

ATODLEN 2

Rheoliad 54

DARPARIAETHAU CANLYNIADOL A THROSIANNOL

Diwygio Rheoliadau'r Gwasanaeth Iechyd Gwladol (Gwasanaethau Offthalmig Cyffredinol) 1986

1.—(1) Diwygir Atodlen 1 (Telerau Gwasanaethu) i Reoliadau'r Gwasanaeth Iechyd Gwladol (Gwasanaethau Offthalmig Cyffredinol) 1986(1) fel a ganlyn.

(2) O flaen paragraff 8A (Cwynion) mewnosoder—

“Complaints and Concerns

8ZA

(1) A contractor must have in place—

(a) arrangements for the handling and consideration of complaints about any matter connected with the provision of general ophthalmic services which comply with the provisions of paragraph 8A for the handling and consideration of any complaints—

(i) which were made prior to 1 April 2011; and

(ii) in respect of which the complaints process has not yet been completed, and

(b) arrangements which comply with the requirements of the National Health Service (Concerns, Complaints and Redress Arrangements) (Wales) Regulations 2011, for the handling and consideration of any concerns notified on or after 1 April 2011. References in paragraphs 8B and 8C to a concern are to a concern notified in accordance with those Regulations.”.

(3) Yn lle'r pennawd mewn perthynas â pharagraff 8A (Cwynion), rhodder—

“Complaints received prior to 1 April 2011”;

(4) Yn lle paragraff 8B rhodder y canlynol—

“Co-operation with investigations

8B

(1) A contractor must co-operate with any investigation of a complaint or a concern in relation to any matter reasonably connected to the contractor's provision of general ophthalmic services undertaken by a “relevant body”, which includes—

(a) the Local Health Board;

(b) the Welsh Ministers; or

(c) the Public Services Ombudsman for Wales.

(2) The co-operation required by sub-paragraph (1) includes—

(a) answering questions reasonably put to the contractor by a relevant body;

(b) providing any information relating to the complaint or concern reasonably required by a relevant body; and

(c) attending any meeting to consider the complaint or the concern (if held at a reasonably accessible place and at a reasonable hour, and due notice has been given), if the contractor's presence is reasonably required by a relevant body.”.

(1) O.S. 1986/975.

(5) Yn lle'r pennawd i baragraff 8C a pharagraffau 8C(1) a (2), rhodder y canlynol—

“Complaints made against and concerns notified about ophthalmic medical practitioners

8C

(1) Where a contractor who, being an ophthalmic medical practitioner, also performs primary medical services under a GMS contract for any person for whom he provides general ophthalmic services, the complaints procedure or procedure for notifying concerns established and operated in accordance with the terms of that GMS contract shall apply in relation to any matter reasonably connected with his provision of general ophthalmic services as it applies as respects the provision of services under the GMS contract.

(2) Accordingly, any requirement as to co-operation with investigations of complaints or concerns by other bodies imposed on a GMS contractor under the term of his contract which gives effect to paragraph 95 of Schedule 2 to the National Health Service (General Medical Services Contracts) (Wales) Regulations 2004 also applies in relation to complaints or concerns about such matters.”.

Diwygio Rheoliadau'r Gwasanaeth Iechyd Gwladol (Gwasanaethau Fferyllol) 1992

2.—(1) Diwygir Rheoliadau'r Gwasanaeth Iechyd Gwladol (Gwasanaethau Fferyllol) 1992(2) fel a ganlyn.

(2) Yn Rhan 4 o Atodlen 2 (Llywodraethu Clinigol a Chwynion), yn lle paragraff 28 (Cwynion) rhodder—

“Complaints and Concerns

28

(1) A chemist must have in place—

(a) arrangements for the handling and consideration of complaints about any matter connected with the provision of pharmaceutical services which comply with the provisions of paragraph 10A and 10B of Schedule 2 to these Regulations as they apply on 31 March 2005 for the handling and consideration of any complaints—

(i) which were made prior to 1 April 2011; and

(ii) in respect of which the complaints process has not yet been completed, and

(b) arrangements which comply with the requirements of the National Health Service (Concerns, Complaints and Redress Arrangements) (Wales) Regulations 2011, for the handling and consideration of any concerns notified on or after 1 April 2011.”.

(3) Yn Rhan 6 o Atodlen 2 (Telerau Gwasanaethu ar gyfer Meddygon sy'n darparu Gwasanaethau Fferyllol)—

(a) yn lle'r pennawd i baragraff 41 (Gweithdrefnau cwynion) rhodder—

“Complaints and concerns”;

(b) ym mharagraff 41(1)(a) yn lle “paragraph 90” rhodder “paragraphs 89A and 90”;

(c) ym mharagraff 41(2) ar ôl “complaints” mewnosoder “or concerns notified”.

(4) Yn Atodlen 2A (Telerau Gwasanaethu Cyflenwyr Offer)—

- (a) ar ôl paragraff 21 (Bwrdd Iechyd Lleol Cartref cyrff corfforaethol) mewnosoder paragraff 21A newydd—

“Concerns notified on or after 1 April 2011

21A

A supplier of appliances must establish and operate arrangements which meet the requirements of the National Health Service (Concerns, Complaints and Redress Arrangements) (Wales) Regulations 2011 to deal with any concerns notified on or after 1 April 2011.”;

- (b) yn lle'r pennawd ar gyfer paragraff 22 (Cwynion), rhodder—

“Complaints made prior to 1 April 2011”;

- (c) yn lle paragraff 22(1) rhodder—

“A supplier of appliances must establish and operate in accordance with this paragraph a procedure (in this paragraph referred to as a “complaints procedure”) to deal with any complaints made prior to 1 April 2011 by or on behalf of any person to whom the supplier of appliances has provided pharmaceutical services.”.

Diwygio Rheoliadau'r Gwasanaeth Iechyd Gwladol (Contractau Gwasanaethau Meddygol Cyffredinol) (Cymru) 2004

3.—(1) Diwygir Rheoliadau'r Gwasanaeth Iechyd Gwladol (Contractau Gwasanaethau Meddygol Cyffredinol) (Cymru) 2004(3) fel a ganlyn.

- (2) Yn Atodlen 6 (telerau contractiol eraill), o flaen Rhan 6 (Cwynion) mewnosoder—

“Part 5A

Concerns notified on or after 1 April 2011

89A

The contractor must establish and operate arrangements which meet the requirements of the National Health Service (Concerns, Complaints and Redress Arrangements) (Wales) Regulations 2011 to deal with any concerns notified on or after 1 April 2011 about any matter reasonably connected with the provision of services under the contract.”.

- (3) Yn Rhan 6 o Atodlen 6—

- (a) yn lle'r pennawd i baragraff 90 (Gweithdrefn gwynion), rhodder—

“Complaints received prior to 1 April 2011”;

- (b) ym mharagraff 90, yn lle is-baragraff (1), rhodder y canlynol—

“(1) In respect of any complaints made prior to 1 April 2011 in relation to any matter reasonably connected with the provision of services under the contract which have not been resolved by that date, the contractor must continue to deal with such complaints in accordance with the requirements of paragraphs 91 to 94 and 96.”;

- (c) ym mharagraff 95 (cydweithredu ag ymchwiliadau)—

- (i) ar ôl “complaint”, ym mhob lle y mae'n digwydd, mewnosoder “or a concern notified in accordance with the National Health Service (Concerns, Complaints and Redress Arrangements) (Wales) Regulations 2011”;

(3) O.S. 2004/478 (Cy.48).

(ii) yn lle is-baragraff (1)(a)(iii) rhodder—

“(iii) the Welsh Ministers; and

(iv) the Public Services Ombudsman for Wales; and”.

(4) Ym mharagraff 98 o Ran 7 o Atodlen 6 (Datrys anghydfodau: contractau ac eithrio contractau GIG), yn lle'r geiriau “complaints procedure pursuant to Part 6” rhodder “procedures for notifying concerns or making complaints pursuant to Parts 5A and 6”.

(5) Yn Atodlen 10 (gwybodaeth sydd i'w chynnwys mewn taflenni gwybodaeth practis), yn lle paragraff 24, rhodder—

“24

How patients may—

(1) in respect of complaints made prior to 1 April 2011 make a complaint in accordance with the provisions of Part 6 of Schedule 6;

(2) in respect of concerns notified on or after 1 April 2011 notify a concern in accordance with the provisions of the National Health Service (Concerns, Complaints and Redress Arrangements) (Wales) Regulations 2011; or

(3) comment on the provision of service.”.

Diwygio Rheoliadau'r Gwasanaeth Iechyd Gwladol (Contractau Gwasanaethau Deintyddol Cyffredinol) (Cymru) 2006

4.—(1) Diwygir Rheoliadau'r Gwasanaeth Iechyd Gwladol (Contractau Gwasanaethau Deintyddol Cyffredinol) (Cymru) 2006(4) fel a ganlyn.

(2) Yn Atodlen 3 (telerau contractiol eraill)—

(a) yn Rhan 5 (Cofnodion, Gwybodaeth, Hysbysiadau a Hawliau Mynediad), yn lle paragraff 34(1)(c) (Gwybodaeth Cleifion) rhodder—

“(c) information about the procedure for notifying concerns in accordance with Part 5A or, in respect of complaints made prior to 1 April 2011, the complaints procedure which it operates in accordance with Part 6 giving, in the case of a complaint under Part 6, the name and title of the person nominated in accordance with paragraph 50(2)(a) or, in the case of a notification of a concern, the name of the person designated as the senior investigations manager under regulation 8 of the National Health Service (Concerns, Complaints and Redress Arrangements) (Wales) Regulations 2011.”.

(b) o flaen Rhan 6 (Cwynion) mewnosoder—

“Part 5A

Concerns notified on or after 1 April 2011

46A

The contractor must establish and operate arrangements which meet the requirements of the National Health Service (Concerns, Complaints and Redress Arrangements) (Wales) Regulations 2011 to deal with any concerns notified on or after 1 April 2011 about any matter reasonably connected with the provision of services under the contract.”.

(c) yn Rhan 6 (Cwynion)—

(4) O.S. 2006/490 (Cy.59).

- (i) yn lle'r pennawd ar gyfer paragraff 47 (Gweithdrefn gwynion), rhodder—
“**Complaints received prior to 1 April 2011**”;
 - (ii) ym mharagraff 47 (Gweithdrefn gwynion), yn lle is-baragraff (1), rhodder—
“As regards complaints relating to any matter reasonably connected with the provision of services under the contract which are received before 1 April 2011, the contractor must operate a complaints procedure which complies with the requirements of paragraphs 48 to 50 and 52.”;
 - (iii) ym mharagraff 51 (cydweithredu ag ymchwiliadau)—
 - (aa) ar ôl “complaint” ym mhob lle y mae'n digwydd, mewnosoder “or concern notified in accordance with the National Health Service (Concerns, Complaints and Redress Arrangements) (Wales) Regulations 2011”; a
 - (bb) yn lle is-baragraff (1)(a)(iii) rhodder—
 - “(iii) the Welsh Ministers; and
 - (iv) the Public Services Ombudsman for Wales; and”;
 - (ch) yn Rhan 7 (Datrys anghydfodau), ym mharagraff 54 (Datrys anghydfodau: contractau ac eithrio contractau GIG), yn lle'r geiriau “complaints procedure pursuant to Part 6” rhodder “procedures for notifying concerns or making complaints pursuant to Parts 5A or 6”.
- (3) Yn Atodlen 4 (Taflen Wybodaeth i Gleifion), yn lle paragraff 17 rhodder—

“17

How patients may—

- (1) in respect of complaints made prior to 1 April 2011 make a complaint in accordance with the provisions of Part 6 of Schedule 3;
- (2) in respect of concerns notified on or after 1 April 2011 notify a concern in accordance with the National Health Service (Concerns, Complaints and Redress Arrangements) (Wales) Regulations 2011; or
- (3) comment on the provision of a service.”.

Diwygio Rheoliadau'r Gwasanaeth Iechyd Gwladol (Cytundebau Gwasanaethau Deintyddol Personol) (Cymru) 2006

5.—(1) Diwygir Rheoliadau'r Gwasanaeth Iechyd Gwladol (Cytundebau Gwasanaethau Deintyddol Personol) (Cymru) 2006(5) fel a ganlyn.

- (2) Yn Atodlen 3 (telerau contractiol eraill)—
 - (a) yn Rhan 5 (Cofnodion, Gwybodaeth, Hysbysiadau a Hawliau Mynediad), yn lle paragraff 35(1)(c) (Gwybodaeth cleifion), rhodder—
 - “(c) information about the procedure for notifying concerns in accordance with Part 5A or, in respect of complaints made prior to 1 April 2011, the complaints procedure which it operates in accordance with Part 6 giving, in the case of a complaint under Part 6, the name and title of the person nominated in accordance with paragraph 50(2)(a) or, in the case of a notification of a concern, the name of the person designated as the senior investigations manager under regulation 8 of the National Health Service (Concerns, Complaints and Redress Arrangements) (Wales) Regulations 2011.”;
 - (b) o flaen Rhan 6 (Cwynion) mewnosoder—

(5) O.S. 2006/489 (Cy.58).

“Part 5A

Concerns Notified On or After 1 April 2011

46A

The contractor must establish and operate arrangements which meet the requirements of the National Health Service (Concerns, Complaints and Redress Arrangements) (Wales) Regulations 2011 to deal with any concerns notified on or after 1 April 2011 about any matter reasonably connected with the provision of services under the contract.”;

- (c) yn Rhan 6 (cwynion)—
- (i) yn lle'r pennawd ar gyfer paragraff 47 (Gweithdrefn gwynion) rhodder—
“**Complaints received prior to 1 April 2011**”;
 - (ii) ym mharagraff 47 (Gweithdrefn gwynion), yn is-baragraff (1), yn lle'r geiriau o “The contractor” hyd at “the agreement” rhodder—
“As regards complaints relating to any matter reasonably connected with the provision of services under the agreement which are received before 1 April 2011, the contractor must operate a complaints procedure”;
 - (iii) ym mharagraff 51 (Cydweithredu ag ymchwiliadau)—
 - (aa) ar ôl “complaint” ym mhob lle y mae'n digwydd, mewnosoder “or concern notified in accordance with the National Health Service (Concerns, Complaints and Redress Arrangements) (Wales) Regulations 2011”; a
 - (bb) yn lle is-baragraff (1)(a)(iii) rhodder—
 - (iv) the Welsh Ministers; and
 - (iv) the Public Services Ombudsman for Wales; ”; ac
- (ch) yn Rhan 7 (Datrys Anghydfodau), ym mharagraff 54 (datrys anghydfodau: contractau ac eithrio contractau GIG), yn lle'r geiriau “complaints procedure pursuant to Part 6” rhodder “procedures for notifying concerns or making complaints pursuant to Parts 5A or 6”.
- (3) Yn Atodlen 4 (Taflen Wybodaeth i Gleifion), yn lle paragraff 16 rhodder—

“16

How patients may—

- (1) in respect of complaints made prior to 1 April 2011 make a complaint in accordance with the provisions of Part 6 of Schedule 3;
- (2) in respect of concerns notified on or after 1 April 2011 notify a concern in accordance with the provisions of the National Health Service (Concerns, Complaints and Redress Arrangements) (Wales) Regulations 2011; or
- (3) comment on the provision of service.”.