
WELSH STATUTORY INSTRUMENTS

2011 No. 704

The National Health Service (Concerns, Complaints and Redress Arrangements) (Wales) Regulations 2011

PART 4

CONCERNS WHICH INVOLVE OTHER RESPONSIBLE BODIES

Action to be taken where a Local Health Board receives notification of a concern about services provided by a primary care provider

19.—(1) When a Local Health Board receives a concern notified by or on behalf of a person who is receiving or has received services from a primary care provider it must determine whether, in its opinion, the concern is appropriate for it to consider or whether it is more appropriate for the primary care provider that is the subject of the concern to consider.

(2) Before making a decision the Local Health Board must determine from the person who notified the concern, whether—

- (a) the concern has been considered by the primary care provider, and if so, whether a response has been issued by the provider in accordance with regulation 24; and
- (b) the person who notified the concern consents to details of the concern being sent to the primary care provider who is the subject of the concern.

(3) If a response has been issued by the primary care provider in accordance with regulation 24, the Local Health Board must not consider the concern.

(4) If the person notifying the concern does not consent to the Local Health Board sending details of the concern to the primary care provider, the Local Health Board must not investigate the concern unless notifying the primary care provider of the concern would, in the reasonable opinion of the Local Health Board, prejudice its consideration of the concern.

Commencement Information

II Reg. 19 in force at 1.4.2011, see [reg. 1\(2\)](#)

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The National Health Service (Concerns, Complaints and Redress Arrangements) (Wales) Regulations 2011. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

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):

- reg. 3(1) reg. 3 renumbered as reg. 3(1) by [S.I. 2023/281 reg. 2\(3\)\(a\)](#)
- reg. 3(2)(3) inserted by [S.I. 2023/281 reg. 2\(3\)\(b\)](#)
- reg. 14(1)(k) and word inserted by [S.I. 2023/281 reg. 2\(5\)\(e\)](#)
- reg. 22(7) inserted by [S.I. 2023/274 reg. 14\(5\)\(c\)](#)
- reg. 34(1)(ca)-(cc) inserted by [S.I. 2013/235 Sch. 2 para. 162\(1\)\(b\)](#)
- reg. 34(1)(ca)-(cc) inserted by [S.I. 2013/235 Sch. 2 para. 162\(2\)\(b\)](#)
- reg. 34(1)(ca) substituted by [S.I. 2022/634 reg. 52\(2\)](#)
- reg. 34(1)(ca) substituted by [S.I. 2022/634 reg. 53\(2\)](#) (Amendment to Welsh text)