



# Hospital Complaints Procedure Act 1985

## 1985 CHAPTER 42

An Act to oblige health authorities in England and Wales and Health Boards in Scotland to establish a complaints procedure for hospital patients and to draw such a procedure to the attention of patients. [16th July 1985]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

### **1 Hospital complaints procedure.**

- (1) It shall be the duty of the Secretary of State to give to each health authority in England and Wales and to each Health Board in Scotland such directions under section 17 of the National Health Service Act 1977 or section 2(5) of the National Health Service (Scotland) Act 1978 (directions as to exercise of functions) as appear to him necessary for the purpose of securing that, as respects each hospital for the management of which that authority or Board is responsible—
  - (a) such arrangements are made for dealing with complaints made by or on behalf of persons who are or have been patients at that hospital ; and
  - (b) such steps are taken for publicising the arrangements so made,as (in each case) are specified or described in the directions.
- (2) No right of appeal, reference or review conferred under this section shall preclude an investigation under Part V of the said Act of 1977 or Part VI of the said Act of 1978 (investigations by Health Service Commissioners) in respect of any matter.
- (3) In this section—
  - (a) in its application to England and Wales, expressions which are also used in the said Act of 1977 have the same meanings as in that Act;
  - (b) in its application to Scotland, expressions which are also used in the said Act of 1978 have the same meanings as in that Act.

**2 Short title, commencement and extent.**

- (1) This Act may be cited as the Hospital Complaints Procedure Act 1985.
- (2) This Act shall come into force on such day as the Secretary of State may by order made by statutory instrument appoint.
- (3) This Act does not extend to Northern Ireland.