

## HEALTHWATCH ENTER AND VIEW – STATUTORY DUTIES

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### Local Government and Public Involvement in Health Act 2007

#### **225 Duties of services-providers to allow entry by Local Healthwatch organisations or contractors]**

(1) The Secretary of State shall by regulations make provision for the purpose of imposing, on a services-provider, a duty to allow authorised representatives to enter and view, and observe the carrying-on of activities on, premises owned or controlled by the services-provider.

(2) The provision that may be made by regulations under subsection (1) includes (in particular)—

(a) providing for a duty to apply in relation to premises owned or controlled by a services-provider only if, or not to apply in relation to any such premises if, the premises are of a particular description;

(b) providing for a duty, so far as applying in relation to any premises, to apply in relation to activities carried on on the premises only if, or not to apply in relation to any such activities if, the activities are of a particular description;

(c) conditions to be satisfied before a duty arises in a particular case;

(d) provision limiting the extent of a duty, whether generally or in particular cases;

(e) provision imposing, or authorising the imposition of, conditions and restrictions for the purposes of subsection (4)(b);

(f) provision as respects the authorisation of individuals for the purposes of this section by Local Healthwatch organisation or a Local Healthwatch contractor].

(3) Provision such as is mentioned in subsection (2)(d) may limit a duty by (in particular)—

(a) providing for a duty not to apply to an authorised representative if he is, or unless he is, of a particular description;

(b) limiting the number of authorised representatives to whom a duty applies in a particular case;

(c) limiting the hours during which a duty applies.

(4) While an authorised representative is on any premises as a result of a services-provider having complied with a duty imposed under subsection (1)—

(a) any viewing, or observation, carried out by the representative must be carried out for the purposes of the carrying-on, under arrangements made under section 221(1) or Local Healthwatch arrangements, of activities specified in section 221(2); and

(b) the representative must comply with any applicable conditions and restrictions imposed under subsection (1) for the purposes of this paragraph.

(5) In this section “authorised representative” means an individual authorised for the purposes of this section, in accordance with any applicable provision in regulations under subsection (1), by [\[F4a](#) Local Healthwatch organisation or a Local Healthwatch contractor].

(5A) In this section—

- “Local Healthwatch arrangements” has the meaning given by section 222;
- “Local Healthwatch contractor” has the meaning given by section 223.]

(6) . . . . .

(7) In this section “services-provider” means—

(a) a National Health Service trust;

(b) an NHS foundation trust;

(c) . . . . .

(d) a local authority; or

(e) a person prescribed by regulations made by the Secretary of State.

