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WELSH STATUTORY INSTRUMENTS

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**2011 No. 704**

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

**PART 5**

**HANDLING AND INVESTIGATION OF CONCERNS**

**Response**

**24.**—(1) Unless regulation 26 applies and a responsible body that is a Welsh NHS body produces an interim report in accordance with that regulation, a responsible body must prepare a written response to the matter or matters raised in a concern which has been investigated in accordance with arrangements for dealing with concerns under these Regulations which—

- (a) summarises the nature and substance of the matter or matters raised in the concern;
- (b) describes the investigation undertaken in accordance with regulation 23;
- (c) contains copies of any expert opinions that the person investigating the concern has received during the investigation;
- (d) contains a copy of any relevant medical records, where this is appropriate;
- (e) where appropriate, contains an apology;
- (f) identifies what action, if any, will be taken in light of the outcome of the investigation;
- (g) contains details of the right to notify the concern to the Public Services Ombudsman for Wales;
- (h) offers the person notifying the concern the opportunity to discuss the contents of the response with the responsible officer or a person acting on his or her behalf; and
- (i) is signed by the responsible officer or a person acting on his or her behalf.

(2) In respect of a concern which includes an allegation that harm has or may have been caused, a responsible body that is a Welsh NHS body must, if it is of the view that there is no qualifying liability give reasons in the response for this decision.

(3) A responsible body must take all reasonable steps to send a response to the person who notified the concern within thirty working days beginning on the day upon which it received notification of the concern.

(4) If a responsible body is unable to provide a response within thirty working days in accordance with paragraph (3), it must—

- (a) notify the person who notified the concern accordingly and explain the reason why; and
- (b) send the response as soon as reasonably practicable and within six months beginning on the day upon which it received notification of the concern.

(5) If exceptional circumstances mean that the six month period in paragraph (4)(b) cannot be adhered to, the responsible body must advise the person who notified the concern of the reasons for the delay and when a response may be expected.