



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.]

Functions: other

268 Database of quality indicators

- (1) Regulations may make provision conferring functions on [^{F1}NHS England] in connection with the establishment, maintenance and publication of a database of quality indicators in relation to the provision of health services and of adult social care in England.
- (2) The regulations may, in particular, make provision about—
 - (a) the persons who may propose a quality indicator for inclusion in the database,
 - (b) the giving of advice and guidance by [^{F1}NHS England] to such persons in relation to such a proposal,
 - (c) the assessment and approval of quality indicators proposed for inclusion in the database by such person as the Secretary of State or [^{F2}NHS England] may direct, and
 - (d) the inclusion in the database of guidance about how providers may demonstrate performance measured against the quality indicators.
- (3) In this section a “quality indicator” means a factor by reference to which performance in the provision of services or care can be measured.

Changes to legislation: Health and Social Care Act 2012, Cross Heading: Functions: other is up to date with all changes known to be in force on or before 19 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

Textual Amendments

- F1** Words in s. 268 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\(21\)](#) (with [reg. 3](#))
- F2** Words in s. 268 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](#))

Commencement Information

- I1** [S. 268](#) partly in force; [s. 268](#) in force for specified purposes at Royal Assent, see [s. 306\(1\)\(d\)](#)
- I2** [S. 268](#) in force at 1.4.2013 in so far as not already in force by [S.I. 2013/160](#), [art. 2\(2\)](#) (with [arts. 7-9](#))

269 Power to confer functions in relation to identification of GPs

- (1) Regulations may make provision conferring functions on [F³NHS England] in connection with the verification of the identity of general medical practitioners for purposes connected with the health service in England.
- (2) In subsection (1) “general medical practitioners” means persons registered in the General Practitioner Register kept by the General Medical Council.

Textual Amendments

- F3** Words in [s. 269\(1\)](#) 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\(22\)](#) (with [reg. 3](#))

Commencement Information

- I3** [S. 269](#) partly in force; [s. 269](#) in force for specified purposes at Royal Assent, see [s. 306\(1\)\(d\)](#)
- I4** [S. 269](#) in force at 1.4.2013 in so far as not already in force by [S.I. 2013/160](#), [art. 2\(2\)](#) (with [arts. 7-9](#))

270 Additional functions

- (1) [F⁴NHS England] may do any of the following—
 - (a) acquire, produce, manufacture and supply goods,
 - (b) acquire land by agreement and manage and deal with land,
 - (c) supply accommodation to any person,
 - (d) supply services to any person and provide new services,
 - (e) provide instruction for any person, and
 - (f) develop and exploit ideas and exploit intellectual property.
- (2) But [F⁴NHS England] may exercise a power under subsection (1) only—
 - (a) if doing so involves, or is connected with, the collection, analysis, publication or other dissemination of information, and
 - (b) to the extent that its exercise does not to any significant extent interfere with the performance by [F⁴NHS England] of any function under or by virtue of any other provision of this or any other Act.
- (3) [F⁴NHS England] may—
 - (a) charge for anything it does in the exercise of a power under subsection (1), and

Changes to legislation: Health and Social Care Act 2012, Cross Heading: Functions: other is up to date with all changes known to be in force on or before 19 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

- (b) calculate any such charge on the basis that it considers to be the appropriate commercial basis.

[^{F5}(4) Nothing in this section is to be read as limiting any power that NHS England has apart from this section to do the things listed in subsection (1).]

Textual Amendments

- F4** Words in s. 270 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(23)(a)** (with reg. 3)
- F5** S. 270(4) inserted (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(23)(b)** (with reg. 3)

Commencement Information

- I5** S. 270 in force at 1.4.2013 by S.I. 2013/160, **art. 2(2)** (with arts. 7-9)

^{F6}271 Arrangements with other bodies

.....

Textual Amendments

- F6** Ss. 271-273 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(24)** (with reg. 3)

^{F6}272 Failure by Information Centre to discharge any of its functions

.....

Textual Amendments

- F6** Ss. 271-273 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(24)** (with reg. 3)

^{F6}273 Protection from personal liability

.....

Textual Amendments

- F6** Ss. 271-273 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(24)** (with reg. 3)

Changes to legislation:

Health and Social Care Act 2012, Cross Heading: Functions: other is up to date with all changes known to be in force on or before 19 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.

[View outstanding changes](#)

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\(5\)](#)