
WELSH STATUTORY INSTRUMENTS

2011 No. 704

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

PART 6

REDRESS

Investigation report

31.—(1) A Welsh NHS body must ensure that the findings of the investigation of a concern in which a person is seeking redress under this Part are recorded in an investigation report.

(2) An investigation report must contain the following—

- (a) a copy of any medical evidence that has been commissioned in accordance with this Part in order to determine whether or not there is a qualifying liability or which has been commissioned to determine condition and prognosis;
- (b) a statement by the Welsh NHS body confirming whether or not, in its opinion, there is a qualifying liability; and
- (c) an explanation for the opinion expressed in sub-paragraph (b).

(3) Unless paragraph (4) applies, the Welsh NHS body must provide the person who is seeking redress under this Part, or his or her legal representative, with a copy of the investigation report within the time frame set out in regulation 26(5) and (6).

(4) No copy of the investigation report need be provided by the Welsh NHS body—

- (a) before an offer of redress under this Part is made;
- (b) before a decision not to make an offer of redress is communicated;
- (c) if the investigation of redress in accordance with this Part is for any reason terminated; or
- (d) where the report contains information likely to cause the patient or other applicant for redress significant harm or distress.