



# Regulation of Care (Scotland) Act 2001

## 2001 asp 8

### PART 5

#### PROVISIONS COMMON TO COMMISSION AND COUNCIL

##### *Complaints, inquiries and maladministration*

#### 64 Complaints procedure

- (1) [<sup>F1</sup>The Council shall] establish a procedure by which a person, or someone acting on a person's behalf, may make complaints (or other representations) in relation to the exercise by the [<sup>F2</sup>Council] of, or failure by it to exercise, any of its functions under this Act in respect of the person.
- (2) Before establishing a procedure under subsection (1) above, the [<sup>F3</sup>Council] shall consult the Scottish [<sup>F4</sup>Public Services Ombudsman] on its proposals for such a procedure <sup>F5</sup>....
- (3) The [<sup>F6</sup>Council] shall keep the procedure so established by it under review and shall vary that procedure whenever, [<sup>F7</sup>after such consultation], it considers it appropriate to do so.
- (4) The [<sup>F8</sup>Council] shall give such publicity to that procedure (including that procedure as varied under subsection (3) above) as it considers appropriate and shall give a copy of the procedure to any person who requests it.

#### Textual Amendments

- F1** Words in s. 64(1) substituted (1.10.2010 for specified purposes, 1.4.2011 in so far as not already in force) by [Public Services Reform \(Scotland\) Act 2010 \(asp 8\)](#), s. 134(7), [sch. 14 para. 9\(a\)\(i\)](#); S.S.I. 2010/321, art. 3, sch.; S.S.I. 2011/122, art. 2, sch.
- F2** Word in s. 64(1) substituted (1.10.2010 for specified purposes, 1.4.2011 in so far as not already in force) by [Public Services Reform \(Scotland\) Act 2010 \(asp 8\)](#), s. 134(7), [sch. 14 para. 9\(a\)\(ii\)](#); S.S.I. 2010/321, art. 3, sch.; S.S.I. 2011/122, art. 2, sch.
- F3** Word in s. 64(2) substituted (1.10.2010 for specified purposes, 1.4.2011 in so far as not already in force) by [Public Services Reform \(Scotland\) Act 2010 \(asp 8\)](#), s. 134(7), [sch. 14 para. 9\(b\)](#); S.S.I. 2010/321, art. 3, sch.; S.S.I. 2011/122, art. 2, sch.

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*Changes to legislation: There are currently no known outstanding effects for the  
Regulation of Care (Scotland) Act 2001, Section 64. (See end of Document for details)*

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- F4** Words in s. 64(2) substituted (1.8.2010) by Public Services Reform (Scotland) Act 2010 (asp 8), s. 134(7), **sch. 15 para. 11(a)(i)**; S.S.I. 2010/221, art. 3(2), sch.
- F5** Words in s. 64(2) repealed (1.8.2010) by Public Services Reform (Scotland) Act 2010 (asp 8), s. 134(7), **sch. 15 para. 11(a)(ii)**; S.S.I. 2010/221, art. 3(2), sch.
- F6** Word in s. 64(3) substituted (1.10.2010 for specified purposes, 1.4.2011 in so far as not already in force) by Public Services Reform (Scotland) Act 2010 (asp 8), s. 134(7), **sch. 14 para. 9(c)**; S.S.I. 2010/321, art. 3, sch.; S.S.I. 2011/122, art. 2, sch.
- F7** Words in s. 64(3) substituted (1.8.2010) by Public Services Reform (Scotland) Act 2010 (asp 8), s. 134(7), **sch. 15 para. 11(b)**; S.S.I. 2010/221, art. 3(2), sch.
- F8** Word in s. 64(4) substituted (1.10.2010 for specified purposes, 1.4.2011 in so far as not already in force) by Public Services Reform (Scotland) Act 2010 (asp 8), s. 134(7), **sch. 14 para. 9(d)**; S.S.I. 2010/321, art. 3, sch.; S.S.I. 2011/122, art. 2, sch.

**Changes to legislation:**

There are currently no known outstanding effects for the Regulation of Care (Scotland) Act 2001, Section 64.