



# Patient Rights (Scotland) Act 2011

## 2011 asp 5

### *Patient feedback, comments, concerns or complaints*

#### **15 Arrangements for handling and responding to patient feedback etc.**

- (1) The Scottish Ministers must ensure that each relevant NHS body has adequate arrangements in place for the matters described in subsection (3).
- (2) A relevant NHS body must ensure that each of its service providers has adequate arrangements in place for the matters described in subsection (3).
- (3) The matters are—
  - (a) handling and responding to feedback or comments given, or concerns or complaints raised, in relation to health care—
    - (i) by or on behalf of patients,
    - (ii) by or on behalf of such other persons as the Scottish Ministers may specify by regulations made under subsection (4)(a),
  - (b) using feedback, comments, concerns or complaints to identify best practice,
  - (c) publicising—
    - (i) how feedback and comments are to be given, or concerns and complaints are to be raised, and
    - (ii) how feedback, comments, concerns or complaints will be handled,
  - (d) giving a person who gives feedback or comments, or raises concerns or complaints details of the advice and support available to patients,
  - (e) publicising the details of the advice and support available to patients (and, in particular, the patient advice and support service serving the relevant NHS body),
  - (f) monitoring the feedback, comments, concerns or complaints received with a view to—
    - (i) identifying any areas of concern, and
    - (ii) improving the performance of its functions.
- (4) The Scottish Ministers may—
  - (a) by regulations make provision about the—
    - (i) arrangements mentioned in subsections (1) and (2),
    - (ii) matters described in subsection (3),

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*Status: Point in time view as at 01/04/2012. This version of this provision has been superseded.*

*Changes to legislation: There are currently no known outstanding effects for the Patient Rights (Scotland) Act 2011, Section 15. (See end of Document for details)*

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- (b) give a relevant NHS body directions about such arrangements or matters.
- (5) Directions under subsection (4)(b) may, in particular, include provision for the resolution of complaints by conciliation or mediation.
- (6) In this section, a “service provider” is any person who provides health services for the purpose of the health service under a contract, agreement or arrangements made under or by virtue of the 1978 Act.
- (7) The powers conferred on the Scottish Ministers by virtue of this section are without prejudice to their powers under the 1978 Act.
- (8) Nothing done under or by virtue of this section is to preclude an investigation under the Scottish Public Services Ombudsman Act 2002 (asp 11) in respect of any matter.

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**Commencement Information**

**II** [S. 15](#) in force at 1.4.2012 by [S.S.I. 2012/35](#), [art. 2\(a\)](#)

**Status:**

Point in time view as at 01/04/2012. This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the Patient Rights (Scotland) Act 2011, Section 15.