
STATUTORY INSTRUMENTS

2014 No. 2936

The Health and Social Care Act 2008 (Regulated Activities) Regulations 2014

PART 3

Requirements in relation to Regulated Activities

SECTION 2

Fundamental Standards

Meeting nutritional and hydration needs

- 14.**—(1) The nutritional and hydration needs of service users must be met.
- (2) Paragraph (1) applies where—
- (a) care or treatment involves—
 - (i) the provision of accommodation by the service provider, or
 - (ii) an overnight stay for the service user on premises used by the service for the purposes of carrying on a regulated activity, or
 - (b) the meeting of the nutritional or hydration needs of service users is part of the arrangements made for the provision of care or treatment by the service provider.
- (3) But paragraph (1) does not apply to the extent that the meeting of such nutritional or hydration needs would—
- (a) result in a breach of regulation 11, or
 - (b) not be in the service user's best interests.
- (4) For the purposes of paragraph (1), “nutritional and hydration needs” means—
- (a) receipt by a service user of suitable and nutritious food and hydration which is adequate to sustain life and good health,
 - (b) receipt by a service user of parenteral nutrition and dietary supplements when prescribed by a health care professional,
 - (c) the meeting of any reasonable requirements of a service user for food and hydration arising from the service user's preferences or their religious or cultural background, and
 - (d) if necessary, support for a service user to eat or drink.
- (5) Section 4 of the 2005 Act (best interests) applies for the purposes of determining the best interests of a service user who is 16 or over under this regulation as it applies for the purposes of that Act.

Changes to legislation:

The Health and Social Care Act 2008 (Regulated Activities) Regulations 2014, Section 14 is up to date with all changes known to be in force on or before 25 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 the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. 1 para. 4(4)(a)(xv) and word inserted by [S.I. 2024/374 Sch. 5 para. 23\(a\)\(ii\)](#)
- Sch. 1 para. 4(4)(g) inserted by [S.I. 2024/374 Sch. 5 para. 23\(b\)](#)
- Sch. 4A inserted by [S.I. 2022/15 reg. 4\(5\)](#) (This amendment not applied to Legislation.gov.uk - amending S.I. 2022/15 revoked on 15.3.2022 by S.I. 2022/206, reg. 3)
- reg. 12(3)-(3K) substituted for reg. 12(3)-(3D) by [S.I. 2022/15 reg. 4\(2\)](#) (This amendment not applied to Legislation.gov.uk - amending S.I. 2022/15 revoked on 15.3.2022 by S.I. 2022/206, reg. 3)