

Status: This version of this provision is prospective.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The National Health Service (General Medical Services Contracts) (Wales) Regulations 2023. 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

PROSPECTIVE

SCHEDULE 3

Other contractual terms

PART 9

Concerns, complaints and investigations

Co-operation with investigations

102.—(1) The contractor must co-operate with—

- (a) any investigation of a complaint or a 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 contract undertaken by—
 - (i) the Local Health Board,
 - (ii) the Welsh Ministers,
 - (iii) the Public Services Ombudsman for Wales, and
- (b) any investigation of a complaint or a 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) The co-operation required by sub-paragraph (1) includes—

- (a) answering questions reasonably put to the contractor by the Local Health Board,
- (b) providing any information relating to the complaint or a concern notified in accordance with the National Health Service (Concerns, Complaints and Redress Arrangements) (Wales) Regulations 2011 reasonably required by the Local Health Board, and
- (c) attending any meeting to consider the complaint or a concern notified in accordance with the National Health Service (Concerns, Complaints and Redress Arrangements) (Wales) 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 Local Health Board.

(3) In this paragraph—

“NHS body” (“*corff GIG*”) means a Local Health Board, (in England and Wales and Scotland) an NHS trust, an NHS foundation trust, an Integrated Care Board, NHS England, a Health Board, a Health and Social Services Board or a Health and Social Care Trust;

“local authority” (“*awdurdod lleol*”) means—

- (a) any of the bodies listed in section 1 of the Local Authority Social Services Act 1970⁽¹⁾ (local authorities) (constitution of councils),
- (b) the Council of the Isles of Scilly,

(1) 1970 c. 42.

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- (c) a council constituted under section 2 of the Local Government etc (Scotland) Act 1994 (constitution of councils), or
- (d) a council of a county or county borough in Wales.

Commencement Information

II Sch. 3 para. 102 in force at 1.10.2023, see [reg. 1\(2\)](#)

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Changes and effects yet to be applied to :

- Sch. 3 para. 102 coming into force by [S.I. 2023/953 reg. 1\(2\)](#)

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):

- Sch. 3 para. 16(3) inserted by [S.I. 2023/1421 reg. 18\(b\)](#)
- Sch. 5 para. 2(2)(a)(iv)(aa) omitted by [S.I. 2023/1421 reg. 20\(d\)](#)
- Sch. 5 para. 2(2)(a)(i)(aa) word substituted by [S.I. 2023/1421 reg. 20\(c\)](#)