
STATUTORY INSTRUMENTS

2015 No. 1879

The National Health Service (Personal Medical Services Agreements) Regulations 2015

PART 12

Complaints

Complaints procedure

72.—(1) The contractor must establish and operate a complaints procedure to deal with complaints made in relation to any matter that is reasonably connected with the provision of services under the agreement.

(2) The complaints procedure must comply with the requirements of the Local Authority Social Services and National Health Service Complaints (England) Regulations 2009(1).

Co-operation with investigations

73.—(1) The contractor must co-operate with—

- (a) the investigation of any complaint made in relation to a matter that is reasonably connected with the provision of services under the agreement by—
 - (i) the Board, or
 - (ii) the Health Service Commissioner; and
- (b) the investigation of any complaint made by an NHS body or local authority which relates to a patient or former patient of the contractor.

(2) In paragraph (1)—

“NHS body” means—

- (a) in relation to England and Wales, the Board or a CCG; and
- (b) in relation to England and Wales, Scotland and Northern Ireland, an NHS Trust, an NHS foundation trust, a Local Health Board, a Health Board a Health and Social Services Board or a Health and Social Services Trust;

“local authority” means—

- (a) a local authority within the meaning of section 1 of the Local Authority Social Services Act 1970(2) (local authorities);
- (b) the Council of the Isles of Scilly; or
- (c) a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994(3) (constitution of councils); and

(1) S.I. 2009/309; as amended by S.I. 2009/1768, S.I. 2012/1909 and S.I.2013/235 and 349.

(2) 1970 c.42. Section 1 was amended by section 22(4) of, and Schedule 10 to, the Local Government (Wales) Act 1994 (c.19).

(3) 1994 c.39. Section 2 was amended by paragraph 232(1) of Schedule 22 to the Environment Act 1995 (c.25).

“Health Service Commissioner” means the person appointed as Health Service Commissioner for England in accordance with section 1 of, and Schedule 1 to, the Health Service Commissioners Act 1993(4) (The Commissioner).

- (3) For the purposes of paragraph (1), co-operation includes—
- (a) answering questions which are reasonably put to the contractor by the Board;
 - (b) providing information relating to the complaint which is reasonably required by the Board;
and
 - (c) attending any meeting held to consider the complaint (if held at a reasonably accessible place and at a reasonable hour and if due notice has been given) if the contractor’s presence at the meeting is reasonably required by the Board.

(4) [1993 c.46](#). Section 1 was amended by section 195 of the Local Government Act [1972 \(c.70\)](#); section 224 of, and paragraph 7 of Schedule 7 to, the Local Government (Wales) Act 1994; section 112 of, and paragraph 10 of Schedule 10 to, the Government of Wales Act [1998 \(c.38\)](#); section 39(1) of, and Schedules 6 and 7 to, the Public Service Ombudsman (Wales) Act [2005 \(c.10\)](#); and by [S.I.2004/1823](#). The Act is repealed in relation to Scotland by the Scottish Public Service Ombudsman Act [2002 \(asp 11\)](#).