



# National Health Service Reform and Health Care Professions Act 2002

## 2002 CHAPTER 17

### PART 2

[<sup>F1</sup>HEALTH AND SOCIAL CARE PROFESSIONS ETC.]

*[<sup>F1</sup>The Professional Standards Authority for Health and Social Care]*

#### 28 Complaints about regulatory bodies

- (1) [<sup>F1</sup>The Privy Council] may make provision in regulations about the investigation by the [<sup>F2</sup>Authority] of complaints made to it about the way in which a regulatory body [<sup>F3</sup>other than Social Work England] has exercised any of its functions.
- (2) The regulations may, in particular, make provision as to—
  - (a) who (or what description of person) is entitled to complain,
  - (b) the nature of complaints which the [<sup>F4</sup>Authority] must (or need not) investigate,
  - (c) matters which are excluded from investigation,
  - (d) requirements to be complied with by a person who makes a complaint,
  - (e) the procedure to be followed by the [<sup>F5</sup>Authority] in investigating complaints,
  - (f) the making of recommendations or reports by the [<sup>F5</sup>Authority] following investigations,
  - (g) the confidentiality, or disclosure, of any information supplied to the [<sup>F5</sup>Authority] or acquired by it in connection with an investigation,
  - (h) the use which the [<sup>F5</sup>Authority] may make of any such information,
  - (i) the making of payments to any persons in connection with investigations,
  - (j) privilege in relation to any matter published by the [<sup>F6</sup>Authority] in the exercise of its functions under the regulations.
- (3) The regulations may also make provision—

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*Changes to legislation: There are currently no known outstanding effects for the National Health Service Reform and Health Care Professions Act 2002, Section 28. (See end of Document for details)*

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- (a) empowering the [<sup>F7</sup>Authority] to require persons to attend before it,
  - (b) empowering the [<sup>F7</sup>Authority] to require persons to give evidence or produce documents to it,
  - (c) about the admissibility of evidence,
  - (d) enabling the [<sup>F8</sup>Authority] to administer oaths.
- (4) No person shall be required by or by virtue of regulations under this section to give any evidence or produce any document or other material to the [<sup>F9</sup>Authority] which he could not be compelled to give or produce in civil proceedings before the High Court or, in Scotland, the Court of Session.

#### Textual Amendments

- F1** Words in s. 28(1) substituted (16.3.2015) by [Health and Social Care Act 2012 \(c. 7\), ss. 225\(2\), 306\(4\); S.I. 2015/409](#), art. 2
- F2** Word in s. 28(1) substituted (1.12.2012) by [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\), Sch. 15 para. 62\(f\); S.I. 2012/2657](#), art. 2(3)
- F3** Words in s. 28(1) inserted (2.12.2019) by [Children and Social Work Act 2017 \(c. 16\), s. 70\(2\), Sch. 4 para. 14; S.I. 2019/1436](#), reg. 2(r)
- F4** Word in s. 28(2)(b) substituted (1.12.2012) by [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\), Sch. 15 para. 62\(f\); S.I. 2012/2657](#), art. 2(3)
- F5** Words in s. 28(2)(e)(f)(g)(h) substituted (1.12.2012) by [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\), Sch. 15 para. 62\(f\); S.I. 2012/2657](#), art. 2(3)
- F6** Word in s. 28(2)(j) substituted (1.12.2012) by [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\), Sch. 15 para. 62\(f\); S.I. 2012/2657](#), art. 2(3)
- F7** Words in s. 28(3)(a)(b) substituted (1.12.2012) by [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\), Sch. 15 para. 62\(f\); S.I. 2012/2657](#), art. 2(3)
- F8** Word in s. 28(3)(d) substituted (1.12.2012) by [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\), Sch. 15 para. 62\(f\); S.I. 2012/2657](#), art. 2(3)
- F9** Word in s. 28(4) substituted (1.12.2012) by [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\), Sch. 15 para. 62\(f\); S.I. 2012/2657](#), art. 2(3)

#### Commencement Information

- I1** S. 28 partly in force; s. 28 in force for certain purposes at Royal Assent, see s. 42(3)

**Changes to legislation:**

There are currently no known outstanding effects for the National Health Service Reform and Health Care Professions Act 2002, Section 28.