

**Changes to legislation:** There are outstanding changes not yet made by the [legislation.gov.uk](https://www.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. (See end of Document for details) [View outstanding changes](#)

## SCHEDULE 2

### CONSEQUENTIAL AND TRANSITIONAL PROVISIONS

#### **Amendment of the National Health Service (General Medical Services Contracts) (Wales) Regulations 2004**

3.—(1) The National Health Service (General Medical Services Contracts) (Wales) Regulations 2004(1) are amended as follows.

(2) In Schedule 6 (other contractual terms), before Part 6 (Complaints) insert—

#### **“Part 5A**

##### Concerns notified on or after 1 April 2011

#### **89A**

The contractor must establish and operate arrangements which meet the requirements of the National Health Service (Concerns, Complaints and Redress Arrangements) (Wales) Regulations 2011 to deal with any concerns notified on or after 1 April 2011 about any matter reasonably connected with the provision of services under the contract.”.

(3) In Part 6 of Schedule 6—

(a) for the heading relating to paragraph 90 (Complaints procedure), substitute—

**“Complaints received prior to 1 April 2011”;**

(b) in paragraph 90, for sub-paragraph (1), substitute the following—

“(1) In respect of any complaints made prior to 1 April 2011 in relation to any matter reasonably connected with the provision of services under the contract which have not been resolved by that date, the contractor must continue to deal with such complaints in accordance with the requirements of paragraphs 91 to 94 and 96.”;

(c) in paragraph 95 (co-operation with investigations)—

(i) after “complaint” in each place it occurs insert “or a concern notified in accordance with the National Health Service (Concerns, Complaints and Redress Arrangements) (Wales) Regulations 2011 ”;

(ii) for sub-paragraph (1)(a)(iii) substitute—

“(iii) the Welsh Ministers; and

(iv) the Public Services Ombudsman for Wales; and”.

(4) In paragraph 98 of Part 7 of Schedule 6 (Dispute resolution: non-NHS contracts), for “complaints procedure pursuant to Part 6” substitute “procedures for notifying concerns or making complaints pursuant to Parts 5A and 6”.

(5) In Schedule 10 (information to be included in practice information leaflets), for paragraph 24 substitute—

#### **“24**

How patients may—

(1) in respect of complaints made prior to 1 April 2011 make a complaint in accordance with the provisions of Part 6 of Schedule 6;

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(1) [S.I.2004/478 \(W.48\)](#).

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- (2) in respect of concerns notified on or after 1 April 2011 notify a concern in accordance with the provisions of the National Health Service (Concerns, Complaints and Redress Arrangements) (Wales) Regulations 2011; or
- (3) comment on the provision of service.”.

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**Commencement Information**

**II** Sch. 2 para. 3 in force at 1.4.2011, see [reg. 1\(2\)](#)

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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):

- 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)