1409. [Paragraph 1](#) sets out the membership requirements for the Information Centre. Paragraphs 2, 3, 4 and 5 set out provisions relating to the appointment of non-executive directors to the Information Centre, including their tenure, ability to be suspended or removed from post by the Secretary of State, and their remuneration (which is to be determined by the Secretary of State).
1410. [Paragraph 6](#) relates to the appointment of the Information Centre’s employees. The
1411. Information Centre requires the approval of the Secretary of State to its policies on the payment of remuneration, allowances, pensions or gratuities before the Centre can make any such payment to an employee.
1412. [Paragraph 7](#) enables the Information Centre to establish committees or sub-committees. Paragraph 8 allows the Centre to regulate its own procedure. Paragraph 9 concerns the exercise of functions by the Information Centre.
1413. [Paragraph 10](#) confers supplementary powers on the Information Centre. It requires the Centre to obtain the approval of the Secretary of State before it can form, participate in or invest in companies.
1414. [Paragraph 11](#) concerns finance arrangements with the Secretary of State.
1415. [Paragraph 12](#) sets out a requirement for the Information Centre to publish an annual report, a copy of which must be laid before Parliament and a copy sent to the Secretary of State. The Secretary of State also has the ability to ask the Information Centre to prepare other reports or provide information at other times, for example as required for in-year monitoring of the Centre’s performance and use of central funding.
1416. [Paragraphs 13, 14 and 15](#) relate to the Information Centre’s accounts. Paragraph 14 includes an obligation on the Comptroller and Auditor General to report on the Centre’s annual accounts and lay copies of both the annual accounts and the report before Parliament.

*These notes refer to the Health and Social Care Act 2012
(c.7) which received Royal Assent on 27 March 2012*

1417. [Paragraph 16](#) relates to the Information Centre's seal. Paragraph 17 confirms the Centre's status as a non-Crown body.