

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The National Health Service (Concerns, Complaints and Redress Arrangements) (Wales) Regulations 2011. 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](#)

## SCHEDULE 2

### CONSEQUENTIAL AND TRANSITIONAL PROVISIONS

#### **Amendment of the National Health Service (General Dental Services Contracts) (Wales) Regulations 2006**

4.—(1) The National Health Service (General Dental Services Contracts) (Wales) Regulations 2006(1), is amended as follows.

(2) In Schedule 3 (other contractual terms)—

(a) in Part 5 (Records, Information, Notifications and Rights of Entry), for paragraph 34(1)

(c) (Patient Information) substitute —

“(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) before Part 6 (Complaints) insert—

#### **“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) in Part 6 (Complaints)—

(i) for the heading relating to paragraph 47 (Complaints procedure), substitute—

**“Complaints received prior to 1 April 2011”;**

(ii) in paragraph 47 (Complaints procedure), for sub-paragraph (1)—

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

(aa) after “complaint” in each place it occurs insert “or concern notified in accordance with the National Health Service (Concerns, Complaints and Redress Arrangements) (Wales) Regulations 2011 ”; and

(bb) for sub-paragraph (1)(a)(iii) substitute—

“(iii) the Welsh Ministers; and

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- (iv) the Public Services Ombudsman for Wales; and”;
- (d) in Part 7 (Dispute resolution), in paragraph 54 (Dispute resolution: non NHS contracts), for “complaints procedure pursuant to Part 6” substitute “procedures for notifying concerns or making complaints pursuant to Parts 5A or 6”.
- (3) In Schedule 4 (Patient Information Leaflet), for paragraph 17 substitute—
- “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.”.

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**Commencement Information**

**II** Sch. 2 para. 4 in force at 1.4.2011, see [reg. 1\(2\)](#)

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**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. 3(1) reg. 3 renumbered as reg. 3(1) by [S.I. 2023/281 reg. 2\(3\)\(a\)](#)
- reg. 3(2)(3) inserted by [S.I. 2023/281 reg. 2\(3\)\(b\)](#)
- reg. 14(1)(k) and word inserted by [S.I. 2023/281 reg. 2\(5\)\(e\)](#)
- reg. 22(7) inserted by [S.I. 2023/274 reg. 14\(5\)\(c\)](#)
- reg. 34(1)(ca)-(cc) inserted by [S.I. 2013/235 Sch. 2 para. 162\(1\)\(b\)](#)
- reg. 34(1)(ca)-(cc) inserted by [S.I. 2013/235 Sch. 2 para. 162\(2\)\(b\)](#)
- reg. 34(1)(ca) substituted by [S.I. 2022/634 reg. 52\(2\)](#)
- reg. 34(1)(ca) substituted by [S.I. 2022/634 reg. 53\(2\)](#) (Amendment to Welsh text)