
STATUTORY INSTRUMENTS

2015 No. 1879

The National Health Service (Personal Medical Services Agreements) Regulations 2015

PART 12

Complaints

Complaints procedure

72.—(1) The contractor must establish and operate a complaints procedure to deal with complaints made in relation to any matter that is reasonably connected with the provision of services under the agreement.

(2) The complaints procedure must comply with the requirements of the Local Authority Social Services and National Health Service Complaints (England) Regulations 2009 ^{M1}.

Marginal Citations

M1 S.I. 2009/309; as amended by S.I. 2009/1768, S.I. 2012/1909 and S.I.2013/235 and 349.

Co-operation with investigations

73.—(1) The contractor must co-operate with—

- (a) the investigation of any complaint made in relation to a matter that is reasonably connected with the provision of services under the agreement by—
 - (i) [^{F1}NHS England], or
 - (ii) the Health Service Commissioner; and
- (b) the investigation of any complaint made by an NHS body or local authority which relates to a patient or former patient of the contractor.

(2) In paragraph (1)—

“NHS body” means—

- (a) in relation to England and Wales, [^{F1}NHS England] or [^{F2}an integrated care board]; and
- (b) in relation to England and Wales, Scotland and Northern Ireland, an NHS Trust, an NHS foundation trust, a Local Health Board, a Health Board a Health and Social Services Board or a Health and Social Services Trust;

“local authority” means—

- (a) a local authority within the meaning of section 1 of the Local Authority Social Services Act 1970 ^{M2} (local authorities);
- (b) the Council of the Isles of Scilly; ^{F3} ...

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The National Health Service (Personal Medical Services Agreements) Regulations 2015. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (c) a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994^{M3} (constitution of councils); [^{F4}or]
- (d) [^{F5}the council of a county or county borough in Wales; and]
- “Health Service Commissioner” means the person appointed as Health Service Commissioner for England in accordance with section 1 of, and Schedule 1 to, the Health Service Commissioners Act 1993^{M4} (The Commissioner).
- (3) For the purposes of paragraph (1), co-operation includes—
- (a) answering questions which are reasonably put to the contractor by [^{F1}NHS England];
- (b) providing information relating to the complaint which is reasonably required by [^{F1}NHS England]; and
- (c) attending any meeting held to consider the complaint (if held at a reasonably accessible place and at a reasonable hour and if due notice has been given) if the contractor's presence at the meeting is reasonably required by [^{F1}NHS England].

Textual Amendments

- F1** Words in Regulations substituted (6.11.2023) by [The Health and Care Act 2022 \(Further Consequential Amendments\) \(No. 2\) Regulations 2023 \(S.I. 2023/1071\)](#), reg. 1(1), **Sch. para. 1**
- F2** Words in Regulations substituted (1.7.2022) by [The Health and Care Act 2022 \(Consequential and Related Amendments and Transitional Provisions\) Regulations 2022 \(S.I. 2022/634\)](#), reg. 1(2), Sch. para. 1(1)(3) (with Sch. para. 1(2))
- F3** Word in reg. 73(2) omitted (6.4.2016) by virtue of [The Social Services and Well-being \(Wales\) Act 2014 \(Consequential Amendments\) \(Secondary Legislation\) Regulations 2016 \(S.I. 2016/211\)](#), reg. 1(2), **Sch. 3 para. 187(a)**
- F4** Word in reg. 73(2) substituted (6.4.2016) by [The Social Services and Well-being \(Wales\) Act 2014 \(Consequential Amendments\) \(Secondary Legislation\) Regulations 2016 \(S.I. 2016/211\)](#), reg. 1(2), **Sch. 3 para. 187(b)**
- F5** Words in reg. 73(2) inserted (6.4.2016) by [The Social Services and Well-being \(Wales\) Act 2014 \(Consequential Amendments\) \(Secondary Legislation\) Regulations 2016 \(S.I. 2016/211\)](#), reg. 1(2), **Sch. 3 para. 187(c)**

Marginal Citations

- M2** [1970 c.42](#). Section 1 was amended by section 22(4) of, and Schedule 10 to, the [Local Government \(Wales\) Act 1994 \(c.19\)](#).
- M3** [1994 c.39](#). Section 2 was amended by paragraph 232(1) of Schedule 22 to the [Environment Act 1995 \(c.25\)](#).
- M4** [1993 c.46](#). Section 1 was amended by section 195 of the [Local Government Act 1972 \(c.70\)](#); section 224 of, and paragraph 7 of Schedule 7 to, the [Local Government \(Wales\) Act 1994](#); section 112 of, and paragraph 10 of Schedule 10 to, the [Government of Wales Act 1998 \(c.38\)](#); section 39(1) of, and Schedules 6 and 7 to, the [Public Service Ombudsman \(Wales\) Act 2005 \(c.10\)](#); and by [S.I.2004/1823](#). The Act is repealed in relation to Scotland by the [Scottish Public Service Ombudsman Act 2002 \(asp 11\)](#).

Changes to legislation:

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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. 2 para. 3(3)(4) inserted by [S.I. 2024/575 Sch. 2 para. 7\(a\)\(ii\)](#)
- Sch. 2 para. 5(4)(c) inserted by [S.I. 2024/575 Sch. 2 para. 8\(b\)\(iii\)](#)
- Sch. 2 para. 10B and cross-heading inserted by [S.I. 2024/575 Sch. 2 para. 9](#)
- Sch. 2 para. 17(3)(3A) substituted for Sch. 2 para. 17(3) by [S.I. 2024/575 Sch. 2 para. 10](#)
- reg. 21AA(10)(a)(b) words in reg. 21AA(10) renumbered as reg. 21AA(10)(a)(b) by [S.I. 2023/436 Sch. 2 para. 3\(2\)](#) (This amendment not applied to Legislation.gov.uk - S.I. 2023/436 revoked by S.I. 2023/449, reg. 4 immediately before coming into force.)
- reg. 21AA(11)(a)(i)(ii) words in reg. 21AA(11)(a) renumbered as reg. 21AA(11)(a)(i)(ii) by [S.I. 2023/436 Sch. 2 para. 3\(3\)\(a\)](#) (This amendment not applied to Legislation.gov.uk - S.I. 2023/436 revoked by S.I. 2023/449, reg. 4 immediately before coming into force.)
- reg. 59C(1A) inserted by [S.I. 2024/575 Sch. 2 para. 3\(b\)](#)