

SCHEDULE 3

OTHER CONTRACTUAL TERMS

PART 6

COMPLAINTS

Co-operation with investigations

51.—(1) The contractor (other than a Local Health Board) will co-operate with—

(a) any investigation of a complaint [^{F1}or concern notified in accordance with the National Health Service (Concerns, Complaints and Redress Arrangements) (Wales) Regulations 2011] in relation to any matter reasonably connected with the provision of services under the agreement undertaken by—

(i) the Relevant Body, and

^{F2}(ii)

[^{F3}(iii) the Welsh Ministers; and

(iv) the Public Services Ombudsman for Wales;]

(b) any investigation of a complaint [^{F1}or concern notified in accordance with the National Health Service (Concerns, Complaints and Redress Arrangements) (Wales) Regulations 2011] by an NHS body or local authority which relates to a patient or former patient of the contractor.

(2) In sub-paragraph (1)—

“NHS body” means a Local Health Board, an NHS trust, an NHS foundation trust, [^{F4}[^{F5}an integrated care board], [^{F6}NHS England]], or an equivalent body constituted in Scotland or Northern Ireland;

“local authority” means—

(a) any of the bodies listed in section 1 of the Local Authority Social Services Act 1970(1) (local authorities),

(b) the Council of the Isles of Scilly, ^{F7}...

(c) a council constituted under section 2 of the Local Government etc, (Scotland) Act 1994(2) (constitution of councils) [^{F8}, or]

(d) [^{F9}the council of a county or county borough in Wales.]

(3) The co-operation required by sub-paragraph (1) includes—

(a) answering questions reasonably put to the contractor by the Relevant Body;

(b) providing any information relating to the complaint [^{F1}or concern notified in accordance with the National Health Service (Concerns, Complaints and Redress Arrangements) (Wales) Regulations 2011] reasonably required by the Relevant Body; and

(c) attending any meeting to consider the complaint [^{F1}or concern notified in accordance with the National Health Service (Concerns, Complaints and Redress Arrangements) (Wales)

(1) 1970 c. 42; section 1 was amended by the Local Government Act 1972 (c. 70), section 195 and by the Local Government (Wales) Act 1994 (c. 19), Schedule 10, paragraph 7.

(2) 1994 c. 39.

Changes to legislation: There are currently no known outstanding effects for the The National Health Service (Personal Dental Services Agreements) (Wales) Regulations 2006, Paragraph 51. (See end of Document for details)

Regulations 2011] (if held at a reasonably accessible place and at a reasonable hour, and due notice has been given) if the contractor's presence at the meeting is reasonably required by the Relevant Body.

Textual Amendments

- F1** Words in Sch. 3 para. 51 inserted (1.4.2011) by The National Health Service (Concerns, Complaints and Redress Arrangements) (Wales) Regulations 2011 (S.I. 2011/704), reg. 1(2), **Sch. 2 para. 5(2)(c)(iii)(aa)**
- F2** Sch. 3 para. 51(1)(a)(ii) omitted (1.4.2009) by virtue of The Health and Social Care Act 2008 (Commencement No.9, Consequential Amendments and Transitory, Transitional and Saving Provisions) Order 2009 (S.I. 2009/462), art. 1(4), **Sch. 5 para. 19(b)**
- F3** Sch. 3 para. 51(1)(a)(iii), (iv) substituted for (1.4.2011) by The National Health Service (Concerns, Complaints and Redress Arrangements) (Wales) Regulations 2011 (S.I. 2011/704), reg. 1(2), **Sch. 2 para. 5(2)(c)(iii)(bb)**
- F4** Words in Sch. 3 para. 51(2) substituted (1.4.2013) by The National Treatment Agency (Abolition) and the Health and Social Care Act 2012 (Consequential, Transitional and Saving Provisions) Order 2013 (S.I. 2013/235), art. 1(2), **Sch. 2 para. 95(4)(c)** (with Sch. 3 para. 13)
- F5** 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))
- F6** 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**
- F7** Word in Sch. 3 para. 51(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. 68(a)**
- F8** Word in Sch. 3 para. 51(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. 68(b)**
- F9** Words in Sch. 3 para. 51(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. 68(c)**

Commencement Information

- I1** Sch. 3 para. 51 in force at 1.3.2006, see **reg. 1(1)**

Changes to legislation:

There are currently no known outstanding effects for the The National Health Service (Personal Dental Services Agreements) (Wales) Regulations 2006, Paragraph 51.