



National Health Service Act 2006

2006 CHAPTER 41

PART 3 **E+W**

LOCAL AUTHORITIES AND THE NHS

[^{F1}73C Complaints about exercise of public health functions by local authorities **E+W**

- (1) Regulations may make provision about the handling and consideration of complaints made under the regulations about—
 - (a) the exercise by a local authority of any of its public health functions;
 - (b) the exercise by a local authority of its functions by virtue of section 6C(1) or (3);
 - (c) anything done by a local authority in pursuance of arrangements made under section 7A;
 - (d) the exercise by a local authority of any of its other functions—
 - (i) which relate to public health, and
 - (ii) for which its director of public health has responsibility;
 - (e) the provision of services by another person in pursuance of arrangements made by a local authority in the exercise of any function mentioned in paragraphs (a) to (d).
- (2) The regulations may provide for a complaint to be considered by one or more of the following—
 - (a) the local authority in respect of whose functions the complaint is made;
 - (b) an independent panel established under the regulations;
 - (c) any other person or body.
- (3) The regulations may provide for a complaint or any matter raised by a complaint—
 - (a) to be referred to a Local Commissioner under Part 3 of the Local Government Act 1974 for the Commissioner to consider whether to investigate the complaint or matter under that Part;
 - (b) to be referred to any other person or body for that person or body to consider whether to take any action otherwise than under the regulations.

Status: Point in time view as at 01/04/2013. This version of this provision has been superseded.

Changes to legislation: National Health Service Act 2006, Section 73C is up to date with all changes known to be in force on or before 27 September 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. (See end of Document for details)

- (4) Where the regulations make provision under subsection (3)(a) they may also provide for the complaint to be treated as satisfying sections 26A and 26B of the Act of 1974.
- (5) Section 115 of the Health and Social Care (Community Health and Standards) Act 2003 (health care and social services complaints regulations: supplementary) applies in relation to regulations under this section as it applies in relation to regulations under subsection (1) of section 113 of that Act.
- (6) In this section, “local authority” has the same meaning as in section 2B.]

Textual Amendments

- F1** S. 73C inserted (27.3.2012 for specified purposes, 1.4.2013 in so far as not already in force) by [Health and Social Care Act 2012 \(c. 7\)](#), **ss. 32**, 306(1)(d)(4); S.I. 2013/160, art. 2(2) (with arts. 7-9)

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