
STATUTORY INSTRUMENTS

2012 No. 3094

The NHS Bodies and Local Authorities (Partnership Arrangements, Care Trusts, Public Health and Local Healthwatch) Regulations 2012

PART 5

**COMPLAINTS ABOUT PUBLIC HEALTH
FUNCTIONS OF LOCAL AUTHORITIES**

Complaints not required to be dealt with

25.—(1) The following complaints are not required to be dealt with in accordance with these Regulations—

- (a) a complaint by a responsible body;
- (b) a complaint by an employee of a responsible body about any matter relating to that employment;
- (c) a complaint which—
 - (i) is made orally, and
 - (ii) is resolved to the complainant's satisfaction not later than the next working day after the day on which the complaint was made;
- (d) a complaint the subject matter of which is the same as that of a complaint that has previously been made and resolved in accordance with sub-paragraph (c);
- (e) a complaint the subject matter of which has previously been investigated under these Regulations;
- (f) a complaint the subject matter of which is being or has been investigated by a Local Commissioner under the Local Government Act 1974(1);
- (g) a complaint arising out of the alleged failure by a responsible body to comply with a request for information under the Freedom of Information Act 2000(2);
- (h) a complaint which relates to any scheme established under section 7 (superannuation of persons employed in local government service etc.) or section 24 (compensation for loss of office, etc.) of the Superannuation Act 1972(3), or to the administration of those schemes.

(2) Subject to paragraph (3), where a complaint is a complaint specified in paragraph (1), and a responsible body makes a decision to that effect, the responsible body must as soon as reasonably practicable notify the complainant in writing of its decision and the reason for its decision.

(3) Paragraph (2) does not apply to a complaint specified in sub-paragraph (c) of paragraph (1).

(1) 1974 c.7.
(2) 2000 c.36.
(3) 1972 c.11.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(4) Where a complaint specified in paragraph (1) is part of, or is connected with, another complaint which is not so specified, nothing in this regulation prevents that other complaint being handled in accordance with these Regulations.