



Health and Social Care Act 2012

2012 CHAPTER 7

PART 9

HEALTH AND ADULT SOCIAL CARE SERVICES: INFORMATION

CHAPTER 2

THE HEALTH AND SOCIAL CARE INFORMATION CENTRE

Functions: information systems

263 Code of practice on confidential information

- (1) The Information Centre must prepare and publish a code in respect of the practice to be followed in relation to the collection, analysis, publication and other dissemination of confidential information concerning, or connected with, the provision of health services or of adult social care in England.
- (2) For the purposes of this section “confidential information” is—
 - (a) information which is in a form which identifies any individual to whom the information relates or enables the identity of such an individual to be ascertained, or
 - (b) any other information in respect of which the person who holds it owes an obligation of confidence.
- (3) Before publishing the code, the Information Centre must consult—
 - (a) the Secretary of State,
 - (b) the Board, and
 - (c) such other persons as the Centre considers appropriate.
- (4) The Information Centre must not publish the code without the approval of—
 - (a) the Secretary of State, and

Status: This is the original version (as it was originally enacted).

- (b) the Board, so far as the code relates to information concerning, or connected with, the provision of NHS services.
- (5) The Information Centre must keep the code under review and may revise it as it considers appropriate (and a reference in this section to the code includes a reference to any revised code).
- (6) A health or social care body must have regard to the code in exercising functions in connection with the provision of health services or of adult social care in England.
- (7) A person, other than a public body, who provides health services, or adult social care in England, pursuant to arrangements made with a public body exercising functions in connection with the provision of such services or care must, in providing those services or that care, have regard to the code.