



# Health and Social Care Act 2012

## 2012 CHAPTER 7

### PART 11

#### MISCELLANEOUS

##### *Duties to co-operate*

#### **288 Monitor: duty to co-operate with Care Quality Commission**

- (1) [<sup>F1</sup>NHS England] must co-operate with the Care Quality Commission in the exercise of their respective functions.
- (2) In particular [<sup>F2</sup>NHS England] must—
  - (a) give the Commission any [<sup>F3</sup>relevant] information [<sup>F2</sup>NHS England] has about the provision of health care services which [<sup>F2</sup>NHS England] or the Commission considers would assist the Commission in the exercise of its functions,
  - (b) make arrangements with the Commission to ensure that—
    - (i) a person applying both for a licence under Chapter 3 of Part 3 and to be registered under the Health and Social Care Act 2008 may do so by way of a single application form,
    - (ii) such a person is granted a licence under that Chapter and registration under that Act by way of a single document, and
  - (c) seek to secure that the conditions included in a licence under that Chapter in a case within paragraph (b) are consistent with any conditions on the person's registration under that Act.

[<sup>F4</sup>(2A) In subsection (2)(a) “relevant information” means information held by NHS England in connection with—

- (a) its regulatory functions, within the meaning given by section 13SB(2) of the National Health Service Act 2006, or
- (b) its functions under section 27A of the National Health Service Act 2006 Act (NHS trusts: oversight and support).]

---

**Changes to legislation:** Health and Social Care Act 2012, Section 288 is up to date with all changes known to be in force on or before 29 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

---

<sup>F5</sup>(3) .....

(4) In subsection (2), references to registration under the Health and Social Care Act 2008 are references to registration under Chapter 2 of Part 1 of that Act.

---

#### Textual Amendments

- F1** Words in s. 288(1) substituted (1.7.2022) by Health and Care Act 2022 (c. 31), s. 186(6), **Sch. 5 para. 96(2)**; S.I. 2022/734, reg. 2(a), Sch. (with regs. 13, 29, 30)
- F2** Words in s. 288(2)(a) substituted (1.7.2022) by Health and Care Act 2022 (c. 31), s. 186(6), **Sch. 5 para. 96(3)(a)**; S.I. 2022/734, reg. 2(a), Sch. (with regs. 13, 29, 30)
- F3** Word in s. 288(2)(a) inserted (1.7.2022) by Health and Care Act 2022 (c. 31), s. 186(6), **Sch. 5 para. 96(3)(b)**; S.I. 2022/734, reg. 2(a), Sch. (with regs. 13, 29, 30)
- F4** S. 288(2A) inserted (1.7.2022) by Health and Care Act 2022 (c. 31), s. 186(6), **Sch. 5 para. 96(4)**; S.I. 2022/734, reg. 2(a), Sch. (with regs. 13, 29, 30)
- F5** S. 288(3) omitted (1.7.2022) by virtue of Health and Care Act 2022 (c. 31), s. 186(6), **Sch. 12 para. 6**; S.I. 2022/734, reg. 2(a), Sch. (with regs. 13, 29, 30)
- 

#### Commencement Information

- I1** S. 288(1)(2)(a) in force at 1.7.2012 by S.I. 2012/1319, **art. 2(3)**
- I2** S. 288(2)(b)(3)(4) in force at 1.4.2013 by S.I. 2013/160, **art. 2(2)** (with arts. 7-9)
- I3** S. 288(2)(c) in force at 1.4.2014 by S.I. 2014/39, **art. 2(3)**

**Changes to legislation:**

Health and Social Care Act 2012, Section 288 is up to date with all changes known to be in force on or before 29 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\(5\)](#)