



Care Act 2014

2014 CHAPTER 23

PART 2

CARE STANDARDS

Increasing the independence of the Care Quality Commission

89 Chief Inspectors

After paragraph 3 of Schedule 1 to the Health and Social Care Act 2008 insert—

“Chief Inspectors

- 3A (1) The non-executive members must—
- (a) appoint an executive member to be the Chief Inspector of Hospitals,
 - (b) appoint an executive member to be the Chief Inspector of Adult Social Care, and
 - (c) appoint an executive member to be the Chief Inspector of General Practice.
- (2) Each of those executive members is to exercise such functions of the Commission on its behalf as it determines.
- (3) When exercising functions under sub-paragraph (2), an executive member must have regard to the importance of safeguarding and promoting the Commission’s independence from the Secretary of State.”

90 Independence of the Care Quality Commission

- (1) Part 1 of the Health and Social Care Act 2008 (the Care Quality Commission) is amended as follows.

Status: This is the original version (as it was originally enacted).

- (2) In section 48 (special reviews or investigations), omit subsection (7) (Secretary of State’s power to make regulations as to procedure for representations before publication of report).
- (3) In section 54 (studies as to economy, efficiency etc), in subsections (1) and (3), omit “, with the approval of the Secretary of State,”.
- (4) After subsection (2) of that section, insert—
 - “(2A) The Commission may not exercise the power under subsection (1)(a), so far as it relates to the activity mentioned in subsection (2)(d), without the approval of the Secretary of State.”
- (5) In section 55 (publication of results of studies under section 54), omit subsection (2) (Secretary of State’s power to make regulations as to procedure for representations before publication of report).
- (6) In section 57 (reviews of data, studies and research), in subsection (1), omit “, with the approval of the Secretary of State,”.
- (7) In section 61 (inspections carried out for registration purposes), omit—
 - (a) subsection (1) (Secretary of State’s power to make regulations specifying frequency etc. of inspections), and
 - (b) subsection (4) (Secretary of State’s power to make regulations as to procedure for representations before publication of report).
- (8) In section 83 (annual reports), omit subsection (3) (Secretary of State’s power to direct preparation of separate reports).
- (9) In paragraph 5 of Schedule 4 (inspection programmes etc.), omit—
 - (a) in sub-paragraph (1) (preparation of programme etc.), “, or at such times as the Secretary of State may specify by order,”, and
 - (b) sub-paragraph (3) (Secretary of State’s power to specify form of programme etc.).
- (10) In consequence of subsections (3) and (6), omit section 293(3) and (4) of the Health and Social Care Act 2012.