

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 (Personal Dental Services Agreements) (Wales) Regulations 2006

5.—(1) The National Health Service (Personal Dental Services Agreements) (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 35(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), in sub-paragraph (1) for the words from “The contractor” to “the agreement” substitute—

“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) 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”;

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

“(iii) the Welsh Ministers; and

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](#)

- (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 16 substitute—

“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.”.

Commencement Information

II Sch. 2 para. 5 in force at 1.4.2011, see [reg. 1\(2\)](#)

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.

[View outstanding changes](#)

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)