



Health and Social Care Act 2008

Infectious Diseases and Blood Policy

- Established the Care Quality Commission and laid the framework for its powers and responsibilities
- CQC is the new regulator of healthcare and adult social care in England
- In 2009/10 has registered NHS providers against a single requirement relating to healthcare associated infections
- In 2009/10 providers of adult social care and private and voluntary healthcare are regulated by CQC but under the Care Standards Act 2000
- On 1 April 2010, NHS providers will be registered against a full set of registration requirements
- On 1 October 2010, providers of adult social care and private and voluntary healthcare will be registered under the 2008 Act

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Secondary legislation

- Secondary legislation will set out:
- Scope of regulated activities – which activities need to register with CQC
- Scope will be by activity (for example surgical procedures or personal care)
- Registration requirements – set levels of safety and quality which providers must meet, including:
- Protect patients and service users against the risk of healthcare associated infection

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Draft Regulation on the prevention and control of infection

- Providers must ensure that service users, employees and others are protected against identifiable risks of acquiring an infection by:
 - systems designed to assess the risk of and to prevent, detect and control the spread of a healthcare associated infection;
 - provision of appropriate treatment for those affected by a healthcare associated infection; and
 - the maintenance of appropriate standards of cleanliness and hygiene in relation to premises, equipment and reusable medical devices and materials at risk of being contaminated with a healthcare associated infection
- This regulation will form the law, and failure to comply with it will be an offence. Consultation on draft regulations ends on 29 May

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Registration requirements

• Care and welfare of service users	• Respecting and involving service users
• Assessing and monitoring the quality of provision	• Consent to care and treatment
• Safeguarding vulnerable service users	• Complaints
• Cleanliness and infection control	• Records
• Management of medicines and medical services	• Competence and suitability (in Regulations called 'fitness') of workers
• Meeting nutritional needs	• Staffing
• Safety and suitability of premises	• Effective management of workers (in Regulations called 'supporting staff')
• Safety, availability and suitability of equipment	

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How the Care Quality Commission will assess a provider's adherence to the registration requirements

- The Commission will usually develop and consult on the guidance for this itself
- Exceptionally, in the case of registration requirements relating to the prevention or control of healthcare associated infection, the guidance about compliance will be set by the Secretary of State in a code of practice under Section 21 of the 2008 Act

