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WELSH STATUTORY INSTRUMENTS

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**2011 No. 704**

**The National Health Service (Concerns, Complaints  
and Redress Arrangements) (Wales) Regulations 2011**

**PART 7**

**REQUIREMENT FOR NHS BODIES, OTHER THAN WELSH NHS BODIES,  
TO CONSIDER REDRESS AND PROCEDURE TO BE FOLLOWED BY  
A WELSH NHS BODY WHEN IT RECEIVES NOTIFICATION OF A  
CONCERN IN ACCORDANCE WITH THE PROVISIONS OF THIS PART**

**Redress — financial compensation**

**44.**—(1) A Welsh NHS body may make an offer of redress for a qualifying liability by way of financial compensation not exceeding £25,000.

(2) Where a Welsh NHS body considers that the value to be attributed to the qualifying liability arising from the provision of qualifying services exceeds the limit set out in paragraph (1), redress in the form of financial compensation must not be offered in accordance with these Regulations.

(3) The assessment of damages for pain, suffering and loss of amenity is calculated on the common law basis. Welsh Ministers may from time to time issue a compensation tariff.

(4) If a tariff is issued in accordance with paragraph (3), it is to be used for the purpose of guidance by Welsh NHS bodies when considering the amount of financial compensation to be offered in accordance with this Part.