



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),

Changes to legislation: Patient Rights (Scotland) Act 2011, Section 15 is up to date with all changes known to be in force on or before 12 April 2021. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (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.

Modifications etc. (not altering text)

- C1** S. 15 applied (1.4.2018) by [The National Health Service \(General Medical Services Contracts\) \(Scotland\) Regulations 2018 \(S.S.I. 2018/66\)](#), reg. 1, **sch. 6 para. 87** (with reg. 2)

Commencement Information

- I1** S. 15 in force at 1.4.2012 by [S.S.I. 2012/35](#), **art. 2(a)**

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 3(3A) inserted by [2021 asp 3 sch. para. 4\(2\)\(b\)](#)
- s. 18(7) inserted by [2021 asp 3 sch. para. 4\(3\)](#)
- sch. para. 7A inserted by [2021 asp 3 s. 10\(2\)](#)
- sch. para. 7(2) inserted by [2021 asp 3 sch. para. 4\(5\)\(a\)\(ii\)](#)
- sch. para. 7(1) sch. para. 7 renumbered as sch. para. 7(1) by [2021 asp 3 sch. para. 4\(5\)\(a\)\(i\)](#)