



# Patient Rights (Scotland) Act 2011

## 2011 asp 5

### *Treatment time guarantee*

#### **10 Breach of the treatment time guarantee**

- (1) This section applies where a Health Board has not complied with a treatment time guarantee.
- (2) The Health Board must—
  - (a) make such arrangements as are necessary to ensure that the agreed treatment starts at the next available opportunity,
  - (b) provide an explanation to the patient as to why the treatment did not start within the maximum waiting time,
  - (c) give the patient details of—
    - (i) the advice and support available (including in particular the patient advice and support service described in section 18), and
    - (ii) how to give feedback or comments or raise concerns or complaints.
- (3) In making the arrangements mentioned in subsection (2)(a), the Health Board—
  - (a) must not give priority to the start of any treatment where such prioritisation would, in the Health Board's opinion, be detrimental to another patient with a greater clinical need for treatment,
  - (b) must have regard to the patient's availability, and
  - (c) must have regard to other relevant factors.