

**Status:** This version of this provision is prospective.

**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](#)

PROSPECTIVE

## SCHEDULE

### CONSEQUENTIAL AND TRANSITIONAL PROVISIONS

#### **Amendment of the National Health Service (General Dental Services Contracts) Regulations 2005**

**5.**—(1) Schedule 3 to the National Health Service (General Dental Services Contracts) Regulations 2005<sup>(1)</sup> (other contractual terms), is amended as follows.

(2) Before Part 6 (complaints) insert—

#### “PART 5A

#### **Complaints received on or after 1st April 2009**

**46B.** As regards complaints relating to any matter reasonably connected with the provision of services under the contract which are received on or after 1st April 2009, the contractor must have in place a complaints procedure which meets the requirements of the Local Authority Social Services and National Health Service Complaints (England) Regulations 2009<sup>(2)</sup>.”

(3) In Part 6 (complaints)—

(a) in paragraph 47 (complaints procedure), in sub-paragraph (1) for the words from “The contractor” to “the contract” substitute—

“As regards complaints relating to any matter reasonably connected with the provision of services under the contract which are received before 1st April 2009, the contractor shall operate a complaints procedure”;

(b) in paragraph 51 (co-operation with investigations)—

(i) in sub-paragraph (1)(a)(ii), for “the Commission for Healthcare Audit and Inspection” substitute “the Health Service Commissioner”;

(ii) at the end of sub-paragraph (2), add—

““Health Service Commissioner” means the person appointed Health Service Commissioner for England in accordance with section 1 of, and Schedule 1 to, the Health Service Commissioners Act 1993<sup>(3)</sup>.”

#### **Commencement Information**

**II** Sch. para. 5 in force at 1.4.2009, see [reg. 1\(2\)](#)

(1) [S.I. 2005/3361](#).

(2) [S.I. 2009/309](#).

(3) [1993 c. 46](#).

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**Changes and effects yet to be applied to :**

- Sch. para. 5 coming into force by [S.I. 2009/309 reg. 1\(2\)](#)
- Regulations modified by [S.I. 2022/734 reg. 31\(3\)](#)
- Regulations words substituted by [S.I. 2022/634 Sch. para. 1\(1\)\(3\)](#)

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

- blanket amendment words substituted by [S.I. 2023/1071 Sch. para. 1](#)

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) words substituted by [S.I. 2023/1071 reg. 34\(2\)\(b\)](#)
- 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\(5\)](#)