CONSIDERATION OF BILL

CARE BILL, AS AMENDED

John McDonnell
Jeremy Corbyn

Clause 12, page 11, line 31, at end insert—
‘(aa) require the local authority, when carrying out the assessment, to capture an individual’s main and other disabling conditions.’.

John McDonnell
Jeremy Corbyn

Clause 5, page 6, line 2, leave out from ‘must’ to end of line 4, and insert—
‘(a) have regard to the need to ensure that sufficient services are available for meeting the needs for care and support of adults in its area and the needs for support of carers in its area; and
(b) ensure that the fee levels provided to independent providers for the delivery of care and support services are derived from a national formula which determines the accurate cost of care in each local authority area, the result of which will mean that the provisions of paragraphs (2)(b), (d), (e) and (f) can be delivered effectively.’.

John McDonnell
Jeremy Corbyn

Clause 76, page 69, line 33, after ‘adults’, insert ‘and children’.

John McDonnell
Jeremy Corbyn

Clause 76, page 69, line 37, after ‘adults’, insert ‘and children’.
Clause 76, page 69, line 42, after ‘adults’, insert ‘and children’.

Clause 76, page 69, line 44, after ‘adults’, insert ‘or child’.

Clause 1, page 2, line 5, at end insert—

‘(j) the right to living independently and being included in the community.’.

Clause 42, page 38, line 24, at end insert—

‘(2A) There are different types of abuse, as defined in guidance.’.

Clause 42, page 38, line 29, at end add—

‘(4) A relevant partner, as defined in section 6(7) has a duty, where it has reasonable cause to suspect a person is an adult at risk of abuse or neglect, and the adult appears to be within the local authority’s area, to inform the local authority of that fact.’.

‘(1) A person or entity commits an offence if they misuse, or negligently allow the misuse of information they have requested and received from the Health and Social Care Information Centre.

(2) “Misuse” means—

(a) using information in a way that violates the agreement with the Health and Social Care Information Centre;
(b) using information in a way that does not violate the agreement with the Health and Social Care Information Centre, but that gives rise to use that is outside the agreed limits of use; or
(c) using information supplied by the Health and Social Care Information Centre in such a way as to allow or enable individual patients to be identified by a third party.

(3) A person who is guilty of an offence under subsection (1) is liable—

(a) on summary conviction, to an unlimited fine;
(b) on conviction on indictment, to imprisonment for not more than two years or a fine, or both.

(4) An entity who is guilty of an offence under subsection (1)—
Consideration of Bill: 5 March 2014

Care Bill, continued

(a) is liable to an unlimited fine; and
(b) must disclose the conviction on all future applications to access data from the Health and Social Care Information Centre.’.

Mr Jamie Reed
Clause 116, page 100, line 29, after ‘Authority’, insert ‘and the Secretary of State’.

Andy Burnham
Mr Jamie Reed
Caroline Lucas
Mark Durkan

Page 102, line 31, leave out Clause 119.

Declassification of a police station as a place of safety for the purposes of section 136 of the Mental Health Act 1983

Paul Burstow
Dr Sarah Wollaston

To move the following Clause:—

‘(1) The definition of a place of safety in section 135(6) of the Mental Health Act 1983 shall no longer be read to include a police station for the purposes of section 136 of that Act.
(2) With regard to persons removed to a place of safety under section 136(1) of the Mental Health Act 1983, subsection (1) above shall have effect from—
(a) 1 April 2015, where such a person is aged 18 years or under; and
(b) 1 April 2017, where such a person is aged over 18 years.
(3) By 31 March 2015 the Secretary of State shall prepare and lay before each House of Parliament a report setting out the progress made by that date towards fulfilling the objective set out in subsection (1) above.’.

The Health and Social Care Information Centre: restrictions on dissemination of information

Secretary Jeremy Hunt

To move the following Clause:—

‘(1) Chapter 2 of Part 9 of the Health and Social Care Act 2012 (the Health and Social Care Information Centre) is amended as follows.
(2) In section 253(1) (general duties), after paragraph (c) (but before the “and” after it) insert—
(ca) the need to respect and promote the privacy of recipients of health services and of adult social care in England,”.
(3) In section 261 (other dissemination of information), after subsection (1) insert—
“(1A) But the Information Centre may do so only if it considers that disseminating the information would be for the purposes of the provision of health care or adult social care.”
Care Bill, continued

(4) After section 262 insert—

“262A Publication and other dissemination: supplementary

In exercising any function under this Act of publishing or otherwise disseminating information, the Information Centre must have regard to any advice given to it by the committee appointed by the Health Research Authority under paragraph 8(1) of Schedule 7 to the Care Act 2014 (committee to advise in connection with information dissemination etc).”.

As Amendments to Secretary Jeremy Hunt’s proposed New Clause (The Health and Social Care Information Centre: restrictions on dissemination of information) (NC14):—

Dr Sarah Wollaston
Paul Burstow
Charlotte Leslie

(a) Line 9, after ‘of’, insert ‘improving’.

Dr Sarah Wollaston
Paul Burstow
Charlotte Leslie

(b) Line 10, at end insert ‘; and if it has satisfied itself that the recipient is competent to handle the data in compliance with all statutory duties and to respect and promote the privacy of recipients of health services and adult social care.’.