
STATUTORY INSTRUMENTS

2009 No. 309

**NATIONAL HEALTH SERVICE, ENGLAND
SOCIAL CARE, ENGLAND**

**The Local Authority Social Services and National
Health Service Complaints (England) Regulations 2009**

Made - - - - 23rd February 2009

Laid before Parliament 27th February 2009

*Coming into force in accordance with
regulation 1(2) and (3)*

**THE LOCAL AUTHORITY SOCIAL SERVICES
AND NATIONAL HEALTH SERVICE
COMPLAINTS (ENGLAND) REGULATIONS 2009**

1. Citation, commencement, effect and application
2. Interpretation
3. Arrangements for the handling and consideration of complaints
4. Responsibility for complaints arrangements
5. Persons who may make complaints
6. Duty to handle complaints
7. Complaints about the provision of health services
8. Complaints not required to be dealt with
9. Duty to co-operate
10. Care standards complaints
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14. Investigation and response
15. Form of communications
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18. Annual reports
19. Transitional provision: complaints to local authorities
20. Transitional provision: complaints to NHS bodies, primary care providers and independent providers, and investigation by Health Service Commissioner

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

21. Transitional provision: investigation by Health Service Commissioner in relation to complaints about NHS foundation trusts
22. Revocations
23. Consequential and transitional provisions
Signature

SCHEDULE — CONSEQUENTIAL AND TRANSITIONAL PROVISIONS

1. Amendment of the National Health Service (Pharmaceutical Services) Regulations 2005
2. Amendment of the National Health Service (Local Pharmaceutical Services etc.) Regulations 2006
3. Amendment of the National Health Service (General Medical Services Contracts) Regulations 2004
4. Amendment of the National Health Service (Personal Medical Services Agreements) Regulations 2004
5. Amendment of the National Health Service (General Dental Services Contracts) Regulations 2005
6. Amendment of the National Health Service (Personal Dental Services Agreements) Regulations 2005
7. Amendment to the General Ophthalmic Services Contracts Regulations 2008
8. Transitional provision: the Primary Ophthalmic Services Amendment, Transitional and Consequential Provisions Regulations 2008, and the General Dental Services, Personal Dental Services and Abolition of the Dental Practice Board Transitional and Consequential Provisions Order 2006

Explanatory Note

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009. Any changes that have already been made by the team appear in the content and are referenced with annotations.

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Changes and effects yet to be applied to :

- Sch. para. 1 coming into force by [S.I. 2009/309](#) reg. 1(2)
- Sch. para. 2 coming into force by [S.I. 2009/309](#) reg. 1(2)
- Sch. para. 3 coming into force by [S.I. 2009/309](#) reg. 1(2)
- Sch. para. 4 coming into force by [S.I. 2009/309](#) reg. 1(2)
- Sch. para. 5 coming into force by [S.I. 2009/309](#) reg. 1(2)
- Sch. para. 6 coming into force by [S.I. 2009/309](#) reg. 1(2)
- Sch. para. 7 coming into force by [S.I. 2009/309](#) reg. 1(2)
- Sch. para. 8 coming into force by [S.I. 2009/309](#) reg. 1(2)
- Sch. para. 1 revoked by [S.I. 2012/1909](#) Sch. 8 para. 9(2)(l)
- Sch. para. 2 revoked by [S.I. 2013/349](#) Sch. 10 para. 7(b)
- Sch. para. 3 revoked by [S.I. 2015/1862](#) Sch. 5 Table
- Sch. para. 4 revoked by [S.I. 2015/1879](#) Sch. 4
- Regulations modified by [S.I. 2022/734](#) reg. 31(3)
- Regulations words substituted by [S.I. 2022/634](#) Sch. para. 1(1)(3)
- reg 1 am by [S.I. 2009/1768](#) reg 2
- reg. 1 coming into force by [S.I. 2009/309](#) reg. 1(2)
- reg. 2 words substituted by [S.I. 2012/1909](#) Sch. 8 para. 11
- reg. 2 words substituted by [S.I. 2013/349](#) Sch. 10 para. 7(a)
- reg. 2(1)(2) coming into force by [S.I. 2009/309](#) reg. 1(2)
- reg. 2(1) words inserted by [S.I. 2013/235](#) Sch. 2 para. 123(2)(d)(ii)
- reg. 2(1) words inserted by [S.I. 2019/248](#) reg. 9(2)
- reg. 2(1) words omitted by [S.I. 2013/235](#) Sch. 2 para. 123(2)(d)(i)
- reg. 2(1) words omitted by [S.I. 2013/235](#) Sch. 2 para. 123(2)(d)(iii)
- reg. 2(1) words substituted by [S.I. 2013/235](#) Sch. 2 para. 123(2)(a)
- reg. 2(1) words substituted by [S.I. 2013/235](#) Sch. 2 para. 123(2)(b)
- reg. 2(1) words substituted by [S.I. 2013/235](#) Sch. 2 para. 123(2)(c)
- reg. 2(1) words substituted by [S.I. 2013/235](#) Sch. 2 para. 123(2)(e)
- reg. 2(1) words substituted by [S.I. 2015/1862](#) Sch. 4 para. 4
- reg. 2(1) words substituted by [S.I. 2019/248](#) reg. 9(3)
- reg. 2(1) words substituted by [S.I. 2019/248](#) reg. 9(4)
- reg. 2(3) coming into force by [S.I. 2009/309](#) reg. 1(3)
- reg. 3 coming into force by [S.I. 2009/309](#) reg. 1(2)
- reg. 4 coming into force by [S.I. 2009/309](#) reg. 1(2)
- reg. 5 coming into force by [S.I. 2009/309](#) reg. 1(2)
- reg 6 am by [S.I. 2009/1768](#) reg 3
- reg. 6 coming into force by [S.I. 2009/309](#) reg. 1(2)
- reg. 7 coming into force by [S.I. 2009/309](#) reg. 1(2)
- reg. 7(1)(a) words substituted by [S.I. 2013/235](#) Sch. 2 para. 123(4)(a)(i)
- reg. 7(1)(a) words substituted by [S.I. 2013/235](#) Sch. 2 para. 123(4)(a)(ii)
- reg. 7(1)(b) words substituted by [S.I. 2013/235](#) Sch. 2 para. 123(4)(b)
- reg. 7(1)(b) words substituted by [S.I. 2022/634](#) reg. 37(2)(a)
- reg. 7(2) words inserted by [S.I. 2019/248](#) reg. 11(3)
- reg. 7(3)-(5) words inserted by [S.I. 2019/248](#) reg. 11(4)
- reg. 7(3) words substituted by [S.I. 2013/235](#) Sch. 2 para. 123(4)(c)(i)
- reg. 7(3)(a) words substituted by [S.I. 2013/235](#) Sch. 2 para. 123(4)(c)(ii)
- reg. 7(3)(a) words substituted by [S.I. 2022/634](#) reg. 37(2)(c)(i)
- reg. 7(3)(b) words substituted by [S.I. 2013/235](#) Sch. 2 para. 123(4)(c)(iii)
- reg. 7(3)(b) words substituted by [S.I. 2022/634](#) reg. 37(2)(c)(ii)
- reg. 7(4) words substituted by [S.I. 2013/235](#) Sch. 2 para. 123(4)(d)(i)

- reg. 7(4) words substituted by S.I. 2013/235 Sch. 2 para. 123(4)(d)(ii)
- reg. 7(4) words substituted by S.I. 2022/634 reg. 37(2)(d)
- reg. 7(5) words substituted by S.I. 2013/235 Sch. 2 para. 123(4)(e)(i)
- reg. 7(5)(a) words substituted by S.I. 2013/235 Sch. 2 para. 123(4)(e)(ii)
- reg. 7(5)(a) words substituted by S.I. 2022/634 reg. 37(2)(e)
- reg 8 am by S.I. 2009/1768 reg 4
- reg. 8 coming into force by S.I. 2009/309 reg. 1(2)
- reg 8 rev in pt by S.I. 2009/1768 reg 4
- reg. 9 coming into force by S.I. 2009/309 reg. 1(2)
- reg. 10 coming into force by S.I. 2009/309 reg. 1(2)
- reg. 11 coming into force by S.I. 2009/309 reg. 1(3)
- reg. 12 coming into force by S.I. 2009/309 reg. 1(2)
- reg. 13 coming into force by S.I. 2009/309 reg. 1(2)
- reg. 13(5)(a) words substituted by S.I. 2013/235 Sch. 2 para. 123(5)
- reg. 14 coming into force by S.I. 2009/309 reg. 1(2)
- reg. 15 coming into force by S.I. 2009/309 reg. 1(2)
- reg. 16 coming into force by S.I. 2009/309 reg. 1(2)
- reg. 17 coming into force by S.I. 2009/309 reg. 1(2)
- reg. 18 coming into force by S.I. 2009/309 reg. 1(2)
- reg. 18(4) words inserted by S.I. 2019/248 reg. 12(2)(b)
- reg. 18(4) words substituted by S.I. 2013/235 Sch. 2 para. 123(6)(a)(ii)
- reg. 18(4) words substituted by S.I. 2019/248 reg. 12(2)(c)
- reg. 18(4)(a) words substituted by S.I. 2013/235 Sch. 2 para. 123(6)(a)(i)
- reg. 18(4)(b) words substituted by S.I. 2019/248 reg. 12(2)(a)
- reg. 18(5) words substituted by S.I. 2013/235 Sch. 2 para. 123(6)(b)
- reg. 18(5) words substituted by S.I. 2019/248 reg. 12(3)
- reg. 18(6) omitted by S.I. 2013/235 Sch. 2 para. 123(6)(c)
- reg. 18(7) words omitted by S.I. 2013/235 Sch. 2 para. 123(6)(d)
- reg. 19 coming into force by S.I. 2009/309 reg. 1(2)
- reg. 20 coming into force by S.I. 2009/309 reg. 1(2)
- reg. 21 coming into force by S.I. 2009/309 reg. 1(2)
- reg. 22 coming into force by S.I. 2009/309 reg. 1(2)
- reg. 23 coming into force by S.I. 2009/309 reg. 1(2)

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

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

- reg. 6(1)(ba) inserted by S.I. 2013/235 Sch. 2 para. 123(3)
- reg. 6(1)(ba) words substituted by S.I. 2022/634 reg. 187(2)
- reg. 6(1A)(b) substituted by S.I. 2019/248 reg. 10(3)
- reg. 6(1ZA)(1ZB) inserted by S.I. 2019/248 reg. 10(2)
- reg. 7(1A)(1B) inserted by S.I. 2019/248 reg. 11(2)
- reg. 7(1A)(b)(i) words substituted by S.I. 2022/634 reg. 37(2)(b)(i)
- reg. 7(1A)(b)(iii) words substituted by S.I. 2022/634 reg. 37(2)(b)(iii)
- reg. 7(1A)(b)(ii) words substituted by S.I. 2022/634 reg. 37(2)(b)(ii)
- reg. 7(6) inserted by S.I. 2019/248 reg. 11(5)