



# Health and Social Care Act 2012

## 2012 CHAPTER 7

### PART 9

#### HEALTH AND ADULT SOCIAL CARE SERVICES: INFORMATION

#### [<sup>F1</sup>CHAPTER 1A

##### CONTINUITY OF INFORMATION

#### [<sup>F1</sup>] [<sup>F2</sup>251C] **Continuity of information: interpretation**

- (1) This section applies for the purposes of sections 251A and 251B and this section.
- (2) “Relevant health or adult social care commissioner or provider” means—
  - (a) any public body so far as it exercises functions in connection with the provision of health services, or of adult social care in England, and
  - (b) any person (other than a public body) so far as the person provides such services or care—
    - (i) pursuant to arrangements made with a public body exercising functions in connection with the provision of the services or care, and
    - (ii) otherwise than as a member or officer of a body or an employee of a person,but this is subject to subsection (3).
- (3) The Secretary of State may by regulations provide for a person to be excluded from the definition of “relevant health or adult social care commissioner or provider”, whether generally or in particular cases.
- (4) Regulations under subsection (3) may, in particular, provide for a person to be excluded in relation to the exercise of particular functions or the exercise of functions in relation to particular descriptions of person, premises or institution.

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**Changes to legislation:** *Health and Social Care Act 2012, Section 251C is up to date with all changes known to be in force on or before 28 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*

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- (5) A reference to an inclusion or a disclosure being likely to facilitate the provision to an individual of health services or adult social care in England is to its being likely to facilitate that provision directly (rather than by means of a clinical trial, a study, an audit, or any other indirect means).
- (6) “Anonymous access provider” means a relevant health or adult social care commissioner or provider (whether “the relevant person” under section 251A(3)(a) or 251B(1) or another person) whose services or care are, or may be, received by individuals anonymously due to the nature of the services or care.
- (7) Other terms have the same meaning as in section 250 (and “processes” and “processed” are to be read in accordance with the meaning of “processing” in that section).]]

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**Textual Amendments**

- F1** Pt. 9 Ch. 1A inserted (25.6.2015) by [Health and Social Care \(Safety and Quality\) Act 2015 \(c. 28\)](#), **ss. 2, 6(4)**; S.I. 2015/1438, **reg. 2(a)**
- F2** S. 251C inserted (25.6.2015) by [Health and Social Care \(Safety and Quality\) Act 2015 \(c. 28\)](#), **ss. 4, 6(4)**; S.I. 2015/1438, **reg. 2(b)** (with **reg. 4**)
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**Modifications etc. (not altering text)**

- C1** [S. 251C](#) modified (temp.) (25.6.2015) by [The Health and Social Care \(Safety and Quality\) Act 2015 \(Commencement No. 1 and Transitory Provision\) Regulations 2015 \(S.I. 2015/1438\)](#), **reg. 4**

**Changes to legislation:**

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**Changes and effects yet to be applied to :**

- s. 251C(7) substituted by [2022 c. 31 s. 95\(4\)\(b\)](#)
- 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\(5\)](#)