

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

Functions: other

Section 268 - Database of quality indicators

1453. This section enables the Secretary of State, through regulations, to task the Information Centre with establishing, maintaining and publishing a database of quality indicators relating to health and adult social care services in England. Quality indicators are factors by reference to which performance by service providers can be measured.

Section 269 – Power to confer functions in relation to identification of GPs

1454. Regulations made under this section would enable the Information Centre to carry out functions in relation to issuing GPs with doctor index numbers. Doctor index numbers enable GPs to prescribe drugs to patients and are also used in connection with the management and monitoring of prescribing in primary care.

Section 270 - Additional functions

1455. This section enables the Information Centre to carry out or supply additional income generation functions or services. An additional function can only be undertaken by the Centre if it involves or is connected with the collection, analysis, publication or other dissemination of information. The additional function must not significantly interfere with a function the Centre exercises as a result of this or any other Act. The Centre may charge, and may do so on an appropriate commercial basis, for any services it provides pursuant to the functions conferred by *subsection (1)*.

Section 271 - Arrangements with other bodies

1456. This section enables the Information Centre to make arrangements with other bodies to carry out services on its behalf.

Section 272 - Failure by Information Centre to discharge any of its functions

1457. This section enables the Secretary of State to take action if he considers that the Information Centre is failing to discharge any of its functions properly (including doing so by failing to discharge them consistently with what the Secretary of State considers to be in the interests of the health service in England or (as the case may be) with what otherwise appears to the Secretary of State to be the purpose for which the functions are conferred). The failure must be significant. The Secretary of State is given the power to direct the Centre to discharge the functions within specified timescales and in the way that the Secretary of State directs. If the Centre fails to comply with such a direction

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

the Secretary of State may discharge the functions himself or may make arrangements for another body to do so. Where the Secretary of State takes action under this section, he must publish reasons for doing so.

Section 273 - Protection from personal liability

1458. This section applies existing legislation so that the members and staff of the Information Centre are protected from personal liability whilst carrying out functions on behalf of the Centre.