



Health and Social Care Act 2012

2012 CHAPTER 7

PART 9

HEALTH AND ADULT SOCIAL CARE SERVICES: INFORMATION

CHAPTER 2

[^{F1}NHS ENGLAND: HEALTH AND SOCIAL CARE INFORMATION ETC.]

^{F1}... General duties

Textual Amendments

- F1** Words in s. 252 cross-heading omitted (1.2.2023) by virtue of [The Health and Social Care Information Centre \(Transfer of Functions, Abolition and Transitional Provisions\) Regulations 2023 \(S.I. 2023/98\)](#), reg. 1(2), **Sch. para. 17(3)** (with reg. 3)

^{F2}252 The Health and Social Care Information Centre

.....

Textual Amendments

- F2** S. 252 omitted (1.2.2023) by virtue of [The Health and Social Care Information Centre \(Transfer of Functions, Abolition and Transitional Provisions\) Regulations 2023 \(S.I. 2023/98\)](#), reg. 1(2), **Sch. para. 17(4)** (with reg. 3)

253 [^{F3}NHS England data functions: general]

- (1) [^{F4}NHS England must have regard to the following when exercising its relevant data functions other than those under the Medicines and Medical Devices Act 2021—]

Changes to legislation: Health and Social Care Act 2012, Cross Heading: ... General duties is up to date with all changes known to be in force on or before 24 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (a) the information standards published by the Secretary of State or [^{F5}NHS England] under section 250,
 - (b) such guidance issued by the Secretary of State as the Secretary of State may require,
 - ^{F6}(c)
 - [^{F7}(ca) the need to respect and promote the privacy of recipients of health services and of adult social care in England,]^{F8}...
 - [^{F9}(cb) the need to promote the effective and efficient planning, development and provision of health services and of adult social care in England,]
 - (d) the need to promote the effective, efficient and economic use of resources in the provision of health services and of adult social care in England [^{F10}, and
 - (e) the need to balance the needs mentioned in this subsection against one another, so far as they compete.]
- [^{F11}(2) NHS England must seek to minimise the burdens it imposes on others when exercising its relevant data functions other than those under the Medicines and Medical Devices Act 2021.]
- ^{F12}(2A)
- (3) In this Chapter—
 “adult social care”—
- (a) includes all forms of personal care and other practical assistance provided for individuals who, by reason of age, illness, disability, pregnancy, childbirth, dependence on alcohol or drugs, or any other similar circumstances, are in need of such care or other assistance, but
 - (b) does not include anything provided by an establishment or agency for which Her Majesty's Chief Inspector of Education, Children's Services and Skills is the registration authority under section 5 of the Care Standards Act 2000;
- “health services” means services which must or may be provided as part of the health service in England.

Textual Amendments

- F3** S. 253 heading substituted (1.2.2023) by The Health and Social Care Information Centre (Transfer of Functions, Abolition and Transitional Provisions) Regulations 2023 (S.I. 2023/98), reg. 1(2), **Sch. para. 17(5)(a)** (with reg. 3)
- F4** Words in s. 253(1) substituted (1.2.2023) by The Health and Social Care Information Centre (Transfer of Functions, Abolition and Transitional Provisions) Regulations 2023 (S.I. 2023/98), reg. 1(2), **Sch. para. 17(5)(b)(i)** (with reg. 3)
- F5** Words in s. 253 substituted (1.7.2022) by Health and Care Act 2022 (c. 31), s. 186(6), Sch. 1 para. 1(1)(2); S.I. 2022/734, reg. 2(a), Sch. (with regs. 13, 29, 30)
- F6** S. 253(1)(c) omitted (1.2.2023) by virtue of The Health and Social Care Information Centre (Transfer of Functions, Abolition and Transitional Provisions) Regulations 2023 (S.I. 2023/98), reg. 1(2), **Sch. para. 17(5)(b)(ii)** (with reg. 3)
- F7** S. 253(1)(ca) inserted (15.7.2014) by Care Act 2014 (c. 23), **ss. 122(2)**, 127(1); S.I. 2014/1714, art. 3(2)(d)
- F8** Word in s. 253(1)(ca) omitted (1.10.2022) by virtue of Health and Care Act 2022 (c. 31), **ss. 97(2)(a)**, 186(6); S.I. 2022/1003, reg. 2(a)
- F9** S. 253(1)(cb) inserted (1.10.2022) by Health and Care Act 2022 (c. 31), **ss. 97(2)(b)**, 186(6); S.I. 2022/1003, reg. 2(a)

Changes to legislation: *Health and Social Care Act 2012, Cross Heading: ... General duties is up to date with all changes known to be in force on or before 24 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- F10** S. 253(1)(e) and word inserted (1.10.2022) by Health and Care Act 2022 (c. 31), **ss. 97(2)(c)**, 186(6); S.I. 2022/1003, reg. 2(a)
- F11** S. 253(2) substituted (1.2.2023) by The Health and Social Care Information Centre (Transfer of Functions, Abolition and Transitional Provisions) Regulations 2023 (S.I. 2023/98), reg. 1(2), **Sch. para. 17(5)(c)** (with reg. 3)
- F12** S. 253(2A) omitted (1.2.2023) by virtue of The Health and Social Care Information Centre (Transfer of Functions, Abolition and Transitional Provisions) Regulations 2023 (S.I. 2023/98), reg. 1(2), **Sch. para. 17(5)(d)** (with reg. 3)

Commencement Information

- I1** S. 253 in force at 1.4.2013 by S.I. 2013/160, **art. 2(2)** (with arts. 7-9)

Changes to legislation:

Health and Social Care Act 2012, Cross Heading: ... General duties is up to date with all changes known to be in force on or before 24 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing SI 2012/1831 art. 10 by [S.I. 2012/2657 art. 15](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Pt. 9 Ch. 1B inserted by [2022 c. 31 s. 96](#)
- s. 102(4)(ba) inserted by S.I. 2019/93, Sch. 1 para. 13(3) (as substituted) by [S.I. 2019/1245 reg. 28](#) (This amendment not applied to legislation.gov.uk. The affecting statutory instrument has no legal effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated and approved in Parliament within that time. It was not debated and approved within 28 days, so it has expired with no effect.)
- s. 105(3A)(3B) inserted by [2013 c. 24 Sch. 14 para. 21](#)
- s. 106(3A)(3B) inserted by [2013 c. 24 Sch. 14 para. 22](#)
- s. 250(2)-(2B) substituted for s. 250(2) by [2022 c. 31 s. 95\(2\)\(a\)](#)
- s. 250(6)-(6D) substituted for s. 250(6) by [2022 c. 31 s. 95\(2\)\(d\)](#)
- s. 251251ZA substituted for s. 251 by [2022 c. 31 s. 95\(3\)](#)
- s. 251C(6A) inserted by [2022 c. 31 s. 95\(4\)\(a\)](#)
- s. 259(1)(aa)(b) substituted for s. 259(1)(b) by [2022 c. 31 s. 98\(b\)](#)
- s. 259(1)(aa) words substituted by [S.I. 2023/98 Sch. para. 17\(11\)\(a\)\(iii\)](#) (This amendment comes in force at the same time as 2022 c. 31, s. 98 comes into force)
- s. 259(10A)(10B) inserted by [2022 c. 31 s. 98\(h\)](#)
- s. 304(5)(ja) inserted by [2022 c. 31 s. 95\(5\)](#)