

SCHEDULE 1

CONTENT OF AGREEMENTS

PART 6

COMPLAINTS

Co-operation with investigations

- 52.**—(1) The provider shall co-operate with—
- (a) any investigation of a complaint in relation to any matter reasonably connected with the provision of services under the agreement undertaken by—
 - (i) the Health Board; and
 - (ii) the Scottish Public Services Ombudsman; and
 - (b) any investigation of a complaint by an NHS body or local authority which relates to a patient or former patient of the provider.
- (2) In sub-paragraph (1)—
- “NHS body” means in Scotland a Health Board, in England and Wales, a Primary Care trust, a NHS trust, a NHS foundation trust, a Strategic Health Authority, a Local Health Board and in Northern Ireland, a Health and Social Services Board or a Health and Social Services trust; and “local authority” means—
- (a) a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994 (constitution of councils)⁽¹⁾;
 - (b) any of the bodies listed in section 1 of the Local Authority Social Services Act 1970 (local authorities)⁽²⁾; or
 - (c) the Council of the Isles of Scilly.
- (3) The co-operation required by sub-paragraph (1) includes—
- (a) answering questions reasonably put to the provider by the Health Board;
 - (b) providing any information relating to the complaint reasonably required by the Health Board; and
 - (c) attending any meeting to consider the complaint (if held at a reasonably accessible place and at a reasonable hour, and due notice has been given) if the provider’s presence at the meeting is reasonably required by the Health Board.

⁽¹⁾ 1994 c.39.

⁽²⁾ 1970 c. 42; section 1 was amended by the Local Government Act 1972 (c. 70), section 195 and by the Local Government (Wales) Act 1994 (c. 19), Schedule 10, paragraph 7.